



City of Sunnyvale

Notice and Agenda City Council

Tuesday, November 9, 2021

5:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15 | AT&T Channel 99

**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 5:30 PM |
Regular Meeting - 7 PM**

Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/96111580540>

Special Teleconference Notice

Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, this meeting of the Sunnyvale City Council will take place by teleconference, as allowed by Government Code Subdivision 54953 (e) and Resolution No. 1089-21.

Public Participation

- *Watch the City Council meeting on television over Comcast Channel 15, AT&T Channel 99, at <http://youtube.com/SunnyvaleMeetings> or <https://sunnyvaleca.legistar.com/calendar.aspx>*
- *Submit written comments to the City Council up to 4 hours prior to the meeting to council@sunnyvale.ca.gov or by mail to City Clerk, 603 All America Way, Sunnyvale, CA 94086.*
- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/96111580540>

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 961 1158 0540

Accessibility/Americans with Disabilities Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Office of the

City Clerk may be reached at (408) 730-7483 or cityclerk@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

5 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Call to Order via teleconference.

Roll Call

Public Comment

The public may provide comments regarding the Closed Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda. Closed Sessions are not open to the public.

Convene to Closed Session

A [21-1008](#) Closed Session Held Pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representatives: Tina Murphy, Director of Human Resources

Employee organizations: Communications Officers Association (COA); Public Safety Managers Association (PSMA)

Adjourn Special Meeting

5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

Call to Order

Call to Order via teleconference.

Roll Call

Study Session

The public may provide comments regarding the Study Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda.

B [21-0801](#) Golf Subsidy Study Issue

Adjourn Special Meeting**7 P.M. COUNCIL MEETING**

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

Call to Order via teleconference.

ROLL CALL**CLOSED SESSION REPORT****SPECIAL ORDER OF THE DAY**

- C [21-0359](#) Picture Book Month
- D [21-0360](#) Small Business Saturday

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address the City Council on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Mayor) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Council to take action on an item not listed on the agenda. If you wish to address the Council, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

- 1.A [21-0986](#) Approve City Council Meeting Minutes of October 26, 2021

Recommendation: Approve the City Council Meeting Minutes of October 26, 2021 as submitted.

- 1.B [21-0261](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Recommendation: Approve the list(s) of claims and bills.

- 1.C [21-0783](#) Receive and File the FY 2021/22 First Quarter Budget Update

Recommendation: Receive and file the FY 2021/22 First Quarter Budget Update.

- 1.D [21-0902](#) Authorize the Issuance of a Contract Purchase Agreement to Reed & Graham, Inc. for Asphaltic Materials and Pavement Reinforcement Fabric (F22-030)

Recommendation: Take the following actions:
- Authorize the issuance of a contract purchase agreement to Reed & Graham, Inc. in a not-to-exceed contract amount of \$1,300,000; and
- Authorize the City Manager to amend the not to exceed amount of this contract purchased agreement, subject to available budget and if pricing and service remain acceptable to the City.

- 1.E [21-0185](#) Adopt a Resolution Approving the City Council Regular Meeting Calendar for 2022 through February 2023

Recommendation: Adopt a Resolution Approving the City Council Regular Meeting Calendar for 2022 through February 2023 as submitted.

- 1.F [21-1012](#) Joining United Against Hate Week and Proclaiming November 14-20, 2021 as United Against Hate Week

Recommendation: Adopt a Resolution joining United Against Hate Week and proclaiming November 14-20, 2021 as United Against Hate Week.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

- 2 [21-0788](#) Award an Agreement for Operation of the Sunnyvale SMaRT® Station to Bay Counties Waste Services

Recommendation: Alternative 1: Award a seven and one-half (7.5) year agreement for operation of the SMaRT Station, in substantially the same form as Attachment 1 to the report, to Bay Counties Waste Services, Inc. and authorize the City Manager to execute the Agreement for the Operation of the Sunnyvale Materials Recovery and Transfer Station between the City of Sunnyvale and Bay Counties Waste Services, Inc. when all necessary conditions have been met.

- 3 [21-0972](#) Approve an Allocation from the Public Art Acquisition Fund for up to \$100,000 for Prefabricated Sculptures Modified by Artists

Recommendation: Alternative 1: Approve an allocation from the Public Art Acquisition Fund for up to \$100,000 for prefabricated sculptures modified by artists.

- 4 [21-0086](#) Introduce an Ordinance to Repeal and Re-Adopt Sunnyvale Municipal Code Chapter 8.16 (Solid Waste Management and Recycling) and add Sunnyvale Municipal Code Chapter 16.74 (Construction and Demolition Diversion); Introduce an Ordinance to Amend Sunnyvale Municipal Code Section 19.38.030 (Recycling and Solid Waste Facilities) and Section 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements); Adopt a Resolution to Amend the Master Fee Schedule to add Fines and Penalties for Violations of Chapter 8.16 and 16.74; Find that the Action Is Exempt from California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308 of the CEQA Guidelines

Recommendation: Alternatives 1 through 4:

1. Introduce an Ordinance Repealing and Re-Adopting Sunnyvale Municipal Code Chapter 8.16 (Solid Waste Management and Recycling) and adopt Municipal Code Chapter 16.74 (Construction and Demolition Diversion);
2. Introduce an Ordinance to Amend Sunnyvale Municipal Code Sections 19.38.030 (Recycling and Solid Waste Facilities) and 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements);
3. Adopt a Resolution to amend the Master Fee Schedule to add fines and penalties for violations of Sunnyvale Municipal Code Chapters 8.16 and 16.74; and
4. Find that the Action Is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15308 and 15061(b)(3).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

Visit <http://Sunnyvale.ca.gov/TCMAC> to view the Tentative Council Meeting Agenda Calendar (TCMAC) online. The TCMAC is updated each Thursday afternoon.

[21-0881](#) Tentative Council Meeting Agenda Calendar

[21-0702](#) Board/Commission Meeting Minutes

[21-0709](#) Information/Action Items

ADJOURNMENT**NOTICE TO THE PUBLIC**

The agenda reports to council (RTCs) may be viewed on the City's website at

sunnyvale.ca.gov after 7 p.m. on Thursdays or in the Office of the City Clerk located at 603 All America Way, prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at (408) 730-7483 to access City Hall to view these materials and for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Planning a presentation for a City Council meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" available at <http://Sunnyvale.ca.gov/PublicComments>

Planning to provide materials to Council?

If you wish to provide the City Council with copies of your presentation materials, please provide 12 copies of the materials to the Office of the City Clerk. The City Clerk will distribute your items to the Council following the meeting..

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.