



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, February 6, 2024

5:00 PM

Online and Council Chambers, City Hall,  
456 W. Olive Ave., Sunnyvale, CA 94086

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**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 6 PM |  
Regular Meeting - 7 PM**

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

### Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the City Clerk.*

*As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.*

*The Mayor may determine it would be impractical to include remote public comment during Oral Communications.*

- *Online participation: You may provide audio public comment by connecting to the 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*

*(\*9 to request to speak | \*6 to unmute/mute)*

- *Watch the City Council meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*

- *Submit written comments to the City Council no later than 4 hours prior to the meeting start to [council@sunnyvale.ca.gov](mailto:council@sunnyvale.ca.gov) or by mail to:*

*City Clerk, 456 W. Olive Ave., Sunnyvale, CA 94086*

- Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>

### **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](mailto:cityclerk@sunnyvale.ca.gov) (28 CFR 35.160 (b) (1)).*

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

#### **Call to Order**

*Call to Order in the Council Chambers (Open to the Public).*

#### **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**

*Convene to Closed Session in the Council Conference Room (Closed to the Public).*

**A**     [24-0227](#)     Closed Session held pursuant to California Government Code Section 54957:  
PUBLIC EMPLOYEE APPOINTMENT  
Title: City Attorney

#### **Adjourn Special Meeting**

### **6 P.M. SPECIAL COUNCIL MEETING (Study Session)**

#### **Call to Order**

*Call to Order in the Council Chambers*

**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**     [24-0226](#)     Update Regarding the Levine Act (California Government Code 84308)

**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 in the Council Chambers*

**SALUTE TO THE FLAG****ROLL CALL****CLOSED SESSION REPORT****SPECIAL ORDER OF THE DAY**

- C**     [24-0087](#)     SPECIAL ORDER OF THE DAY - Black History Month

**ORAL COMMUNICATIONS**

*The Mayor may determine it would be impractical to include remote public comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on 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 [24-0071](#) Approve City Council Meeting Minutes of December 12, 2023

**Recommendation:** Approve the City Council Meeting Minutes of December 12, 2023 as submitted.

- 1.B [24-0079](#) Approve City Council Meeting Minutes of January 9, 2024

**Recommendation:** Approve the City Council Meeting Minutes of January 9, 2024 as submitted.

- 1.C [24-0014](#) 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.D [24-0016](#) Accept Fiscal Year 2023/24 Transportation Development Act Article 3 Funding in the Amount of \$160,000, and Approve Budget Modification No. 12 to Appropriate the Grant Funding to Fund a New Project - Install Sidewalk on Poplar Avenue

**Recommendation:** Accept Fiscal year 2023/24 Transportation Development Act Article 3 Funding in the amount of \$160,000 from the Metropolitan Transportation Commission and Approve Budget Modification No. 12 to appropriate \$160,000 to fund a new project, Install Sidewalk on Poplar Avenue.

- 1.E [24-0150](#) Award of Six (6) Temporary Personnel Service Agreements Totalling \$2,200,000 for On-Call Temporary Staffing Services for Plan Check, Inspections and Permitting Support Staff

## Services for Community Development (F23-168)

**Recommendation:** Take the following actions:

- Award six (6) three-year Temporary Personnel Service Agreements to the following firms: 4Leaf, Inc. with a contract amount not to exceed \$400,000; BPR Consulting Group, Inc. with a contract amount not to exceed \$400,000; CSG Consultants, Inc. with a contract amount not to exceed \$400,000; Shums Coda Associates, Inc. (SCA) with a contract amount not to exceed \$400,000; TRB & Associates Inc. with a contract amount not to exceed \$400,000; and Interwest, Inc. with a contract amount not to exceed \$200,000 in substantially the formats shown in Attachments 1 to 6 to the report;
- Authorize the City Manager to execute the agreements when all conditions have been met; and
- Authorize the City Manager to amend the not-to-exceed amounts and to renew the contracts for up to two (2) additional one-year periods, subject to available budget, need and if pricing and services remain acceptable to the City.

**1.F**     [24-0186](#)

Amend an Existing Contract in the Amount to \$419,916 with Solitude Lake Management LLC, DBA Aquatic Environments for On-Call Maintenance of Vegetation for the Water Pollution Control Plant Ponds (F23-09) for a New Not-to-Exceed amount of \$839,832

**Recommendation:** Take the following Actions:

- Authorize the City Manager to execute the first Amendment in substantially the same form as Attachment 2 to the report, to an existing Service Agreement with Solitude Lake Management LLC, DBA: Aquatic Environments; and
- Authorize the City Manager to amend the not-to-exceed amount and to extend the contract for three (3) additional one-year periods, subject to available budget and if pricing and services remain acceptable to the City.

