

DRAFT 9/8/25 SSL

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE SUPPORTING REORGANIZATION
(DETACHMENT) OF CERTAIN AREAS FROM THE CUPERTINO
SANITARY DISTRICT TO THE CITY OF SUNNYVALE, AND
AMENDMENT OF THE CUPERTINO SANITARY DISTRICT
SPHERE OF INFLUENCE TO EXCLUDE THESE CERTAIN AREAS
LOCATED AT 1609 – 1695 HOLLENBECK AVENUE IN
SUNNYVALE, 19200 PHIL LANE IN CUPERTINO, AND 91
RESIDENTIAL PROPERTIES BOUNDED BY BLANEY AVENUE,
BOLLINGER ROAD, E. ESTATES DRIVE AND LINDENBROOK
LANE IN CUPERTINO**

WHEREAS, the City of Sunnyvale (City) provides sewer service to a portion of the City of Cupertino with the remainder of Cupertino being served by the Cupertino Sanitary District (CuSD); and

WHEREAS, on May 24, 2022, the Sunnyvale City Council authorized the City Manager to execute an Agreement with CuSD for the transfer of sewer flow from 91 homes in Cupertino, served by the City, through the CuSD pipe system and back into the City system; and

WHEREAS, the Agreement, which the City and CuSD entered into on June 2, 2022, includes a City obligation to coordinate with the Local Agency Formation Commission of Santa Clara County (LAFCO) to modify the existing Sphere of Influence (SOI) and service area maps in order to resolve inaccuracies regarding which areas are served by the City or CuSD; and

WHEREAS, in County mapping, three existing areas that receive sewer service from Sunnyvale are incorrectly shown within the service area of CuSD. These areas are shown in the plats (maps) and legal descriptions in Exhibits A, B and C, attached hereto and incorporated herein; and

WHEREAS, two of the aforementioned areas are within Cupertino, though are incorrectly shown within the SOI of CuSD, and the third area is in Sunnyvale; and

WHEREAS, both the City and CuSD wish to support LAFCO's corrections to these errors in County mapping by detachment of all three areas from CuSD and removal of two of the areas from the CuSD SOI; and

WHEREAS, these proposed mapping corrections will reduce potential confusion about which agency serves certain properties, and will have no financial impact nor change in zoning, tax assessment, or sewer service to customers in these areas; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code section 21000 et seq.) (“CEQA”), together with the State CEQA Guidelines (California Code of Regulations, Title 14, section 15000 et seq.) (“CEQA Guidelines”), City staff has independently studied the proposed changes to service area and SOI and determined that they are exempt from environmental review pursuant to the “common sense” exemption in CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT THE CITY COUNCIL DOES HEREBY:

1. Exercise its independent judgment and determine that proposed changes to the service area and sphere of influence are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3); and
2. Support the proposed reorganization and detachments of the following areas from the Cupertino Sanitary District service area:
 - a. That certain area located at 1609 – 1695 Hollenbeck Avenue in Sunnyvale, as more particularly described in Exhibit A attached hereto and incorporated herein; and
 - b. That certain area located at 19200 Phil Lane in Cupertino, as more particularly described in Exhibit B attached hereto and incorporated herein; and
 - c. That certain area consisting of 91 residential properties bounded by Blaney Avenue, Bollinger Road, E. Estates Drive and Lindenbrook Lane in Cupertino, as more particularly described in Exhibit C attached hereto and incorporated herein; and
3. Support the exclusions or removal of the following areas from the Cupertino Sanitary District Sphere of Influence (SOI):
 - a. That certain area located at 19200 Phil Lane in Cupertino, as more particularly described in Exhibit B hereto; and
 - b. That certain area consisting of 91 residential properties bounded by Blaney Avenue, Bollinger Road, E. Estates Drive and Lindenbrook Lane in Cupertino, as more particularly described in Exhibit C hereto; and
4. Authorize the City Manager to submit to the Local Agency Formation Commission of Santa Clara County (LAFCO) applications for detachments from the Cupertino Sanitary District service area and exclusions of the areas identified above from Cupertino Sanitary

District's SOI. The City Manager shall submit said applications only after adoption of a resolution or other action by the Board of Directors of the Cupertino Sanitary District in support of the proposed detachments from the Cupertino Sanitary District service area and exclusions from the Cupertino Sanitary District SOI.

Adopted by the City Council of the City of Sunnyvale at a regular meeting held on _____, 2025, 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

EXHIBIT "A"

1609 - 1695 HOLLENBECK AVENUE/SPHERE OF
INFLUENCE AMEUREMENT AND
REORGANIZATION 2022:

DETACHMENT FROM CUPERTINO SANITARY DISTRICT
GEOGRAPHIC DESCRIPTION

All that certain property, in the City of Sunnyvale, County of Santa Clara, State of California, described as follows:

Beginning at a point being at the northwest corner of Parcel 1, as shown upon that certain Parcel Map, which was filed for record on February 9, 1984, in Book 524 of Maps, at Page 30, in Santa Clara County Records, said point being on the easterly Right of Way line of New Brunswick Avenue, as said line is shown upon said Parcel Map;

