



City of Sunnyvale

Notice and Agenda City Council

Tuesday, September 28, 2021

4:30 PM

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

**Special Meeting: Closed Session - 4:30 PM | Special Meeting: Study Session - 5 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 Orders N-29-20, N-08-21 and N-15-21.

- *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 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)).

4:30 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** [21-0922](#) CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION
Closed Session held pursuant to California Government Code Section 54956.9(d)(4)
Number of Potential Cases: One

Adjourn Special Meeting

5 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** [21-0852](#) Responsible Construction Ordinance
- C** [21-0534](#) Fire Station Master Plan

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**

D [21-0356](#) Breast Cancer Awareness 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 [21-0825](#) Approve City Council Meeting Minutes of August 31, 2021

Recommendation: Approve the City Council Meeting Minutes of August 31, 2021 as submitted.

1.B [21-0305](#) Approve City Council Meeting Minutes of September 8, 2021

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

1.C [21-0357](#) Approve City Council Meeting Minutes of September 14, 2021

Recommendation: Approve the City Council Meeting Minutes of September 14, 2021 as submitted.

1.D [21-0258](#) 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 [21-0853](#) Award of Contract to Callander Associates Landscape Architecture Inc. for Design Services for the Plaza Del Sol Phase II Project (F21-110)

Recommendation: Take the following actions:

- Award a Consultant Services Agreement in substantially the same form as Attachment 1 to the report in the amount not-to-exceed \$373,070 to Callander Associates Landscape Architecture Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$37,307.

1.F [21-0887](#) Award of Contract to NBC Construction & Engineering Inc. for De Anza Park Pathway Renovation and Finding of California Environmental Quality Act (CEQA) Categorical Exemption (PW21-28)

Recommendation: Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$498,370.35 to NBC Construction & Engineering Inc. of San Francisco;
- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% Contingency in the amount of \$49,837.

1.G [21-0856](#) Award of Contract to Alta Planning + Design, Inc. for Design Services Sunnyvale SNAIL Neighborhood Active

Transportation Connectivity Improvements (F21-147)

Recommendation: Take the following actions:

- Award a Consultant Services Agreement in substantially the same form as Attachment 1 to the report in the amount not-to-exceed \$819,440.00 to Alta Planning + Design, Inc.;
- Approve a 10% contingency in the amount of \$81,944.00; and
- Authorize the City Manager to execute the contract when all necessary conditions have been met.

1.H [21-0936](#)

Approve a Revision to the Statement on Our City Values and Public Service Affirming the City of Sunnyvale's Commitment to Serving Our Diverse Community in a Respectful, Equitable, and Inclusive Manner

Recommendation: Approve and authorize the Mayor to sign the revised Statement on Our City Values and Public Service affirming the City of Sunnyvale's commitment to serving our diverse community in a respectful, equitable, and inclusive manner (Attachment 1 to the report).

1.I [21-0920](#)

Ratify Appointment of Mayor Larry Klein as the Central Cities Representative to the Santa Clara County Emergency Operational Area Council

Recommendation: Staff makes no recommendation. By approval of the consent calendar, Council ratifies Mayor Larry Klein's Appointment as the Central Cities Representative to the Santa Clara County Emergency Operational Area Council.

1.J [21-0926](#)

Adopt Ordinance No. 3181-21 to Amend Sunnyvale Municipal Code Section 19.16.020 (Zoning Districts-Creation), Chapter 19.35 (Lawrence Station Area Plan Specific Plan District), and Make Related Changes to Title 19 (Zoning) of the Sunnyvale Municipal Code to Implement the Amended LSAP; Amend the Precise Zoning Plan Districts Map and Re-Zone Parcels Within the LSAP District; and Add Chapter 3.52 (Lawrence Station Area Plan Transportation Impact Fee) to Title 3 (Revenue and Finance) to the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3181-21 to amend Sunnyvale Municipal Code Section 19.16.020 (Zoning Districts-Creation), Chapter 19.35 (Lawrence Station Area Plan Specific Plan District), and make related changes to Title 19 (Zoning) of the Sunnyvale Municipal Code to implement the Amended LSAP; amend the Precise Zoning Plan Districts Map and re-zone parcels within the LSAP District; and add Chapter 3.52 (Lawrence Station Area Plan Transportation Impact Fee) to Title 3 (Revenue and Finance) to the Sunnyvale Municipal Code.

