



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, June 29, 2021

7:00 PM

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

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### 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 Orders N-29-20 and N-08-21.*

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

**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****SPECIAL ORDER OF THE DAY**

A     [21-0352](#)           Parks and Recreation Month

**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    [21-0556](#)           Approve City Council Meeting Minutes of June 8, 2021

**Recommendation:** Approve the City Council Meeting Minutes of June 8, 2021 as submitted.

1.B    [21-0405](#)           Approve City Council Meeting Minutes of June 15, 2021

**Recommendation:** Approve the City Council Meeting Minutes of June 15, 2021 as submitted.

- 1.C    [21-0500](#)    Approve City Council Meeting Minutes of June 17, 2021  
(Redistricting Commission Interviews)

**Recommendation:** Approve the City Council Meeting Minutes of June 17, 2021 as submitted.

- 1.D    [21-0252](#)    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    [21-0579](#)    Receive and File the City of Sunnyvale Investment Report -  
First Quarter 2021

**Recommendation:** Receive and file the City of Sunnyvale - First Quarter 2021 Investment Report.

- 1.F    [21-0555](#)    Adopt a Resolution Amending the City's Salary Resolution and  
Schedule of Pay to Increase Salaries for Pay Plan Category C  
(Public Safety Officers' Association) and Pay Plan Category M  
(Public Safety Managers' Association) Effective July 11, 2021

**Recommendation:** Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category C (Public Safety Officers Association) and Pay Plan Category M (Public Safety Managers Association) Effective July 11, 2021.

- 1.G    [21-0310](#)    Award a Contract to Innovative Interfaces, Inc. for  
Maintenance, Support and Hosting of Integrated Library  
System (ILS) Software and Add-on Modules (F21-055)

**Recommendation:** Take the following actions:

- Award a four-year contract to Innovative Interfaces, Inc. for maintenance and support of Integrated Library System (ILS) Software in a not-to-exceed contract amount of \$476,625.27;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize the City Manager to amend this contract to procure additional modules and services and to renew the Contract for up to an additional five (5) years, subject to available budget and if pricing and services remain acceptable to the City.

- 1.H [21-0559](#) Award a Contract to Axon Enterprise, Inc. for a Body-Worn Camera Solution and Tasers for the Department of Public Safety (F21-139)

**Recommendation:** Take the following actions:

- Award a five-year contract to Axon Enterprise, Inc. for a body-worn camera (BWC) solution, including software, unlimited digital evidence storage, and conducted electrical weapons (CEWs) in a not-to-exceed contract amount of \$1,730,115;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize the City Manager to amend the contract, subject to available budget and if pricing and services remain acceptable to the City for up to an additional five years.

- 1.I [21-0536](#) Modify a Purchase Agreement with Yamaha Motor Finance Corp USA for Electric Golf Cart Lease for the Sunnyvale and Sunken Gardens Golf Courses (F21-0158)

**Recommendation:** Authorize the City Manager to amend the existing purchase agreement with Yamaha Motor Finance Corp USA in substantially the same form as Attachment 1 to the report, for lease of electric golf carts, extending the term of the contract until December 31, 2021 or until the carts are returned and increasing the not-to-exceed contract amount by \$43,812.40 for a new not-to-exceed total lease contract amount of \$342,619.22.

- 1.J [21-0679](#) Approve Budget Modification No. 28 in the amount of \$1,868,408 for Emergency Pipeline Repair Work

**Recommendation:** Approve Budget Modification No. 28 in the amount of \$1,868,408 for Emergency Pipeline Repair Work.

- 1.K [21-0563](#) Approve the Implementation of the Community Rating System 2021 Multi-Jurisdictional Program for Public Information Related to the National Flood Insurance Program

**Recommendation:** Take the following actions:

- Review the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information; and
- Approve the implementation of the Program for Public Information 5-Year Plan to be part of the City's participation in the Community Rating System (CRS) that provides premium discounts for policies in the National Flood Insurance Program.

**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      [21-0090](#)      Proposed Utility Rate Increases for FY 2021/22 Rates for Water, Wastewater, and Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries; Finding of California Environmental Quality Act (CEQA) Exemption Pursuant to Public Resource Code Section 21080(b)(8) and CEQA Guidelines Section 15273

**Recommendation:** Alternatives 1 and 2: Alternative 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273 because it approves rates and charges for the purposes of (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment or materials; (3) meeting financial reserve needs and requirements; and (4) obtaining funds for capital projects necessary to maintain current service levels; and Alternative 2) Adopt a resolution increasing water rates by 1.5%, wastewater rates by 4%, and solid waste rates by 4% for FY 2021/22.