- 1 -- Thence, leaving said easterly Right of Way line, North 89°46'23" East, along said northerly line of said parcel 1, 422.79 feet, to the northeast corner of said Parcel 1, said point being on the westerly Right of Way line of Hollenbeck Avenue;
- 2 -- Thence, along said westerly Right of Way line, South 0°01'37" East, 912.07 feet;
- 3 -- Thence, continuing along said westerly Right of Way line, South 2°15'49" West, 302.96 feet, to the beginning of a tangent curve to the right, having a radius of 60.00 feet;
- 4 -- Thence, southerly and westerly, along said curve, through a central angle of 85°13'45", an arc length of 476.25 feet, to a point on the northerly Right of Way line of Homestead Road;
- 5 -- Thence, along said northerly Right of Way line, South 87°29'34" West, 302.97 feet;
- 6 -- Thence, continuing along said northerly Right of Way line, South 89°47'00" West, 35.09 feet, to the beginning of a tangent curve to the right, having a radius of 20.00 feet;
- 7 -- Thence, westerly and northerly, along the last mentioned curve, through a central angle of 90°23'40", an arc length of 31.55 feet, to a point on the easterly Right of Way line of New Brunswick Avenue;
- 8 -- Thence, North 0°10'40" East, 1264.22 feet, to the **POINT OF BEGINNING**.

Containing an area of 12.39 acres, more or less.

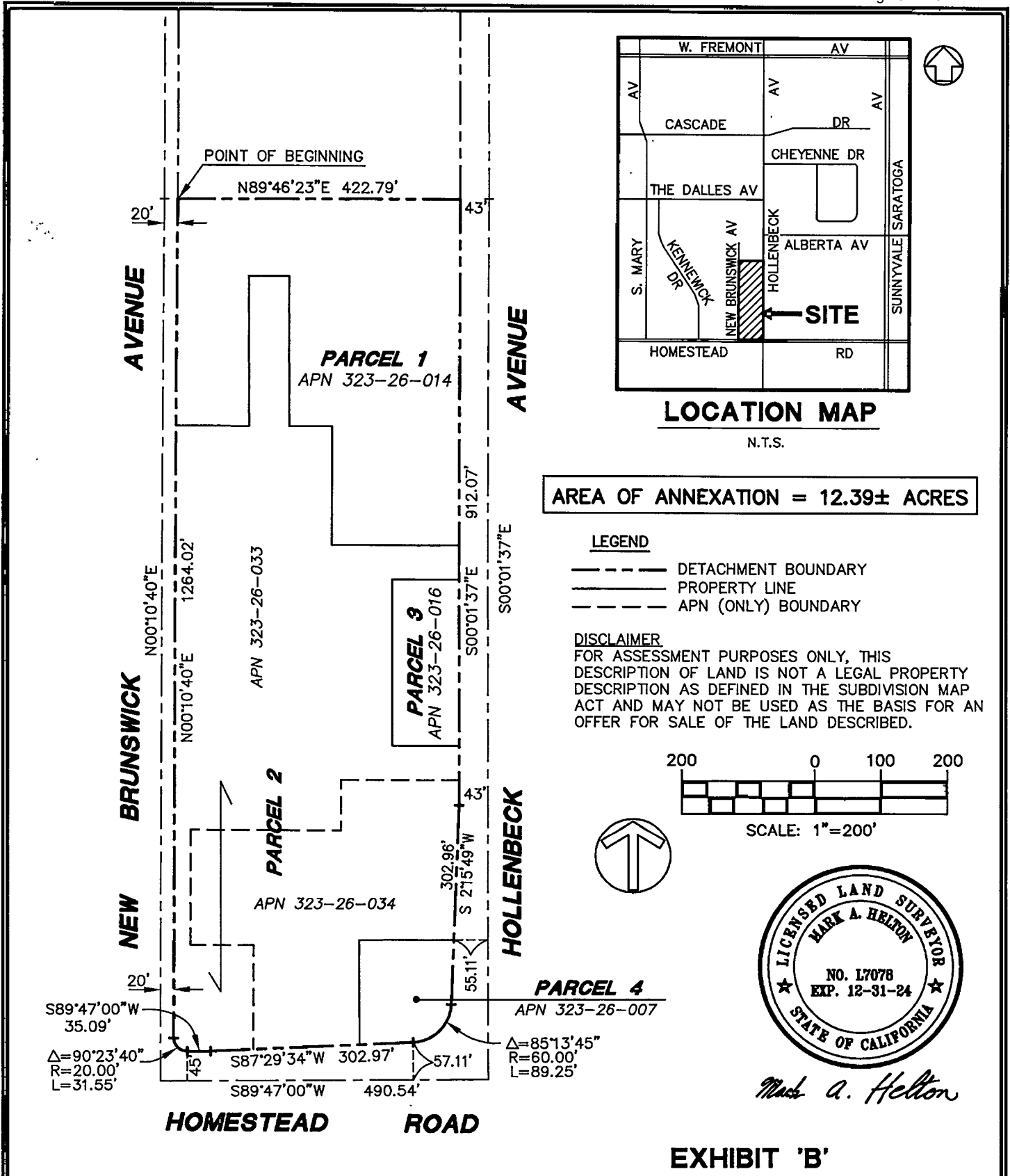
END OF DESCRIPTION.

Disclaimer:

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis of an offer for sale of the land described.

Sheet 1 of 1 Sheets





Giuliani & Kull-San Jose Inc.

Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100
San Jose, California 95129
(408) 615-4000

SCALE: 1"=200'

DATE: 8/6/24

DRAWN: E.T.

CHECKED: M.H.

JOB NO.: 19119

SHEETS: 1 OF 1

**1609-1695 HOLLENBECK AVE.
CITY OF SUNNYVALE**

**INFLUENCE AMENDMENT AND
REORGANIZATION 2024:
DETACHMENT FROM
CUPERTINO SANITARY DISTRICT**

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Parcel Summary
Map Check Data
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Name: LAFCO-B Description: PM-524-Maps-30

Segment	Point	Station	Direction	Distance
1	5			
2	6		N 89 46 23 E	422.79
3	7		S 00 01 37 E	912.07
4	8		S 2 15 49 W	302.96
5	9	Radius Point	N 87 44 11 W	60.00
		Delta: 85 13 45	Curve to Right	
		Arc: 89.25	Radius: 60.00	
		Long Chord:	Tangent: 55.20	
			S 44 52 41 W	81.25
			S 2 30 26 E	60.00
6	10		S 87 29 34 W	302.97
7	11		S 89 47 00 W	35.09
8	12		N 00 13 00 W	20.00
9	13	Radius Point	N 00 13 00 W	20.00
		Delta: 90 23 40	Curve to Right	
		Arc: 31.55	Radius: 20.00	
		Long Chord:	Tangent: 20.14	
			N 45 01 10 W	28.38
			N 89 49 20 W	20.00
10	14		N 00 10 40 E	1264.02
11	5			

Parcel Perimeter: 3360.71 USFeet
Misclosure: N 47 49 40 E
0.00294 USFeet
Precision: 1142982.6691

Area: 539832.78 Sq. USFeet
12.39 Acres

EXHIBIT "B"

19200 PHIL LANE - D.J. SEDGWICK ELEMENTARY SCHOOL
CUPERTINO/SPHERE OF
INFLUENCE AMEDEMMENT AND
REORGANIZATION 2024:

DETACHMENT FROM CUPERTINO SANITARY DISTRICT
GEOGRAPHIC DESCRIPTION

All that certain property, in the City of Cupertino, County of Santa Clara, State of California, described as follows:

Beginning at a point being at the southwest corner of the Lands of D.J. Sedgwick Elementary School, as shown upon that certain Record of Survey, which was filed for record on January 16, 1957, in Book 77 of Maps, at Page 48, in Santa Clara County Records;

- 1 -- Thence, along the westerly boundary of said Lands of Sedgwick School, North $2^{\circ}52'36''$ East, 317.00 feet, to an angle point in said westerly boundary;
- 2 -- Thence, continuing along said westerly boundary, South $86^{\circ}38'49''$ East, 244.95 feet, to an angle point in said westerly boundary;
- 3 -- Thence, continuing along said westerly boundary, North $2^{\circ}52'36''$ East, 250.00 feet, to a point on the southerly Right of Way line of Phil Lane, (having a half-width of 20 feet), as shown upon said Record of Survey, said point being the northwesterly corner of the net area of said Lands of Sedgwick School;
- 4 -- Thence, along said southerly Right of Way, South $86^{\circ}38'49''$, East.220.28 feet, to an angle point in the northerly boundary of the net area of said Lands of Sedgwick School;
- 5 -- Thence, continuing along said northerly Right of Way line, South $69^{\circ}06'15''$ East, 39.81 feet, to an angle point in the northerly boundary of the net area of said Lands of Sedgwick School;
- 6 -- Thence, continuing along said northerly Right of Way line, (having a half-width of 32 feet), South $86^{\circ}38'49''$ East, 130.00 feet, to an angle point in the northerly boundary of the net area of said Lands of Sedgwick School;
- 7 --Thence, continuing along said northerly Right of Way line, South $81^{\circ}05'27''$ East, 103.28 feet, (formerly shown as 103.27 feet), to an angle point in the northerly boundary of the net area of said Lands of Sedgwick School;
- 8 -- Thence, continuing along said northerly Right of Way line, (having a half-width of 42 feet), South $86^{\circ}38'49''$ East, 40.82 feet, to the beginning of a tangent curve to the right, having a radius of 20.00 feet;
- 9 -- Thence, easterly and southerly, along said curve, through a central angle of $104^{\circ}15'49''$, an arc length of 36.39 feet, to a point on the westerly Right of Way line of Tantau Avenue, as shown upon said Record of Survey, said point being a point of reverse curvature, with a curve having a radius of 542.00 feet;
- 10 -- Thence, southerly along said westerly Right of Way line, and along the last-mentioned curve, through a central angle of $11^{\circ}35'33''$, an arc length of 109.66 feet, to a point of compound curvature, with a curve having a radius of 100.00 feet;

Sheet 2 of 2 Sheets
19200 PHIL LANE, CUPERTINO/SPHERE OF
INFLUENCE AMENDMENT AND
REORGANIZATION 2024

11 -- Thence, continuing southerly along said westerly Right of Way line, and along the last-mentioned curve, through a central angle of 22°30'52", an arc length of 39.30 feet, (formerly shown as having a central angle of 22°32'02", an arc length of 39.33 feet), to a point of reverse curvature, with a curve having a radius of 100.00 feet;
12 -- Thence, continuing southerly along said westerly Right of Way line, and along the last-mentioned curve, through a central angle of 19°22'01", an arc length of 33.80 feet, (formerly shown as having a central angle of 19°23'11", an arc length of 33.84 feet);
13 -- Thence, continuing southerly along said westerly Right of Way line, (with a half width of 30 feet), South 2°52'36" West, .340.06 feet, (formerly shown as 340.00 feet); to the southeasterly corner of the net area of said Lands of Sedgwick School;
14 -- Thence, along the southerly boundary of said lands of Sedgwick School, North 86°38'49" West, .789.95 feet, to the **POINT OF BEGINNING**.