1.K [21-0927](#) Adopt Ordinance No. 3182-21 to Approve and Adopt a Development Agreement Between the City of Sunnyvale and Intuitive Surgical, Inc.

Recommendation: Adopt Ordinance No. 3182-21 to approve and adopt a Development Agreement between the City of Sunnyvale and Intuitive Surgical, Inc.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to the 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 [21-0759](#) Remove On-Street Parking on the East Side of Sunnyvale Avenue Between Maude Avenue and Arques Avenue and Both Sides of Sunnyvale Avenue Between Arques Avenue and Hendy Avenue, and Install Buffered Bicycle Lanes on Both Sides of Sunnyvale Avenue Per the Active Transportation Plan

Recommendation: Alternative 1: Remove On-Street Parking on the East Side of Sunnyvale Avenue Between Maude Avenue and Arques Avenue and Both Sides of Sunnyvale Avenue Between Arques Avenue and Hendy Avenue, and Install Buffered Bicycle Lanes on Both Sides of Sunnyvale Avenue Per the Active Transportation Plan

3 [21-0916](#) Proposed Project: General Plan Amendment Initiation: to consider a 100% Floor Area Ratio (FAR) combining district on 10 parcels in the M-S zoning district totaling 63 acres. Location: 974 East Arques Avenue (APNs: 205-36-006, 205-36-007, 205-36-008), 190 Commercial Street (APN:

205-35-001), 198 Commercial Street (APN: 205-35-002), 930 East California Street (APN: 205-35-003), 1050/1090 East Arques Avenue (APN: 205-37-009), 928/930 East Arques Avenue (APN: 205-35-017), and 955/965 East Arques Avenue (APNs: 205-25-018 and 205-25-019)

File #: 2021-7282

Zoning: M-S - Industrial and Service

General Plan: Industrial

Applicant / Owner: RMW Architecture & Interiors (applicant) / Applied Materials, Inc. (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Recommendation: Alternative 2: Initiate a General Plan Amendment study of a larger study area as an industrial intensification site in the General Plan to allow 100% FAR with the preparation of a Specific, Area, or Precise Plan (as shown in Attachment 7 to the report).

- 4 [21-0821](#) Proposed Project: General Plan Amendment Initiation request to consider amending the General Plan designation from Commercial to Medium Density Residential on two sites totaling 1.2-acres.
- Location: 1313 S. Wolfe Road (APN: 309-10-026 and 309-10-027)
- File #: 2020-7031
- Zoning: C-1 (Neighborhood Business)/PD (Planned Development)
- General Plan: Commercial
- Applicant / Owner: 4Terra Investments (applicant)/Desmond Family Real Estate Limited Partner (owner)
- Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).
- Project Planner: Mary Jeyapakash, (408) 730-7449, mjeyapakash@sunnyvale.ca.gov

Recommendation: Alternative 2: Deny the General Plan Amendment Initiation request to consider amending the General Plan designation from Commercial to Medium Density Residential including a commercial component, pursuant to the applicant's proposal.

- 5 [21-0919](#) Consider a Resolution Authorizing the City Manager to Suspend Late Charges and Delinquency Processing Fees for Water, Sewer, and Garbage Collection Services and Extend the Suspension of the Interruption of Water Service until December 31, 2021

Recommendation: Alternative 1: Authorize an extension of the waiver of penalties and delinquency processing fees, and suspend water service interruptions for non-payment from October 1, 2021 until December 31, 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.

- | | |
|-------------------------|---|
| 21-0361 | Tentative Council Meeting Agenda Calendar |
| 21-0382 | Board/Commission Meeting Minutes |
| 21-0385 | Information/Action Items |
| 21-0864 | National Citizens Survey Results (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 City Clerk (located to the left of the Council dais). 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.