



City of Sunnyvale

Notice and Agenda City Council

Tuesday, November 30, 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 - 5:30 PM |
Regular Meeting - 7 PM**

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

Special Teleconference Notice

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 Government Code Subdivision 54953 (e) and Resolution No. 1089-21 (reaffirmed November 16, 2021).

Public Participation

- *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

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)).

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** [21-0851](#) Closed Session Held Pursuant to California Government Code Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager and City Attorney

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** [21-0796](#) DPW 18-07 Feasibility of Acquiring Control of Caltrans Traffic Signals on El Camino Real and DPW 19-10 Improving Traffic Operations at Fremont/Bernardo/Hwy 85

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 [21-1079](#) Recognition of NOVA Workforce Services Director Upon Her Retirement

PRESENTATION

- D [21-0946](#) 2021 Municipal Information Systems Association of California (MISAC) Awards, Presented by MISAC Board Member Gaurav Garg
- E [21-0701](#) Informational Update on Project Homekey Sites Located Near Sunnyvale by Santa Clara County Director of the Office of Supportive Housing Consuelo Hernandez

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 [21-0019](#) Approve City Council Meeting Minutes of November 9, 2021

Recommendation: Approve the City Council Meeting Minutes of November 9, 2021 as submitted.

1.B [21-0168](#) Approve City Council Meeting Minutes of November 16, 2021

Recommendation: Approve the City Council Meeting Minutes of November 16, 2021 as submitted.

1.C [21-0262](#) 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.D [21-1037](#) Receive and File the City of Sunnyvale Investment Report - Third Quarter 2021

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

1.E [21-1045](#) Authorize Amending an Existing Purchase Agreement with Valley Oil for Unleaded and Diesel Fuel (F22-059)

Recommendation: Take the following actions:
- Authorize the City Manager to amend the existing Purchase Agreement with Valley Oil for unleaded and diesel fuel, increasing the not-to-exceed amount by \$260,000 for a new not-to-exceed amount of \$765,000; and
- Authorize the City Manager to amend the not-to-exceed amount, subject to available budget and if pricing and service remain acceptable to the City.

1.F [21-0896](#) Authorize the City Manager to Execute the First Amendment to the 1178 Sonora Court Disposition and Development Agreement Between the City of Sunnyvale and Mid-Peninsula Baker Park, Inc. to Extend the Close of Escrow Date and Incorporate the Ability to Enter into a Short-Term Lease with

MP Sonora Court Associates, L.P. for the City-Owned Property at 1178 Sonora Court into the Disposition and Development Agreement

Recommendation: Authorize the City Manager to Execute the First Amendment to the 1178 Sonora Court Disposition and Development Agreement Between the City of Sunnyvale and Mid-Peninsula Baker Park, Inc., to Extend the Close of Escrow Date and Incorporate the Ability to Enter into a Short-Term Lease with MP Sonora Court Associates, L.P. for the City-Owned Property at 1178 Sonora Court into the Disposition and Development Agreement.

1.G [21-1038](#) Consent and First Amendment to Agreement with Zanker Road Resource Management, Ltd to Process Organic Materials from the SMaRT Station®

Recommendation: Authorize the City Manager to Execute the Consent and First Amendment to the Agreement between the City of Sunnyvale and Zanker Road Resource Management, Ltd, in substantially the same form as Attachment 2 to the report, to Process Organic Materials from the SMaRT Station.

1.H [21-1044](#) Adopt Ordinance No. 3183-21 Repealing and Re-Adopting Chapter 8.16 (Solid Waste Handling and Recycling) of Title 8 (Health and Sanitation) and Adding Chapter 16.74 (Construction and Demolition Diversion) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3183-21 repealing and re-adopting Chapter 8.16 (Solid Waste Handling and Recycling) of Title 8 (Health and Sanitation) and adding Chapter 16.74 (Construction and Demolition Diversion) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code.

1.I [21-1071](#) Adopt Ordinance No. 3184-21 Amending Section 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements) and Section 19.38.030 (Recycling and Solid Waste Facilities) of Title 19 (Zoning) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3184-21 amending Section 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements) and Section 19.38.030 (Recycling and Solid Waste Facilities) of Title 19 (Zoning) of the Sunnyvale Municipal Code.

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 [21-0921](#) Approve the Java Drive Road Diet Removal of One Mixed Flow Lane in Each Direction Between Mathilda and Crossman Avenues, Select Class II-B Buffered Bike Lanes (Option 1) for Final Design and Construction and Find that this Action is Categorically Exempt from the California Environmental Quality Act (CEQA Guidelines Section 15301(c))

Recommendation: Alternative 1: Approve the Java Drive Road Diet removal of one mixed flow lane in each direction between Mathilda and Crossman avenues and Select option 1 (Class II-B buffered bike lanes) for final design and construction and Make a finding of Categorical Exemption from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

- 3 [21-1031](#) Introduction of an Ordinance to Amend Chapter 1.04 of the Sunnyvale Municipal Code Relating to Attorney's Fees and Costs for Abatement of Public Nuisances

Recommendation: Alternative 1: Introduce an Ordinance amending Chapter 1.04 (General Penalty) by Adding Section 1.04.080 (Attorneys' Fees and Costs for Abatement of Public Nuisances) to the Sunnyvale Municipal Code and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

- 4 [21-0172](#) Appoint Applicant to the Planning Commission

Recommendation: Staff makes no recommendation.

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.

21-0614	Tentative Council Meeting Agenda Calendar
21-0930	Board/Commission Meeting Minutes
21-0993	Information/Action Items
21-1103	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.

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.