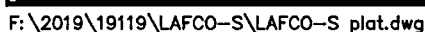
Containing an area of 8.75 acres, more or less.

END OF DESCRIPTION.

Disclaimer:

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Parcel Summary
Map Check Data

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Name: NET AREA Description: ROS 77 Maps 48 (Net Area)

Segment	Point	Station	Direction	Distance
1	4		N 2 52 36 E	317.00
2	5		S 86 38 49 E	244.95
3	6		N 2 52 36 E	250.00
4	8		S 86 38 49 E	220.28
5	9		S 69 06 15 E	39.81
6	10		S 86 38 49 E	130.00
7	11		S 81 05 27 E	103.28
8	12		S 86 38 49 E	40.82
9	13		S 3 21 11 W	20.00
10	14	Radius Point	Curve to Right	
		Delta: 104 15 49	Radius: 20.00	
		Arc: 36.39	Tangent: 25.72	
		Long Chord:	S 34 30 55 E	31.58
			S 72 23 00 E	20.00
11	15		S 72 23 00 E	542.00
12	16	Radius Point	Curve to Left	
		Delta: 11 35 33	Radius: 542.00	
		Arc: 109.66	Tangent: 55.02	
		Long Chord:	S 11 49 14 W	109.47
			N 83 58 33 W	542.00
13	17		S 83 58 33 E	100.00
14	18	Radius Point	Curve to Left	
		Delta: 22 30 52	Radius: 100.00	
		Arc: 39.30	Tangent: 19.90	
		Long Chord:	S 5 13 59 E	39.04
			S 73 30 35 W	100.00
15	19		S 73 30 35 W	100.00
16	20	Radius Point	Curve to Right	
		Delta: 19 22 01	Radius: 100.00	
		Arc: 33.80	Tangent: 17.06	
		Long Chord:	S 6 48 24 E	33.64
			S 87 07 24 E	100.00
17	21			

18	22	S 2 52 36 W	340.06
19	4	N 86 38 49 W	789.95

Parcel Perimeter:	2695.30	USFeet
Misclosure:	S 47 22 06 E	
	0.00875	USFeet
Precision:	307872.96625	
Area:	381068.76	Sq. USFeet
	8.75	Acres

EXHIBIT "C"

ALDERBROOK TRACTS 1566 & 1576
INFLUENCE AMEUREMENT AND
REORGANIZATION 2024:

DETACHMENT FROM CUPERTINO SANITARY DISTRICT
GEOGRAPHIC DESCRIPTION

All that certain property, in the City of Cupertino, County of Santa Clara, State of California, described as follows:

Beginning at a point being at the northwest corner of Lot 151, as shown upon that certain map entitled "Tract No. 1576 – Alderbrook Estates Unit 3", which was filed for record on September 7, 1955, in Book 62 of Maps, at Pages 46 & 47, in Santa Clara County Records, said point being on the easterly Right of Way line of Blaney Avenue, as said line is shown upon said Tract Map No. 1576;

- 1 -- Thence, along said easterly Right of Way line, South $00^{\circ}14'40''$ East, 976.26 feet, to the beginning of a tangent curve to the left, having a radius of 20.00 feet;
- 2 – Thence, southerly and easterly, along said curve, through a central angle of $69^{\circ}46'30''$, an arc length of 24.36 feet, (formerly shown as 24.38 feet), to a point on the northerly Right of Way line of Bollinger Road, as shown on said "Tract Map No. 1576";
- 3 – Thence, along said northerly Right of Way line, South $70^{\circ}01'10''$ East, 237.84 feet, to the beginning of a tangent curve to the left, having a radius of 555.00 feet;
- 4 -Thence, easterly, continuing along said northerly Right of Way line, through a central angle of $50^{\circ}40'20''$, an arc length of 490.84 feet, as shown on said "Tract Map No. 1576", and as prolonged along said curve, as shown upon that certain map entitled "Tract No. 1566 – Alderbrook Estates Unit 2", which was filed for record on August 16, 1955, in Book 62 of Maps, at Pages 18 & 19, in Santa Clara County Records;
- 5 – Thence, continuing along said northerly Right of Way line, North $59^{\circ}18'30''$ East, 18.97 feet, to the beginning of a curve to the right, having a radius of 645.00 feet;
- 6 -Thence, easterly, continuing along said northerly Right of Way line, through a central angle of $18^{\circ}23'44''$, an arc length of 207.09 feet, to the intersection of the northerly Right of Way line with the westerly boundary line of the Creek Dedication, as shown on said "Tract Map No. 1566 – Alderbrook Estates Unit 2", said line also being the easterly boundary of Lots 67 through 75, as shown upon the aforementioned "Tract Map No. 1566";
- 7 – Thence, northerly along said westerly boundary line of said Creek Dedication, North $0^{\circ}26'00''$ West, 603.49 feet, to the beginning of a tangent curve to the right, having a radius of 333.00 feet;
- 8 -Thence, northerly along the last mentioned curve, through a central angle of $2^{\circ}22'27''$, an arc length of 13.80 feet, (formerly shown as having a central angle of $2^{\circ}22'20''$), an arc length of 13.79 feet, to the northwest corner of said Lot 75;

