



City of Sunnyvale

Notice and Agenda City Council

Tuesday, May 21, 2024

5:00 PM

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

Special Meeting: Workshop - 5 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 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 (28 CFR 35.160 (b) (1)).

5 P.M. SPECIAL COUNCIL MEETING (Workshop)

Call to Order

Call to Order in the Council Chambers

Roll Call

Workshop

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

- A** [24-0234](#) Civic Center Phase 2: Main Library Preferred Concept Selection

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**

- B** [24-0338](#) Public Works Week
- C** [24-0334](#) Municipal Clerks Week

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** [24-0437](#) 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.B** [24-0481](#) Award of Five (5) On-Call Service Agreements for the Purchase of Wastewater Treatment Enhancer Chemicals for the Water Pollution Control Plant (F24-010)

Recommendation: Take the following actions:

- Award five (5) three-year On-Call Service Agreements to the following firms: Jenfitch, Inc. with a contract amount not-to-exceed \$500,000, Chemtrade Chemicals US, LLC with a contract amount not-to-exceed \$500,000, Veolia WTS USA, Inc. with a contract amount not-to-exceed \$500,000, SNF Polydyne, Inc. with a contract amount not-to-exceed \$500,000, and Thatcher Company of California, Inc. with a contract amount not-to-exceed \$500,000 in substantially the same formats shown in Attachments 2 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 three (3) additional one-year periods, subject to available budget, need and if pricing and services remain acceptable to the City.

1.C [24-0466](#)

Authorize the City Manager to Apply for a Discretionary Wastewater Discharge Permit from Silicon Valley Clean Water (SVCW) for the Disposal of Source-Separated Residential and Commercial Organic Waste from the Sunnyvale SMaRT Station in the Amount of \$340,000

Recommendation: Authorize the City Manager to apply for a Discretionary Wastewater Discharge Permit in the amount of \$340,000 with Silicon Valley Clean Water (SVCW) for the Disposal of Source-Separated Residential and Commercial Organic Waste from the Sunnyvale SMaRT Station and Authorize the City Manager to renew this permit for five additional one-year periods subject to available budget and as long as service and pricing remain acceptable.

1.D [24-0383](#)

Approve the FY 2024/25 Preliminary Engineer's Report for the Downtown Parking District Assessment, Adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2024/25, and Set the Date of June 25, 2024 for the Public Hearing on the Proposed Assessment

Recommendation: Approve the Fiscal Year (FY) 2024/25 preliminary Engineer's Report for the Downtown Parking District Assessment, adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2024/25, and set the date of June 25, 2024 for the public hearing on the levy of the proposed Assessment.

1.E [24-0615](#) Review and Adopt a Long-term Advocacy Position (LAP) Related to the Levine Act

Recommendation: Staff makes no recommendation. Approval of the consent calendar constitutes Council approval of a new long-term advocacy position as presented:

"Support efforts to achieve the goals of the Levine Act while providing clear and understandable rules that do not unreasonably limit officials' ability to participate in governance of the City."

1.F [24-0641](#) Adopt Ordinance No. 3228-24 Amending Chapter 19.16 (Precise Zoning Plans - Zoning Districts - Zoning Maps) of the Sunnyvale Municipal Code to Rezone Certain Property Located at 1313 South Wolfe Road, a 1.2-acre Site and 898 East Fremont Avenue, a 0.54-acre Site from Neighborhood Business (C-1) with a Planned Development (PD) Combining District to Medium Density Residential (R-3) with Mixed Use (MU) and Planned Development (PD) Combining District

Recommendation: Adopt Ordinance No. 3228-24 Amending Chapter 19.16 (Precise Zoning Plans - Zoning Districts - Zoning Maps) of the Sunnyvale Municipal Code to Rezone Certain Property Located at 1313 South Wolfe Road, a 1.2-acre Site and 898 East Fremont Avenue, a 0.54-acre Site from Neighborhood Business (C-1) with a Planned Development (PD) Combining District to Medium Density Residential (R-3) with Mixed Use (MU) and Planned Development (PD) Combining District.

