



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, March 25, 2025

4:30 PM

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

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**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>**

### 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

### **4:30 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). 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**     [25-0262](#)     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: Phillips, Andrew v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ18778964, ADJ18778979)

- B**     [25-0266](#)     Closed Session Held Pursuant to California Government Code Section 54956.9:  
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
(Paragraph (1) of Subdivision (d) of Section 54956.9)  
Name of Case: Aycock, Stephen v. City of Sunnyvale (Workers Compensation Claim No. 61442)

- C**     [25-0278](#)     Closed Session Held Pursuant to California Government Code Section 54956.9:  
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
(Paragraph (1) of Subdivision (d) of Section 54956.  
Name of Case: Locke, Ron v. City of Sunnyvale (Workers Compensation Claim No. 623552)

### **Adjourn Special Meeting**

### **5:30 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.

- D**     [25-0026](#)     Special Events

### **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**

- E     [25-0448](#)           International Transgender Day of Visibility
- F     [25-0449](#)           Arbor Day

**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    [25-0242](#)           Approve City Council Meeting Minutes of February 13, 2025  
(Study Issues/Budget Proposals Workshop)

**Recommendation:** Approve the City Council Meeting Minutes of February 13, 2025 as submitted.

- 1.B    [25-0072](#)           Approve City Council Meeting Minutes of February 25, 2025

**Recommendation:** Approve the City Council Meeting Minutes of February 25, 2025 as submitted.

- 1.C [25-0321](#) 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 [25-0102](#) Approve the Reinstatement and First Amendment to the Agreement Between the City and the Cupertino Union School District Pertaining to the Use, Maintenance, and Improvement of Certain Open Space Areas and Buildings at Multiple Sites Within the Cupertino Union School District

**Recommendation:** Approve the Reinstatement and First Amendment to the Agreement between the City and the Cupertino Union School District pertaining to the Use, Maintenance, and Improvement of Certain Open Space Areas and Buildings at Multiple Sites within the District in substantially the same form as Attachment 1 to this report.

- 1.E [25-0504](#) Adopt Ordinance No. 3239-25 to Amend Chapter 19.67 (Inclusionary Below Market Rate Ownership Housing Program) and Chapter 19.77 (Inclusionary Below Market Rate Rental Housing) of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Modified Requirements for Qualifying Retail Preservation Projects

**Recommendation:** Adopt Ordinance No. 3239-25 to Amend Chapter 19.67 (Inclusionary Below Market Rate Ownership Housing Program) and Chapter 19.77 (Inclusionary Below Market Rate Rental Housing) of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Modified Requirements for Qualifying Retail Preservation Projects.

## **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.

- 2 [25-0354](#) Proposed Project: Introduce an Ordinance to:  
Amend Title 19 (Zoning) of the Sunnyvale Municipal Code to Repeal and Re-adopt Chapter 19.79 (Accessory Dwelling Units), Amend Related Definitions in Chapter 19.12 (Definitions) and Other Sections of Title 19 Pertaining to

Accessory Dwelling Unit (ADU) Regulations.

File #: PLNG-2024-0544

Environmental Review: The action is exempt pursuant to Public Resources Code Section 21080.17 and California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3).

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

**Recommendation:** Alternative 1: Introduce the Ordinance (Attachment 2) Amending Title 19 (Zoning) of the Sunnyvale Municipal Code on Accessory Dwelling Units and find that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Codes Sections 21080.17 and CEQA Guidelines Section 15061(b)(3).

- 3      [25-0394](#)      Appeal of a Decision by the Planning Commission Denying a Variance to Legalize an Existing 112-square-foot Detached Accessory Structure in the Rear Yard of a Single-Family Property with a Reduced 2-foot 5-inch Side Setback where 4 Feet Minimum is Required, and a Reduced 2-foot 2-inch Rear Yard Setback where 10 Feet Minimum is Required

Location: 160 S. Pastoria Ave. (APN: 165-15-007)

File #: PLNG-2023-0642

Zoning: R-2 (Low Medium Density Residential)

Applicant / Owner: Scott McClennan (applicant) / Tracy and Scott McClennan (owner)

Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

Project Planner: Wendy Lao, 408-730-7408,  
wlao@sunnyvale.ca.gov

**Recommendation:** Alternative 1: Deny the appeal and uphold the Planning Commission's decision to deny the Variance for the accessory structure based on the Recommended Findings for Denial in Attachment 2.

## **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.

[25-0265](#) Tentative Council Meeting Agenda Calendar

[25-0287](#) Information/Action Items

**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](mailto: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](http://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](mailto: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, Traditional**

*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/audifonos para escuchar el audio o leer la transcripción en el dispositivo.*

在會議期間，如需要書面和音頻翻譯，請點擊以下鏈接：  
選擇語言並點擊參加。

在手機上使用耳機聆聽音頻，或在您的設備上閱讀文字翻譯。

**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](mailto: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.