



City of Sunnyvale

Notice and Agenda City Council

Tuesday, December 9, 2025

5:45 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

**Special Meeting: Closed Session-5:45 PM | Special Meeting: Study Session-6:45 PM |
Regular Meeting-7 PM | Joint Meeting City Council & Sunnyvale Financing
Authority-7 PM**

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

Public Participation and Access

View the end of the agenda for information on:

- Public participation options
- Language access and translation
- Accessibility/Americans with Disabilities Act (ADA) Notice
- Legal notices

5:45 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Call to Order in the Council Chambers (Open to the Public).

Roll Call

Public Comment

The public may provide comments regarding the Closed Session item(s). To address the Council, refer to the notice at the end of this agenda. Closed Sessions are not open to the public.

Convene to Closed Session

Convene to Closed Session in the Council Conference Room (Closed to the Public).

A [25-1086](#)

Closed Session Held Pursuant to California Government Code
Section 54956.9:

CONFERENCE WITH LEGAL

COUNSEL-EXISTING/PENDING LITIGATION

(Paragraph (1) of Subdivision (d) of Section 54956.9)

Name of Case: Andrew Zarriello vs. City of Sunnyvale (WCAB ADJ19198027; ADJ19198003; ADJ20454963; ADJ20605616; ADJ19197524)

Name of Case: Anthony Esguerra vs. City of Sunnyvale (WCAB ADJ13603849)

Name of Case: Brian Gantt vs. City of Sunnyvale (WCAB ADJ17092397; ADJ15999868; ADJ11416960; ADJ9079731; ADJ10250529)

B [25-1084](#)

Closed Session Held Pursuant to Paragraph (1) of Subdivision (d) of California Government Code Section 54956.9:
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Name of Case: Esmeralda Becerra Ochoa and Francisco Perez Mondragon, individually and as co-successors-in-interest to the Estate of Emmanuel Perez Becerra v. City of Sunnyvale, Kevin Lemos, U.S. District Case, Northern District, Case No. 5:25-cv-00712

Adjourn Special Meeting

6:45 P.M. SPECIAL COUNCIL MEETING (Study Session)

Call to Order

Call to Order in the Council Chambers.

Roll Call

Study Session

The public may provide comments regarding the Study Session item(s). To address the Council, refer to the notice at the end of this agenda.

C [25-0166](#) Discussion of Upcoming Selection of Vice Mayor

Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy 7.3.19, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda that is continued shall be continued to a specific date. Any changes to the agenda will be communicated to the public.

CALL TO ORDER

Call to Order in the Council Chambers.

SALUTE TO THE FLAG**ROLL CALL****CLOSED SESSION REPORT****SPECIAL ORDER OF THE DAY**

D [25-0046](#) Ceremonial Oath of Office for Commission Member

ORAL COMMUNICATIONS

Prior to opening public comment on Oral Communications, the Mayor may determine it would be impractical to include remote public comment for the purpose of timeliness of the meeting or conducting an orderly meeting.

Oral Communications is the opportunity for the public to address the City Council on items not listed on the agenda and is limited to 15 minutes with a maximum of up to three minutes per speaker (one appearance per speaker). Note the Brown Act does not allow the Council to take action on an item not listed on the agenda. To address the Council, refer to the notice at the end of this agenda.

CONSENT CALENDAR

All matters listed on the consent calendar will be acted upon by one motion unless discussion is requested by a Councilmember or the public. To address the Council, refer to the notice at the end of this agenda.

1.A [25-0340](#) 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.B [25-0911](#) Receive and File the FY 2024/25 Annual Status Report on Receipt and Use of Development Impact Fees and Adopt a Resolution Approving Findings Regarding Unspent Impact Fees and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15378(b)(4) of the CEQA Guidelines

Recommendation: Receive and file FY 2024/25 Annual Status Report on receipt and use of development impact fees and adopt a Resolution making findings regarding unspent impact fees as required by the Mitigation Fee Act (California Government Code Section 66000 et seq.) and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

1.C [25-1090](#) Receive and File the City of Sunnyvale Investment Report for Third Quarter 2025

Recommendation: Receive and file the City of Sunnyvale Investment Report for Third Quarter 2025.

1.D [25-1007](#) Amend an Existing Service Agreement with Haute Cuisine, Inc., Increasing the Contract Amount to \$297,000 and Extending the Term for the Senior Center Lunch Program (F26-108)

Recommendation: Take the following actions:

- Approve Second Amendment to the Services Agreement with Haute Cuisine, Inc., increasing the contract by \$99,000 to a new not-to-exceed total of \$297,000 and extending the agreement term through January 25, 2027;
- Authorize the City Manager to execute the amendment in substantially the form attached to this report when all necessary conditions have been met; and
- Authorize the City Manager to increase compensation subject to budget availability through January 25, 2027 if pricing and services remain acceptable to the City.