Sheet 2 of 2 Sheets
ALDERBROOK TRACTS 1566 & 1576
INFLUENCE AMENDMENT AND
REORGANIZATION 2024:

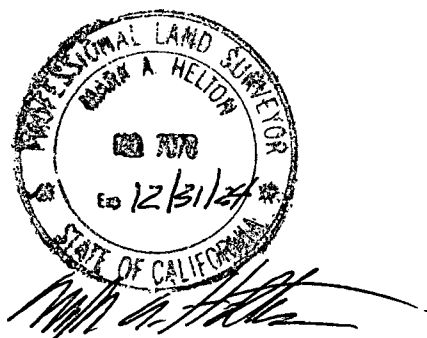
9 -- Thence, along the northerly subdivision boundaries shown upon both "Tract Map No. 1566", (being the northerly boundary of Lots 75 & 76), and "Tract Map No. 1576", (being the northerly boundary of Lots 140 through 151), North 70°15'10" West, 974.90 feet, to the **POINT OF BEGINNING**.

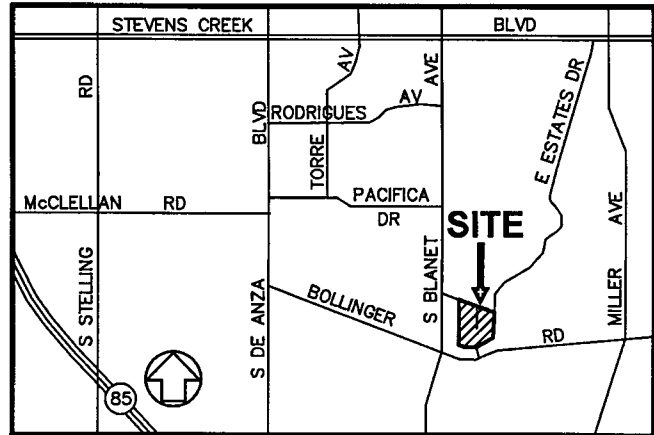
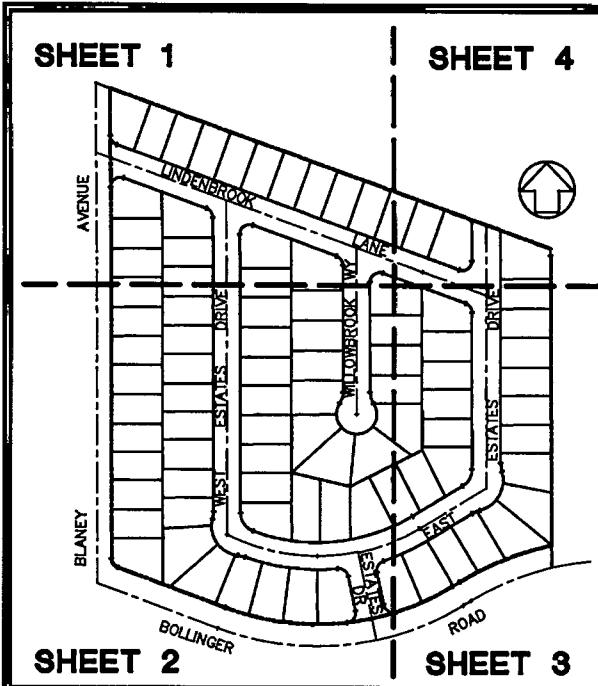
Containing an area of 18.65 acres, more or less.

END OF DESCRIPTION.

Disclaimer:

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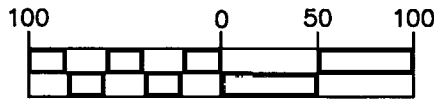




AREA OF DETACHMENT = 18.65± ACRES

KEY MAP

1"=400'
POINT OF BEGINNING



SCALE: 1"=100'



Mark A. Helton
EXHIBIT 'B'



Giuliani & Kull-San Jose Inc.

