

ORDINANCE NO.3245-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE DECLARING THE NEED FOR THE SUNNYVALE INDUSTRIAL DEVELOPMENT AUTHORITY AND DECLARING THAT THE SUNNYVALE INDUSTRIAL DEVELOPMENT AUTHORITY SHALL FUNCTION, AND FINDING THAT THE ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the California Industrial Development Financing Act, Government Code Section 91500 et seq., hereinafter referred to as the “Act”, provides for the creation of industrial development authorities within a city; and

WHEREAS, the City of Sunnyvale (the “City”) has determined that there is a need in the City for an industrial development authority to be established under the Act;

WHEREAS, such industrial development authority will serve a public purpose by enabling certain financings pursuant to the Act in order to encourage industrial development within certain areas of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. NEED FOR INDUSTRIAL DEVELOPMENT AUTHORITY. Pursuant to the Act, the City Council of the City of Sunnyvale hereby finds and declares that there is a need for an industrial development authority to be created and to function within the City.

SECTION 2. ESTABLISHMENT OF SUNNYVALE INDUSTRIAL DEVELOPMENT AUTHORITY. The City Council hereby establishes the Sunnyvale Industrial Development Authority, a public, corporate instrumentality of the State of California.

SECTION 3. FUNCTION OF SUNNYVALE INDUSTRIAL DEVELOPMENT AUTHORITY. The Sunnyvale Industrial Development Authority shall function pursuant to this ordinance and the Act.

SECTION 4. BOARD OF DIRECTORS. The City Council of the City of Sunnyvale hereby declares itself to be the governing board of the Sunnyvale Industrial Development Authority, and such governing board shall be designated as the Board of Directors.

SECTION 5. CEQA – EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(4), that this ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) because it involves the creation of a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

SECTION 6. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days following adoption.

SECTION 8. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on August 26, 2025, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

DAVID CARNAHAN

City Clerk

Date of Attestation: _____

LARRY KLEIN

Mayor

(SEAL)

APPROVED AS TO FORM:

REBECCA L. MOON

City Attorney