1.E [25-1077](#) Award Contract to Western Water Constructors, Inc. in the Amount of \$2,317,000 for Water Pollution Control Plant (WPCP) Digester No. 3 Improvement Project and Finding of California Environmental Quality Act (CEQA) Categorical Exemption Pursuant to CEQA Guidelines Section 15301(b) (PW26-05)

Recommendation: Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$2,317,000 to Western Water Constructors, Inc. of Santa Rosa, CA;
- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(b);
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$231,700.

1.F [25-1116](#)

Authorize the Issuance of Purchase Orders to Pivot Interiors in the Amount of \$647,023.38 for Lakewood Branch Library and Learning Center Furniture (F26-254)

Recommendation: Take the following actions:

- Authorize the issuance of purchase orders to Pivot Interiors in a not-to-exceed amount of \$647,023.38 for Lakewood Branch Library and Learning Center furniture; and
- Approve a 10% contingency in the amount of \$64,702 for unexpected furniture needs.

1.G [25-1078](#)

Authorize the City Manager, or Designee, to Execute the Reimbursement Agreement Between Silicon Valley Clean Energy and City of Sunnyvale for the Heat Pump Rebate Topper Program

Recommendation: Authorize the City Manager to execute the Reimbursement Agreement between Silicon Valley Clean Energy and City of Sunnyvale for the heat pump rebate topper program.

1.H [25-1079](#)

Approve Fourth Amendment to the NOVAworks Manpower Contract for Work Experience Payroll Services.

Recommendation: Approve Amendment to the NOVAworks Manpower Contract for Work Experience Payroll Services.

1.I [25-1106](#)

Adopt a Resolution Amending the Classification Plan to add the Classification of Public Safety Media and Engagement Manager and Make Corresponding Changes to the Salary Resolution and Schedule of Pay

Recommendation: Adopt a Resolution amending the Classification Plan to add the Classification of Public Safety Media and Engagement Manager and make corresponding changes to the City's Salary Resolution and the Schedule of Pay effective December 14, 2025.

1.J [25-1083](#) Adopt a Resolution Amending the City's Salary Resolution to Update Pay Rates for Casual/Temporary Classifications to Reflect the January 1, 2026 City of Sunnyvale Minimum Wage of \$19.50 per Hour

Recommendation: Adopt a Resolution amending the City's Salary Resolution to update Pay Rates for Casual/Temporary Classifications to Reflect the January 1, 2026 Sunnyvale Minimum Wage of \$19.50 per hour.

ADJOURNMENT TO JOINT MEETING WITH THE SUNNYVALE FINANCING AUTHORITY

7 P.M. (OR SOON THEREAFTER) JOINT MEETING OF CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY

Call to Order

Call to Order in the Council Chambers.

Roll Call

Oral Communications

Prior to opening public comment on Oral Communications, the Mayor/Authority Chair may determine it would be impractical to include remote public comment for the purpose of timeliness of the meeting or conducting an orderly meeting.

Oral Communications is the opportunity for the public to address the City Council and Financing Authority on items not listed on the agenda and is limited to 15 minutes with a maximum of up to three minutes per speaker (one appearance per speaker). Note the Brown Act does not allow the Council nor the Financing Authority to take action on an item not listed on the agenda. To address the Council and Financing Authority, refer to the notice at the end of this agenda.

Consent Calendar

All matters listed on the consent calendar will be acted upon by one motion unless

discussion is requested by an Authority Member/Councilmember or the public. To address the Council and Financing Authority, refer to the notice at the end of this agenda.

- 2.A** [25-0414](#) Approve Sunnyvale Financing Authority Meeting Minutes of October 21, 2025

Recommendation: Approve the Sunnyvale Financing Authority Meeting Minutes of October 21, 2025 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

To speak on a public hearing/general business item, refer to notice at the end of this agenda. Each speaker is limited to three minutes. For land use items, applicants are limited to 10 minutes for opening comments and five minutes for closing comments.

- 3** [25-0450](#) Receive and File the FY 2024/25 Budgetary Year-End Financial Report, Annual Comprehensive Financial Report (ACFR), the Sunnyvale Financing Authority Financial Report, Agreed Upon Procedure Reports, and the Report to the City Council Issued by the Independent Auditors, and Approve Budget Modification No. 10

Recommendation: Staff Recommends Alternative 1 for the City Council, and Alternative 3 for the Sunnyvale Financing Authority:

City Council

1. Receive and File the FY 2024/25 Budgetary Year-End Financial Report, Annual Comprehensive Financial Report (ACFR), the Sunnyvale Financing Authority Financial Report, Agreed Upon Procedure Reports, and the Report to the City Council Issued by the Independent Auditors, and Approve Budget Modification No. 10.

Sunnyvale Financing Authority

3. Receive and File the FY 2024/25 Sunnyvale Financing Authority Financial Report.

ADJOURN JOINT CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY MEETING

RECONVENE TO CITY COUNCIL MEETING

PUBLIC HEARINGS/GENERAL BUSINESS

To speak on a public hearing/general business item, refer to notice at the end of this agenda. Each speaker is limited to three minutes. For land use items, applicants are limited to 10 minutes for opening comments and five minutes for closing comments.