Engineers, Planners, Surveyors

4880 Stevens Creek Blvd. Suite 100
San Jose, California 95129
(408) 615-4000

SCALE: 1"=100'
DATE: 8/12/24
DRAWN: E.T.
CHECKED: M.H.
JOB NO.: 19119
SHEETS: 1 OF 4

**ALDERBROOK TRACTS 1566 & 1567
CITY OF CUPERTINO**

**INFLUENCE AMENDMENT AND
REORGANIZATION 2024:
DETACHMENT FROM
CUPERTINO SANITARY DISTRICT**

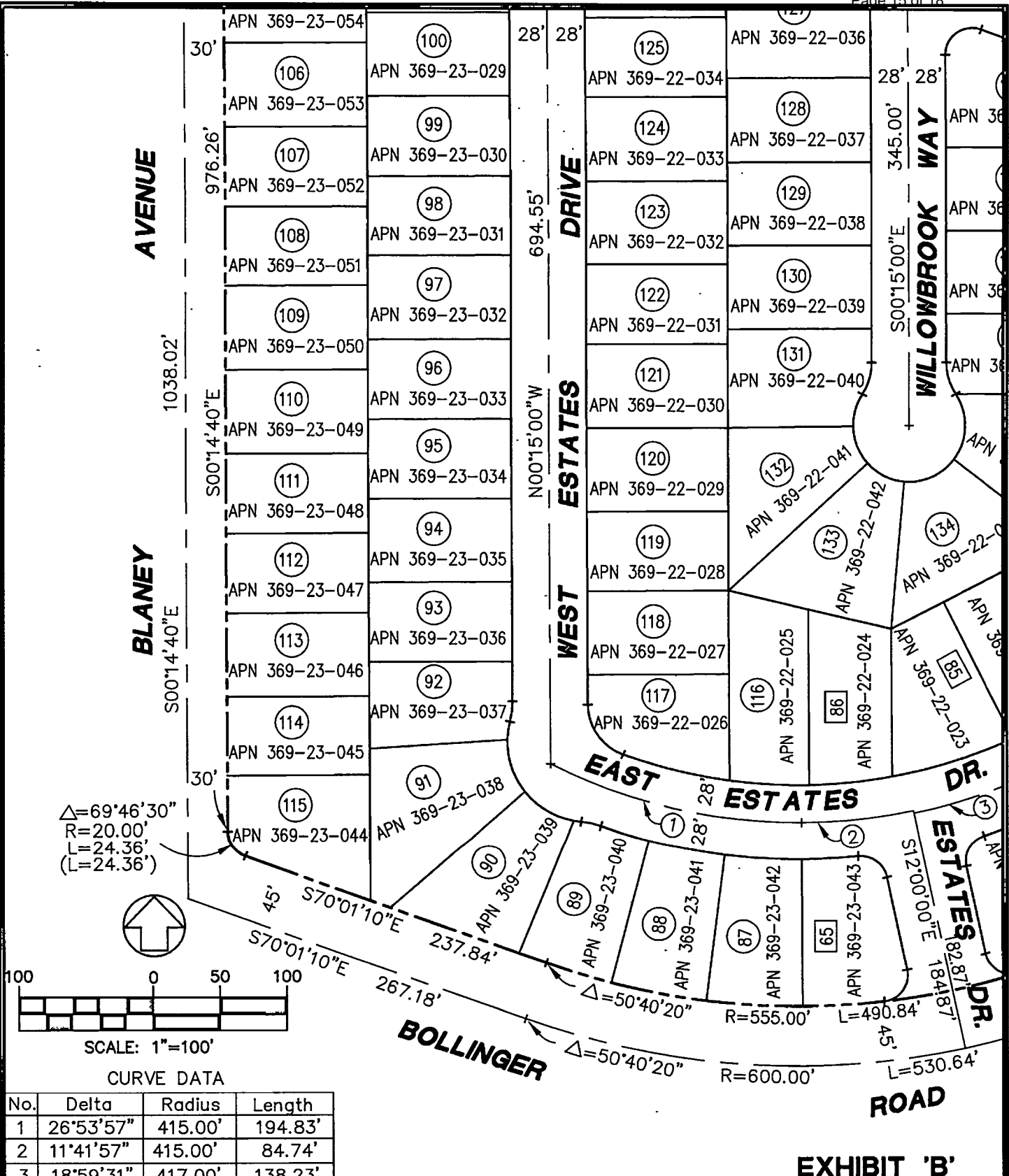


EXHIBIT 'B'

Giuliani & Kull-San Jose Inc.

Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100

San Jose, California 95129

(408) 615-4000

SCALE: 1"=100'

DATE: 8/12/24

DRAWN: E.T.

