



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, February 23, 2021

5:00 PM

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

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

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 Governor Gavin Newsom’s Executive Order N-29-20.

- *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

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment, contact the City at least 2 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. 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** [21-0370](#) CONFERENCE WITH LEGAL COUNSEL-PENDING
LITIGATION
Closed Session held pursuant to California Government Code
Section 54956.9 (d)(1). Name of Case: City of Sunnyvale, et
al. v. Bosler (as Director), et al. (California Court of Appeal,
Third Appellate District, Case No. C081589

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** [21-0049](#) Cleanwater Program Update

Adjourn Special Meeting

- 1.B** [21-0180](#) Approve City Council Meeting Minutes of February 1, 2021
(Moffett Park Specific Plan Study Session)
- Recommendation:** Approve the City Council Meeting Minutes of February 1, 2021
as submitted.
- 1.C** [21-0269](#) Approve City Council Meeting Minutes of February 2, 2021
- Recommendation:** Approve the City Council Meeting Minutes of February 2, 2021
as submitted.
- 1.D** [21-0173](#) 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.E** [21-0249](#) Adopt a Resolution Amending the City’s Salary Resolution and
Schedule of Pay to Increase Salaries for Pay Plan Category A
(Communication Officers Association).
- Recommendation:** Adopt a Resolution Amending the City's Salary Resolution and
Schedule of Pay to Increase Salaries for Pay Plan Category A
(Communication Officers Association) Effective March 7, 2021.
- 1.F** [21-0155](#) Approve the Fiscal Year 2021/22 Sustainability Speaker
Series
- Recommendation:** Approve the FY 2021/22 Sustainability Speaker Series topics
as proposed by the Sustainability Commission, with the
provision that the implementation of up to four events will be
contingent on speaker availability, staffing resources, and
available budget. Staff has collaborated with the
Subcommittee during the development of the proposed Series
and generally supports the topics selected.
- 1.G** [21-0291](#) Approve NOVA as Adult and Dislocated Worker Career
Services Provider at Sunnyvale Job Center and Operator for
NOVA Workforce Development Area
- Recommendation:** Approve NOVA as the Adult and Dislocated Worker Career
Services Provider at the Sunnyvale Job Center and Operator
for the NOVA workforce development area.

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 [21-0081](#) Introduce an Ordinance Awarding an Exclusive Franchise to Bay Counties Waste Services, Inc. for Collection of Solid Waste, Recyclables, and Organic Materials; Authorize the Mayor to Execute a Franchise Agreement; and Find that these Actions are Exempt from CEQA Pursuant to CEQA Guidelines Section 15301 and 15308

Recommendation: Alternative 1: Introduce the Ordinance in Attachment 1 Awarding an Exclusive Franchise to Bay Counties Waste Services, Inc. for Collection of Solid Waste, Recyclables, and Organic Materials, Authorize the Mayor to execute the Draft Franchise Agreement in substantially the form in Attachment 2 including "Option B" of Section 2.1 to provide for a term of fifteen years from July 1, 2021, to June 30, 2036 with a performance review in Year 6 by the City Manager or designee, and Find that these Actions are Exempt from CEQA Pursuant to CEQA Guidelines Sections 15301 and 15308.

- 3 [21-0284](#) Discussion and Direction on Ordinance Establishing a Public Process for Redistricting

Recommendation: Discuss and provide direction to staff on the draft redistricting ordinance.

- 4 [21-0061](#) Authorize the City Manager to Enter into an Agreement with Our City Forest for Planting Trees on Homeowner's Private Property and Approve Budget Modification No. 17

Recommendation: Alternative 1: Authorize the City Manager to execute a Cooperative Services Agreement with Our City Forest to plant trees on homeowner private property and Approve Budget Modification No. 17 in the Amount of \$15,000.

- 5 [21-0244](#) Annual Review and Approval of City's Code of Ethics and Conduct for Elected and Appointed Officials

Recommendation: Alternative 1: Review and approve the 2021 Code of Ethics and Conduct for Elected and Appointed Officials with non-substantive changes from the 2020 Code as set forth in Attachment 1 to the report.

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.

21-0270	Tentative Council Meeting Agenda Calendar
21-0271	Board/Commission Meeting Minutes
21-0272	Information/Action Items
21-0282	Board/Commission Resignation (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 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.