- 4 [25-1114](#) Review, Discussion, and Potential Action to Amend Policies Within the Council Policy Manual Chapter 7 - Planning and Management

Recommendation: Alternatives 1 through 10, as noted in the report.

- 5 [25-1128](#) Proposed Project: Related applications on a 4.99-acre site: DEVELOPMENT AGREEMENT (DA): Introduce an Ordinance Approving a DA between the City of Sunnyvale and BEP Moffett Park LLC.
MOFFETT PARK SITE MASTER PLAN (MPSMP): To establish horizontal site planning and vertical floor area allocations.
MOFFETT PARK SPECIAL DEVELOPMENT PERMIT (MPSDP): To demolish two existing office/R&D buildings and all site work and construct three (3) level office/R&D building over a three (3)-level above-grade podium with podium-level private roof deck.
Location: 333-385 Moffett Park Drive (APN:110-34-005)
File #: PLNG-2025-0137 (DA & MPSMP) & PLNG-2025-0072 (MPSDP)
Zoning: Moffett Park (MP-02)
Applicant: Ellis Partners
Owners: BEP Moffett Park LLC
Environmental Review: No additional review required per California Environmental Quality Act (CEQA) Guidelines Section 15183 as the environmental impacts of the project are addressed in the Moffett Park Specific Plan (MPSP) Environmental Impact Report (EIR).
Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Recommendation: Alternative 1:

Approve the Development Agreement, Site Master Plan and Special Development Permit

a. Find that the project is consistent with the Moffett Park Specific Plan's Program Environmental Impact Report and no additional environmental review is required under Section 15183 of the Guidelines to the California Environmental Quality Act (CEQA); and

b. Make the findings required by Resolution No. 371-81 related to development agreements (Attachment 3 to the Report); and

c. Introduce an Ordinance Approving a Development Agreement between the City of Sunnyvale and BEP Moffett Park LLC (Attachment 2 to the Report); and

d. Approve the Moffett Park Site Master Plan (MPSMP) and Moffett Park Special Development Permit (MPSPD) based on the Recommended Findings in Attachment 4 and Recommended Conditions of Approval in Attachment 5.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**NON-AGENDA ITEMS AND COMMENTS**

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

Visit <http://Sunnyvale.ca.gov/TCMAC> to view the Tentative Council Meeting Agenda Calendar (TCMAC) online.

Visit <http://Sunnyvale.ca.gov/CPPP> to view Working List of Potential Council Priority Project Ideas online.

[25-0406](#) Tentative Council Meeting Agenda Calendar

[25-0411](#) Board/Commission Meeting Minutes

[25-0106](#) Notice of Public Works Director's Decision on Final Maps
(Information Only)

[25-1118](#)

Local Appointments List - Maddy Act (Information Only)

ADJOURNMENT**Public Participation Options****In person public comment:**

You may provide public comment by filling out a speaker card (optional) and giving it to the City Clerk.

Online participation:

Members of the public may also attend online. However, the City cannot guarantee uninterrupted access to online technology. Technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue even if technical difficulties prevent online participation.

The Mayor may determine it would be impractical to include remote public comment during Oral Communications.

Online public comment:

To provide audio public comment, connect 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

Written public comment:

Email comments to the City Council no later than 4 hours before the meeting at council@sunnyvale.ca.gov. You can also mail or deliver comments to:

City Clerk, 456 W. Olive Ave., Sunnyvale, CA 94086

Public review of items:

You can view reports to council on the City's website at sunnyvale.ca.gov after 7

p.m. on Thursdays. You can also review reports in person at the City Hall reception desk, 456 W. Olive Avenue, during normal business hours. Any other documents distributed to members of the City Council regarding any open session item on this agenda are available in the Council Chambers on the evening of the Council Meeting. Otherwise, contact the Office of the City Clerk at 408-730-7483 or cityclerk@sunnyvale.ca.gov for questions.

Planning a presentation for a City Council meeting?

Visit: <http://Sunnyvale.ca.gov/PublicComments>

Planning to provide materials to Council?

Please provide the City Council with 12 copies of your materials.

Language Access and Translation

To access written and audio translation during the meeting, click the link below:

Choose Language and Click Attend

Use a headset on your phone for audio or read the transcript on your device.

Spanish and Chinese, Simplified

Para acceder a la traducción escrita y en audio durante la reunión, haga clic en el siguiente enlace:

Seleccione su idioma y haga clic en "Attend"

Use sus auriculares/audífonos para escuchar el audio o leer la transcripción en el dispositivo.

如需在会议期间使用文字和语音翻译，请点击以下链接：

选择语言并点击“参加”

使用手机耳机收听音频，或阅读设备上的文字记录。

Translation Link: <https://bit.ly/TDDB-6886>

Accessibility/Americans with Disabilities Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance, please contact the City at least 48 hours prior to the meeting. Reach the Office of the City Clerk at 408-730-7483 or cityclerk@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

LEGAL NOTICES

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.