



City of Sunnyvale

Notice and Agenda City Council

Tuesday, January 24, 2023

6:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086
(607 All America Way for map directions)

Special Meeting: Study Session - 6 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, Councilmembers may participate in this meeting of the Sunnyvale City Council by teleconference, as allowed by Government Code Subdivision 54953(e) and Resolution No. 1089-21 (reaffirmed January 10, 2023).

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the City Clerk.*
- *Online participation: You may provide audio public comment by connecting to the 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

*(*9 to request to speak | *6 to unmute/mute)*

- *Watch the City Council meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the City Council no later than 4 hours prior to the meeting start to council@sunnyvale.ca.gov or by mail to: City Clerk, 603 All America Way, Sunnyvale, CA 94086*
- *Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or*

<http://youtube.com/SunnyvaleMeetings>

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)).

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

Call to Order

Call to Order via teleconference and in the Council Chambers.

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.

A [23-0082](#) Corporation Yard 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 and in the Council Chambers.

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY

- B** [23-0239](#) Slavery and Human Trafficking Prevention 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** [23-0017](#) Approve City Council Meeting Minutes of January 3, 2023

Recommendation: Approve the City Council Meeting Minutes of January 3, 2023 as submitted.

- 1.B** [23-0032](#) Approve City Council Meeting Minutes of January 10, 2023

Recommendation: Approve the City Council Meeting Minutes of January 10, 2023 as submitted.

- 1.C** [23-0018](#) 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** [23-0140](#) Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Change the Classification Titles for Recycled Water Coordinator and Superintendent of Facilities Maintenance, Make Corresponding Title Changes in the Schedule of Pay, and Increase the Salary of the Recycled Water Classification

Recommendation: Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Change the Classification Titles for Recycled Water Coordinator and Superintendent of Facilities Maintenance, Make Corresponding Title Changes in the Schedule of Pay, and Increase the Salary of the Recycled Water Classification.

- 1.E [23-0143](#) Authorize the City Manager to Execute a Grant Agreement with Second Harvest of Silicon Valley from Council Set Aside Funds and Approve Budget Modification No.11 in the Amount of \$47,569.86

Recommendation: Authorize the City Manager to Execute a Grant Agreement, in a form acceptable to the City Attorney, with Second Harvest of Silicon Valley from Council Set Aside Funds for repayment of a 1992 Community Development Block Grant loan and Approve Budget Modification No. 11 in the Amount of \$47,569.86.

- 1.F [23-0129](#) Amend an Existing Contract with Ascent Environmental Inc. for Professional Services Assistance for the Preparation of the City of Sunnyvale's Housing Element for 2023-2031 (6th RHNA Cycle) (F21-112)

Recommendation: Take the following actions:

- Authorize the City Manager to execute the Second Amendment, in substantially the same form as Attachment 2 to the report, to an existing contract with Ascent Environmental Inc., increasing the not-to-exceed amount by \$52,950 for a new not-to-exceed total amount of \$292,930; and
- Authorize the City Manager to amend the agreement to increase the scope of work or total not-to-exceed amount, subject to available budget, provided pricing and services remain acceptable to the City.

- 1.G [23-0128](#) Award of Contract to Solitude Lake Management LLC. DBA Aquatic Environments for On-Call Maintenance of Vegetation for the Water Pollution Control Plant Ponds (F23-09)

Recommendation: - Award a contract in substantially the same form as Attachment 2 to the report in an amount not to exceed \$419,916 to Solitude Lake Management LLC., dba Aquatic Environments, of Benicia;

- Authorize the City Manager to execute the contract when all necessary conditions have been met; and

- Approve a 10% contingency in the amount of \$41,991.

1.H [23-0204](#) Amend a Purchase Order for Twelve (12) Interceptor Service Vehicles for the Department of Public Safety (F22-144)

Recommendation: Authorize the City Manager to Amend a Purchase Order to add \$109,538.76 for Twelve (12) Interceptor Service Vehicles from National Auto Fleet Group (F22-144) for a total amount not to exceed \$685,436.64.

1.I [23-0150](#) Approve 2023 Board and Commission Annual Work Plans

Recommendation: Approve the 2023 Work Plans as submitted.

1.J [23-0202](#) Authorize the City Manager to Execute a Settlement Agreement in the Amount of \$800,000 with the the City of San José Related to a Claim Regarding the Rancho Rinconada Sewer Service Area in San José and Approve Budget Modification No. 12 in the Amount of \$800,000

Recommendation: Authorize the City Manager to Execute a Settlement Agreement in the Amount of \$800,000 with the the City of San Jose Related to a Claim Regarding the Rancho Rinconada Sewer Service Area in San Jose and Approve Budget Modification No. 12 in the Amount of \$25,000

1.K [23-0233](#) Motion to Rescind Actions Taken Regarding Amendments to the Downtown Specific Plan and the Land Use and Transportation Chapter of the General Plan and Other Actions Related to Block 20 of the Downtown Specific Plan

Recommendation: Rescind the City Council action of January 10, 2023 regarding the Acceptance of an Addendum to the 2020 Downtown Specific Plan Environmental Impact Report, Adoption of a Resolution to Amend the General Plan and Downtown Specific Plan (DSP), Approve the DSP Amendments for Block 20, and Adopt a Resolution to Amend Figure 3-2 in the Land Use and Transportation Element of the General Plan.

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 [23-0127](#) Annual Public Hearing-Discussion of Potential Council Study Issues and Budget Proposals for Calendar Year 2023

Recommendation: No action is needed at this time. Councilmembers may request new study issues and/or budget proposals be developed for review at the annual Study Issues and Budget Proposals Workshop; a minimum of two Councilmembers is required to sponsor either.

- 3 [23-0146](#) Approve the Non-Residential Housing Mitigation Fee Nexus Study and Adopt a Resolution Amending the Housing Impact Fee for Non-Residential Development (Study Issue) and Find the Actions are Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15378 (b)(4)

Recommendation: Alternatives 1 and 3: (1) Approve the Non-Residential Housing Mitigation Fee Nexus Study and (3) Adopt a Resolution Amending the Housing Impact Fee for Non-Residential Development for Office/R&D Development to Increase the Fee to \$11 per Square Foot for the First 25,000 Square Feet and \$22 per Square Foot for All Remaining Square Feet, Adjusted Annually for Inflation, with No Changes to the Fee Schedule for Retail, Lodging, and Industrial and Find the Actions (Alternatives 1 and 3) are Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15378 (b)(4).

- 4 [23-0020](#) Approve Calendar Year 2023 Community Events and Neighborhood Grant Program Applications
- Recommendation:** Alternative 1: Approve Calendar Year 2023 Community Events and Neighborhood Grant Program Applications
- 5 [23-0158](#) Approve the Proposed 2023 Priority Advocacy Issues and Review Long-term Legislative Advocacy Positions (LAPs)
- Recommendation:** Alternative 1: Approve the Proposed 2023 Priority Advocacy Issues (Attachment 1 to the report) and Council Policy Long-term Advocacy Positions as proposed to be amended (Attachment 2 in 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.

- [23-0033](#) Tentative Council Meeting Agenda Calendar
- [23-0034](#) Board/Commission Meeting Minutes
- [23-0035](#) Information/Action Items
- [23-0126](#) Annual Review of New Laws (Information Only)
- [23-0040](#) Notice of Public Works Director's Decision on Final Maps (Information Only)
- [23-0194](#) 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 Chambers 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.