- 3      [21-0684](#)      Introduce an Ordinance Amending Chapter 19.67 (Below Market Rate Ownership Housing) of the Sunnyvale Municipal Code to Modify the Inclusionary Housing Program

**Recommendation:** Alternative 1: Introduce an Ordinance to amend Chapter 19.67 ("Below Market Rate Ownership Housing") of Title 19 ("Zoning") of the Sunnyvale Municipal Code to modify Inclusionary Below Market Rate Ownership Housing Requirements (Attachment 3 to the report).

- 4      [21-0082](#)      Request to Authorize City Manager to Execute: (1) The 2021 New Memorandum of Understanding (MOU) Between Cities of Sunnyvale and Mountain View for SMaRT Station® Services and (2) Amendment to 1992 MOU Among Sunnyvale, Mountain View and Palo Alto Clarifying That MOU Term Ends December 31, 2021, and Find That These Actions are Within the Scope of the 1990 Environmental Impact Report (EIR) and Subsequent Addenda

**Recommendation:** Alternative 1: Authorize the City Manager to execute the New Memorandum of Understanding Among the Cities of Mountain View and Sunnyvale Relating to the Operation of a Materials Recovery and Transfer Station in substantially the same form as Attachment 1 of the Report; Alternative 2: Authorize the City Manager to execute the Amendment to the Second Memorandum of Understanding Among the Cities of Mountain View, Palo Alto and Sunnyvale Relating to the Construction and Operation of a Materials Recovery and Transfer Station and the Long Term Disposal of Municipal Solid Waste at Kirby Canyon in substantially the same form as Attachment 2 of the report; and Alternative 3: Find that these actions are within the scope of the 1990 EIR and subsequent addenda and that no further environmental review is required under CEQA Guidelines Section 15162.

- 5      [21-0616](#)      Adopt a Resolution Approving the 2020 Urban Water Management Plan (UWMP) and Adopt a Resolution Approving the Water Shortage Contingency Plan to be Included in the UWMP and Find That These Actions are Exempt From the California Environmental Quality Act (CEQA)

**Recommendation:** Alternative No 1: Adopt two resolutions approving the 2020 Urban Water Management Plan and the Water Shortage Contingency Plan as presented, and direct staff to forward the Plans to the California State Department of Water Resources, and find that these actions are exempt from CEQA.

- 6      [21-0420](#)      Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy and Collect an Annual Assessment for The Downtown Parking Maintenance District for Fiscal Year 2021/22

**Recommendation:** Alternative 1: Adopt the Resolution to approve the final Engineer's Report, to confirm the assessment, and levy and collect an annual assessment for the Downtown Parking Maintenance District for FY 2021/22.

- 7      [21-0696](#)      Adoption of Emergency Ordinance of the City of Sunnyvale to Temporarily Suspend Evictions for Nonpayment of Rent by Residential Tenants Impacted by the COVID-19 Emergency Effective From July 1, 2021 Through September 30, 2021

**Recommendation:** Alternative 1: Adopt an Emergency Ordinance of the City of Sunnyvale to Temporarily Suspend Evictions for Nonpayment of Rent by Residential Tenants Impacted by the COVID-19 Emergency Effective from July 1, 2021 through September 30, 2021.

- 8      [21-0496](#)      Introduce an Ordinance to Amend Certain Sections of Chapter 12.12 of the Sunnyvale Municipal Code (Sewer Use Regulations) and Find That the Action is Categorically Exempt From the California Environmental Quality Act (CEQA) Pursuant to Section 15308 of the CEQA Guidelines

**Recommendation:** Alternative 1: Introduce an Ordinance to amend Section 12.12.120 (Local Limits for Wastewater) of Chapter 12.12 (Sewer Use Regulations) of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code, and find that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308 of the CEQA Guidelines.

- 9      [21-0343](#)      Appoint Applicants to the Redistricting Commission



**Recommendation:** Staff makes no recommendation.

- 10     [21-0554](#)     Provide Direction Regarding Amending the Employment Agreement Between the City of Sunnyvale and City Attorney John A. Nagel to Increase the City Attorney Salary and Allow Additional Paid Time Off Cashout

**Recommendation:** Staff makes no recommendation. This report is developed to facilitate discussion 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.*

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|-------------------------|---|
| <a href="#">21-0593</a> | Tentative Council Meeting Agenda Calendar       |
| <a href="#">21-0656</a> | Board/Commission Meeting Minutes                |
| <a href="#">21-0662</a> | Information/Action Items                        |
| <a href="#">21-0664</a> | 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](http://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.*