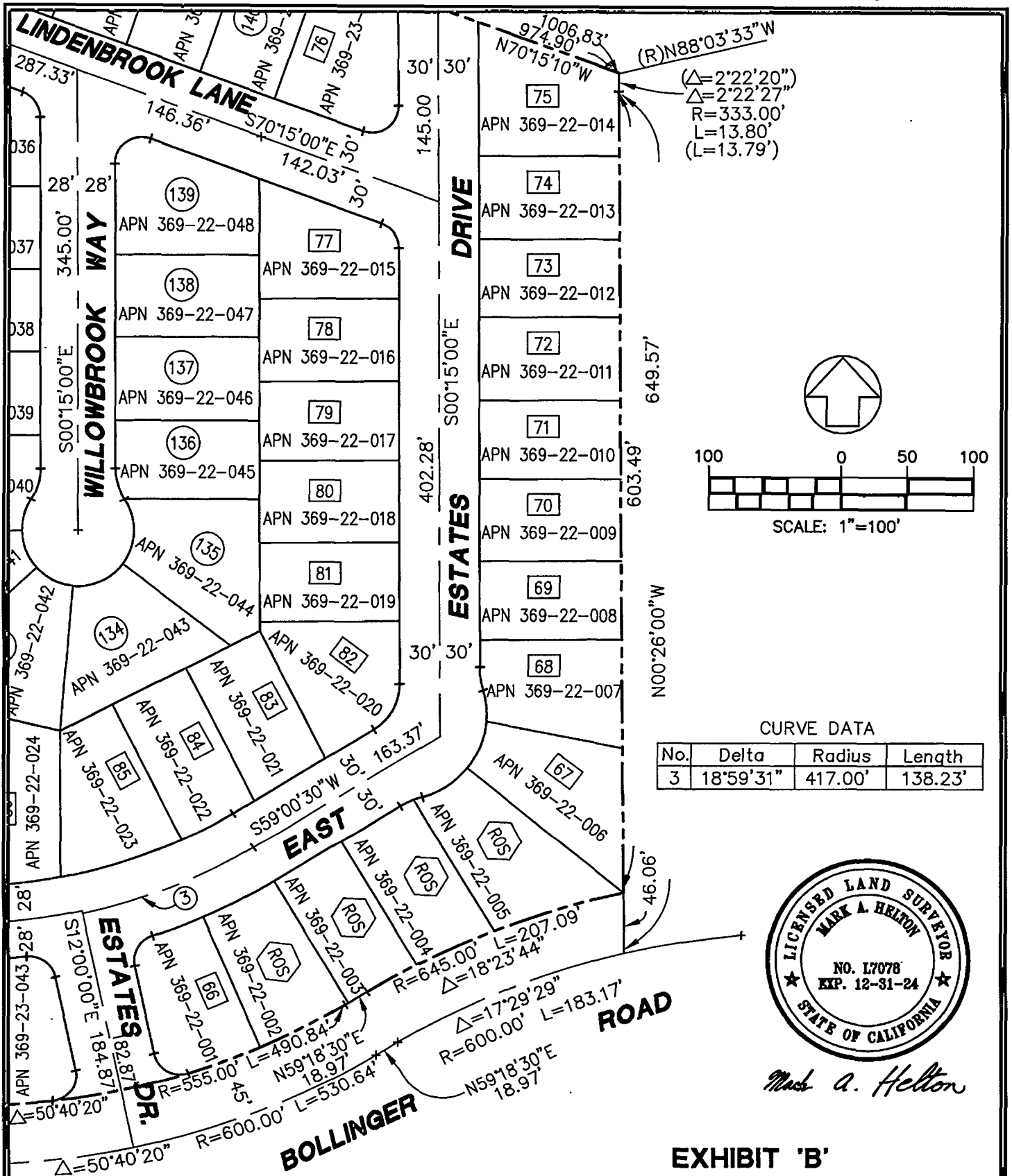
CHECKED: M.H.

JOB NO.: 19119

SHEETS: 2 OF 4

**ALDERBROOK TRACTS 1566 & 1567
CITY OF CUPERTINO**

INFLUENCE AMENDMENT AND REORGANIZATION 2024: DETACHMENT FROM CUPERTINO SANITARY DISTRICT



Engineers • Planners • Surveyors

**4880 Stevens Creek Blvd. Suite 100
San Jose, California 95129
(408) 615-4000**

SCALE: 1"=100'
DATE: 8/12/24
DRAWN: E.T.
CHECKED: M.H.
JOB NO.: 19119
SHEETS: 3 OF 4

**ALDERBROOK TRACTS 1566 & 1567
CITY OF CUPERTINO**

**INFLUENCE AMENDMENT AND
REORGANIZATION 2024:
DETACHMENT FROM
CUPERTINO SANITARY DISTRICT**

TRACT NO. 1566
ALDERBROOK ESTATES
UNIT 2 (62 M 18-19)

TRACT NO. 1576
ALDERBROOK ESTATES
UNIT 3 (62 M 46-47)

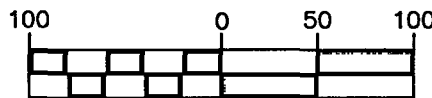
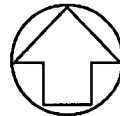
RECORD OF SURVEY
OF A SUBDIVISION
(62 M 37)

LEGEND

--- DETACHMENT BOUNDARY
— PROPERTY LINE
() RECORD INFORMATION
(R) RADIAL BEARING

DISCLAIMER

FOR ASSESSMENT PURPOSES ONLY, THIS
DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY
DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP
ACT AND MAY NOT BE USED AS THE BASIS FOR AN
OFFER FOR SALE OF THE LAND DESCRIBED.



SCALE: 1"=100'



