



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, November 28, 2023

5:30 PM

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

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**Special Meeting: Closed Session - 5:30 p.m. | Regular Meeting - 7 PM**

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

### 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](mailto:council@sunnyvale.ca.gov) or by mail to:  
City Clerk, 456 W. Olive Ave., 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](mailto:cityclerk@sunnyvale.ca.gov) (28 CFR 35.160 (b) (1)).*

**5:30 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). 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**

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

**A**     [23-0788](#)     Closed Session Held Pursuant to California Government Code Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager

**B**     [23-0789](#)     Closed Session Held Pursuant to California Government Code Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Attorney

**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 in the Council Chambers*

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

- C     [23-0076](#)            Ceremonial Oath of Office for Commission Members
- D     [23-1080](#)            Recognition of Chief Phan S. Ngo for 2023 Department of  
Public Safety Citizen's Academy

**PRESENTATION**

- E     [23-1019](#)            2023 Municipal Information Systems Association of California  
(MISAC) Awards, Presented by MISAC Board Member Gaurav  
Garg

**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    [23-0282](#)            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    [23-1016](#)            Adopt a Resolution Authorizing the Finance Director to Renew  
a Business License Tax Data Exchange Agreement with the

## California Franchise Tax Board

**Recommendation:** Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15378(b)(5) and adopt a Resolution authorizing the Finance Director to execute a reciprocal agreement with the California Franchise Tax Board for the exchange of business license tax data through December 31, 2026.

- 1.C [23-0899](#) Receive a Report of an Emergency Procurement to Provide a Bulk Chemical, a Mineral Oxidant, to Meet Compliance Requirements at the Water Pollution Control Plant (WPCP) and Find that the Project is of Urgent Necessity for the Preservation of Life, Health, or Property (F24-026), and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Sections 15301 and 15308 of the CEQA Guidelines.

**Recommendation:** Find that the Action is Exempt from the California Environmental Quality Act Pursuant to Sections 15301 and 15308 of the CEQA Guidelines, receive the report of an emergency procurement to provide a Mineral Oxidant, to meet compliance requirements at the Water Pollution Control Plant (WPCP) and find that the project is of urgent necessity for the preservation of life, health, or property.

**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 [23-1082](#) 1154 Sonora Court (1154 Site)  
Proposed Project: Related applications on a 1.88-acre site:  
SPECIAL DEVELOPMENT PERMIT: to demolish the existing 33,055 square foot one-story industrial building and construct a seven-story mixed-use building with 173 apartments, 142,270 square feet of office/R&D space, and two levels of below-grade parking.  
VESTING TENTATIVE PARCEL MAP: to allow creation of five commercial condominiums in the office/R&D space.

Location: 1154 Sonora Court (APN: 205-50-016)  
File #: 2022-7270

1170 Sonora Court (1170 Site)

Proposed Project: Related applications on a 1.09-acre site:  
SPECIAL DEVELOPMENT PERMIT: to demolish the existing 14,902 square foot one-story industrial building and construct a seven-story mixed-use building with 107 apartments, 79,211 square feet of office/R&D space, 377 square feet of retail space, and two levels of below-grade parking.

VESTING TENTATIVE PARCEL MAP: to allow creation of six commercial condominiums in the office/R&D space.

Location: 1170 Sonora Court (APN: 205-50-014)  
File #: 2022-7271

1154 and 1170 Sonora Court

DEVELOPMENT AGREEMENT: Introduction of an Ordinance approving and adopting a Development Agreement between the City of Sunnyvale and SKS Partners.

Zoning: MXD-I/S (Flexible Mixed-Use I/Sonora Court)

Applicant / Owner: SKS Partners (applicant/developer) / A&F Properties, LLC (owner)

Environmental Review: No additional review required pursuant to California Environmental Quality Act (CEQA) Guidelines 15162 and 15168(c)(2) and (4) - environmental impacts of the project are addressed in the 2016 Lawrence Station Area Plan Environmental Impact Report (EIR - State Clearinghouse No. 2013082030) and 2021 Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Subsequent Environmental Impact Report (SEIR - State Clearinghouse No. 2019012022).

Project Planner: Aastha Vashist, (408) 730-7458,  
avashist@sunnyvale.ca.gov

**Recommendation:** 1. Make the required findings to approve the CEQA determination as pursuant to CEQA Guidelines Section 15162 and 15168(c)(2) and (4) and approve the Special Development Permits and Vesting Tentative Parcel Maps based on findings in Attachments 6 and 7 to the report and Recommended Conditions of Approval in Attachments 8 and 9 to the report.  
2. Introduction of an Ordinance Approving and Adopting a Development Agreement between the City of Sunnyvale and SKS Partners (Attachment 3 to the report) and authorize the City Manager to make updates to Exhibit B of the Development Agreement to clarify which fees are subject to escalation.

- 3      [23-1087](#)      Approve Amendments to Council Policy 7.3.10 (Vice Mayor Selection) to Remove the Electronic Voting Requirement

**Recommendation:** Staff makes no recommendation. This report is being presented to City Council to facilitate discussion at the public hearing and for Council to consider various options related to Council Policy 7.3.10 (Vice Mayor Selection).

- 4      [23-1088](#)      Adopt a Resolution Approving the City Council Regular Meeting Calendar for 2024 Through February 2025

**Recommendation:** Alternative 1: Adopt a Resolution approving the City Council Regular Meeting Calendar for 2024 through February 2025 as submitted.

#### **COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

#### **NON-AGENDA ITEMS & COMMENTS**

##### **-Council**

- F      [23-1089](#)      Colleagues Memorandum: Real Property Transfer Tax (RPTT)
- G      [23-1070](#)      Colleagues Memorandum: Empanel a Charter Review Commission (CRC)

##### **-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.*

<a href="#">23-1031</a>	Board/Commission Meeting Minutes
<a href="#">23-1032</a>	Information/Action Items
<a href="#">23-1066</a>	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](http://sunnyvale.ca.gov) after 7 p.m. on Thursdays or at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue, during normal business hours, 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 on the fourth floor of City Hall at 456 W. Olive Avenue, 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 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.*