



City of Sunnyvale

Notice and Agenda City Council

Tuesday, April 6, 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**

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

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** [21-0447](#) Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Potential Acquisition of land on 1100 block of Manzano way, Sunnyvale, CA
Agency negotiator: Kent Steffens, City Manager; Chip Taylor, Director of Public Works; and Sherine Nafie, City Property Administrator
Negotiating parties: City and County of San Francisco, Owner
Under negotiation: Price and terms

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** [21-0384](#) Impact on the Unhoused in Sunnyvale During the COVID-19 Pandemic

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** [21-0015](#) Ceremonial Oath of Office for Board and Commission Members
- D** [21-0346](#) Earth Month and Arbor Day Celebration
- E** [21-0348](#) Recognition of Green Businesses

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 [21-0423](#) Approve City Council Meeting Minutes of March 30, 2021

Recommendation: Approve the City Council Meeting Minutes of March 30, 2021 as submitted.

1.B [21-0240](#) 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 [21-0233](#) Approve the Downtown Sunnyvale Business Improvement District Annual Report for Fiscal Year 2020/21; and Adopt the Resolution of Intention to Levy and Collect Annual Assessment and Reauthorize Business Improvement District for Fiscal Year 2021/22

Recommendation: Approve the Fiscal Year 2020/21 BID Annual Report, adopt the Resolution of Intention to Levy and Collect an Assessment and Reauthorize the Business Improvement District for Fiscal Year 2021/22, and schedule the public hearing for May 4, 2021.

1.D [21-0403](#) Adopt a Resolution Authorizing the Finance Director to Renew a Business License Tax Data Exchange Agreement with the California Franchise Tax Board

Recommendation: Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15378(b)(5) and adopt a Resolution authorizing the Finance Director to execute a reciprocal agreement with the California Franchise Tax Board for the exchange of business license tax data through December 31, 2023.

1.E [21-0474](#) Adopt Uncodified Ordinance No. 3175-21 to repeal Ordinance No. 2898-09 and Designate Certain Streets in the Area of the Caltrain Station as Preferential Parking Zones

Recommendation: Adopt Uncodified Ordinance No. 3175-21 to repeal Ordinance No. 2898-09 and designate certain streets in the area of the Caltrain Station as preferential parking zones.

- 1.F [21-0473](#) Adopt Ordinance No. 3174-21 to amend Title 2 of the Sunnyvale Municipal Code to add Chapter 2.31 to Establish a Public Process for Redistricting

Recommendation: Adopt Ordinance No. 3174-21 to amend Title 2 of the Sunnyvale Municipal Code to add Chapter 2.31 to Establish a Public Process for Redistricting.

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 [21-0083](#) Direct Staff to Develop an Ordinance to Reduce Use of Single-Use Plastic Foodware and Condiment Containers and Return to City Council for Approval after Completion of CEQA Review

Recommendation: Alternative 2 : Direct staff to develop an Ordinance to be implemented and phased in over three years to reduce the impacts of single-use plastic foodware and condiment containers, and return for City Council approval of the Ordinance after appropriate CEQA review, with a targeted Ordinance adoption date of September 2021:

- * Phase 1 - An opt-in requirement for foodware and condiment containers for online and take-out ordering from food service delivery vendors and restaurants, to take effect in September, 2021
- * Phase 2 - Require food service businesses to provide customers with single-use plastic foodware and condiment containers only upon request, for in-store as well as take-out, to take effect in June 2023.

Additionally, direct staff to return to Council in late 2023 with a proposal that evaluates further recommendations for the program.

- 3 [21-0281](#) Receive and File the FY 2020/21 Third Quarter Budget Update

Recommendation: Alternative 1: Receive and file the FY 2020/21 Third Quarter Budget Update

- 4 [21-0003](#) Discussion and Direction Regarding Amendments to Sunnyvale Municipal Code Section 2.28.030 Related to In-Lieu Petitions for Publication Costs of City Council Candidate Statements

Recommendation: Staff makes no recommendation. This report is developed to facilitate a conversation by the City Council. Staff will prepare and return with an Ordinance amending SMC section 2.28.030 to reflect any City Council direction from this discussion.

- 5 [21-0450](#) REQUEST FOR CONTINUANCE TO MAY 4, 2021
Introduce an Ordinance Making Minor Amendments to Chapters 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), and 19.79 (Accessory Dwelling Units) of the Sunnyvale Municipal Code and Amending Chapter 19.98 (General Procedures) of the Sunnyvale Municipal Code to Create a Procedure for Appealing Incompleteness Determinations, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA

Recommendation: Open the public hearing and continue to the City Council meeting of May 4, 2021.

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.

- [21-0424](#) Tentative Council Meeting Agenda Calendar
- [21-0425](#) Board/Commission Meeting Minutes
- [21-0426](#) Information/Action Items
- [21-0150](#) 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.