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 [24-0594](#) Award a Contract with all Additive Alternate Bid Items to Bobo Construction, Inc. in the Amount of \$23,178,824.25 for the Lakewood Branch Library and Learning Center Project (PW24-11); Adopt the Mitigated Negative Declaration and Mitigation Monitoring, and Reporting Program for the Project; and Approve Budget Modification No. 23 in the Amount of \$2,731,329

Recommendation: Alternative 1:

Authorize the City Manager to take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$22,527,824.25 to Bobo Construction, Inc. of Elk Grove;
- Award all five Additive Alternate Bid items in the contract at a cost of \$651,000 for a contract total amount of \$23,178,824.25;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Make the findings required by the California Environmental Quality Act as stated in the MND, as Attachment 6 to the report, adopt the Final Mitigated Negative Declaration, as Attachment 3 to the report, and Mitigation Monitoring and Reporting Program, as Attachment 4 to the report, for the project;
- Approve a Budget Modification No. 23 in the amount of \$2,731,329 to provide additional funding for this project; and
- Approve a 10% construction contingency in the amount of \$2,317,882.

- 3 [24-0610](#) Discussion and Possible Action Regarding Placing a Revenue Measure on the November 2024 Ballot: Real Property Transfer Tax Measure and/or Civic Center Phase 2: Main Library Bond Measure

Recommendation: Alternative 3: Direct staff to return to Council with actions necessary to place a general obligation bond measure to support the issuance of \$290 million in bonds for the construction of a new library on the November 2024 ballot.

- 4 [24-0545](#) Adopt a Resolution Suspending Enforcement of Sunnyvale Municipal Code Sections 16.42.030 through 16.42.080

Related to All-Electric Requirements for New and Substantially Reconstructed Buildings, and Direct Staff to Investigate Alternatives to Achieve Building Electrification

Recommendation: Alternative 1: Adopt a Resolution to Suspend Enforcement of Sunnyvale Municipal Code Sections 16.42.030 through 16.42.080 Related to All-Electric Requirements for New and Substantially Reconstructed Buildings and direct staff to investigate alternatives to achieve building electrification.

- 5 [24-0541](#) Evaluation and Direction Regarding Wi-Fi Installation at the Corn Palace Park Project (PR-22-03), Lakewood Park Renovation Project (PR-22-01) and Plaza del Sol Project (PR-21-26)

Recommendation: Alternative 1: Approve installation of Wi-Fi in the common areas of Lakewood Park and blanket coverage for Plaza del Sol, do not approve installation of Wi-Fi at Corn Palace Park Development, and direct staff to include the ongoing annual costs in the FY 2025/26 Adopted Budget.

- 6 [24-0290](#) Public Safety Military Equipment Use Annual Report Pursuant to California Assembly Bill No. 481

Recommendation: Alternative 1: Adopt a Resolution Regarding the Presentation of the Annual Public Safety Military Equipment Use Report and Renewing the Military Equipment Use Policy Pursuant to California Assembly Bill No. 481 and Finding the Uses Conformed to Policy, Authorizing Staff to Seek Grant Funding for Equipment, and Finding that the Action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

- 7 [24-0022](#) Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Human Relations Commission, Parks and Recreation Commission, Personnel Board, Planning Commission and Sustainability Commission

Recommendation: Staff makes no recommendation.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS**-Council**

- D [24-0639](#) Colleagues Memorandum: Study Session on City Support for Organizing Community Events

-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.

- [24-0410](#) Tentative Council Meeting Agenda Calendar
- [24-0583](#) Board/Commission Meeting Minutes
- [24-0605](#) Information/Action Items
- [24-0634](#) Council Advocacy Letters
- [24-0597](#) Election Information for Candidates - November 5, 2024 Election

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 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.