Mark A. Helton

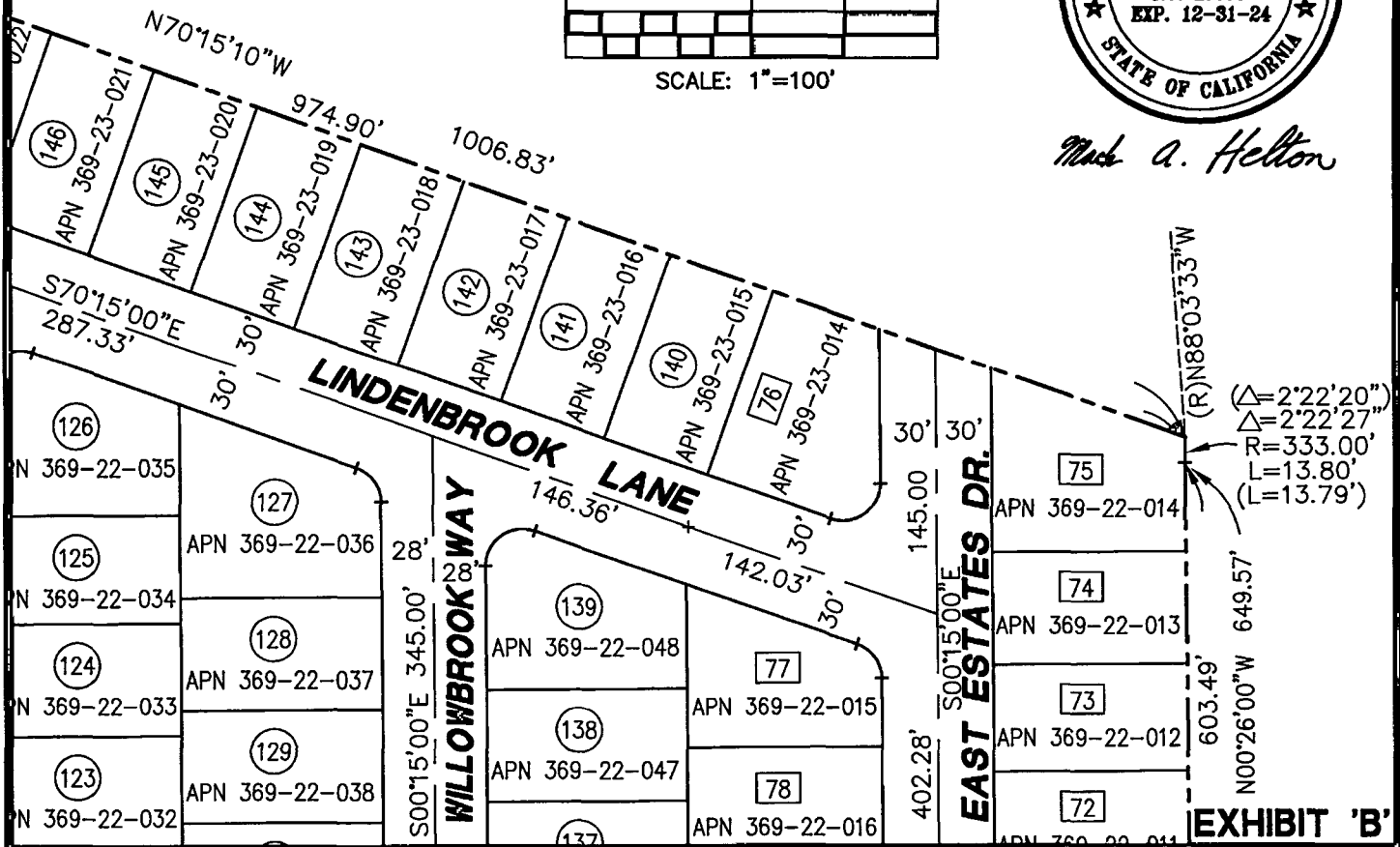


EXHIBIT 'B'

Giuliani & Kull-San Jose Inc.

Engineers • Planners • Surveyors

4880 Stevens Creek Blvd. Suite 100
San Jose, California 95129
(408) 615-4000

SCALE: 1"=100'

DATE: 8/12/24

DRAWN: E.T.

CHECKED: M.H.

JOB NO.: 19119

SHEETS: 4 OF 4

**ALDERBROOK TRACTS 1566 & 1567
CITY OF CUPERTINO**

**INFLUENCE AMENDMENT AND
REORGANIZATION 2024:
DETACHMENT FROM
CUPERTINO SANITARY DISTRICT**

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Parcel Summary
Map Check Data
=====

Name: LAFCO BDY Description: Tracts 1566 & 1576 & ROS

Segment	Point	Station	Direction	Distance
1	58			
2	95		S 00 14 40 E	976.26
3	94	Radius Point	Curve to Left	
		Delta: 69 46 30	Radius: 20.00	
		Arc: 24.36	Tangent: 13.95	
		Long Chord: S 35 07 55 E	22.88	
			S 19 58 50 W	20.00
4	93			
5	92		S 70 01 10 E	237.84
6	4	Radius Point	Curve to Left	
		Delta: 50 40 20	Radius: 555.00	
		Arc: 490.84	Tangent: 262.78	
		Long Chord: N 84 38 40 E	475.00	
			S 30 41 30 E	555.00
7	33			
8	32		N 59 18 30 E	18.97
9	9	Radius Point	Curve to Right	
		Delta: 18 23 44	Radius: 645.00	
		Arc: 207.09	Tangent: 104.44	
		Long Chord: N 68 30 22 E	206.20	
			N 12 17 46 W	645.00
10	31			
11	24		N 00 26 00 W	603.49
12	25	Radius Point	Curve to Right	
		Delta: 2 22 27	Radius: 333.00	
		Arc: 13.80	Tangent: 6.90	
		Long Chord: N 00 45 14 E	13.80	
			N 88 03 33 W	333.00
13	30			
14	58		N 70 15 10 W	974.90

Parcel Perimeter: 3547.54 USFeet

Misclosure: N 4 48 18 W
0.00426 USFeet

Precision: 832256.43709

Area: 812594.06 Sq. USFeet
18.65 Acres