**1.G**     [24-0284](#)

Review the City's 2024 Code of Ethics and Conduct for Elected and Appointed Officials

**Recommendation:** Review and reaffirm the 2024 Code of Ethics and Conduct for Elected and Appointed Officials with no changes from the January 9, 2024 Code as set forth in Attachment 1 of the report.

1.H [24-0285](#) Approve 2024 Board and Commission Annual Work Plans

**Recommendation:** Approve the 2024 Work Plans as submitted.

1.I [24-0301](#) Adopt Ordinance No. 3223-24 to add By-Right Approvals (Chapter 19.73) to the Sunnyvale Municipal Code, Designate Parcels Subject to By-Right Approval, and Make Related Amendments to Chapters 19.12 (Definitions), Zoning Districts and Specific Plan Districts - Areas, Residential (19.18), Commercial (19.20), Office and Public Facilities (19.24), Downtown Specific Plan (19.28), Moffett Park Specific Plan (19.29), Lawrence Station Area Plan (19.35), El Camino Real Specific Plan (19.36), Inclusionary Below Market Rate Ownership Housing Program (19.67), and Miscellaneous Plan Permit (19.82)

**Recommendation:** Adopt Ordinance No. 3223-24 to add By-Right Approvals (Chapter 19.73) to the Sunnyvale Municipal Code, designate parcels subject to By-Right Approval, and make related amendments to Chapters 19.12 (Definitions), Zoning Districts and Specific Plan Districts - Areas, Residential (19.18), Commercial (19.20), Office and Public Facilities (19.24), Downtown Specific Plan (19.28), Moffett Park Specific Plan (19.29), Lawrence Station Area Plan (19.35), El Camino Real Specific Plan (19.36), Inclusionary Below Market Rate Ownership Housing Program (19.67), and Miscellaneous Plan Permit (19.82)

## **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 [24-0069](#) Introduce an Ordinance to Amend Section 16.62.330 (Installation of Manufactured Homes section within the

Floodplain Management Chapter) of Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15268 and 15308 and Public Resources Code Section 21080(b)(1)

**Recommendation:** Alternative 1: Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15268 and 15308 and Public Resources Code Section 21080(b)(1) and introduce an Ordinance to amend Section 16.62.330 (Installation of Manufactured Homes section within the Floodplain Management Chapter) of Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code (Attachment 1 to the report).

- 3      [24-0255](#)      Adopt Positions on State and Local Ballot Measures for the March 5, 2024 Election

**Recommendation:** Alternative 1:  
Adopt the following staff-recommended positions on the ballot measures deemed City business, including any items where staff recommends Council remain neutral (take no position).  
SUPPORT - Measure C - Sunnyvale School District School Bonds 55% Vote  
TAKE NO POSITION - Proposition 1 - Authorizes \$6.38 Billion in Bonds to Build Mental Health Treatment Facilities for Those With Mental Health and Substance Use Challenges; Provides Housing for the Homeless. Legislative Statute.

- 4      [24-0230](#)      Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase the Salary Range for the Director of NOVA Workforce Services

**Recommendation:** Alternative 1: Adopt a Resolution amending the City's Salary Resolution and Schedule of Pay to increase the Salary Range for the Director of NOVA Workforce Services.

- 5      [24-0282](#)      Adopt a Resolution and Approve an Amendment to Housing Assistance Agreement for City Manager Kent Steffens Extending the Home Loan Repayment Term

**Recommendation:** Staff makes no recommendation. This report is developed to facilitate conversation for the public hearing and action by the City Council.

**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.*

<a href="#">24-0165</a>	Tentative Council Meeting Agenda Calendar
<a href="#">24-0187</a>	Board/Commission Meeting Minutes
<a href="#">24-0188</a>	Information/Action Items
<a href="#">24-0278</a>	Mayoral Announcement of Mayoral Appointment of Councilmembers to Intergovernmental Assignments (Information Only)

**ADJOURNMENT**

**NOTICE TO THE PUBLIC**

*The agenda reports to council (RTCs) may be viewed on the City's website at [sunnyvale.ca.gov](http://sunnyvale.ca.gov) after 7 p.m. on Thursdays or at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue, during normal business hours, 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 on the fourth floor of City Hall at 456 W. Olive Avenue, during normal business hours and in the Council Chambers 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 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.*

**Upcoming Meetings**

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