



City of Sunnyvale

Notice and Agenda - Final City Council

Tuesday, May 4, 2021

5:15 PM

Telepresence Meeting: City Web Stream |
AT&T Channel 99 | Comcast Channel 15

Special Meeting: Study Session - 5:15 PM | Regular Meeting - 7 PM

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

Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, this meeting of the Sunnyvale City Council will take place by teleconference, as allowed by Governor Gavin Newsom’s Executive Order N-29-20.

- *Watch the City Council meeting on television over Comcast Channel 15, AT&T Channel 99, at <http://youtube.com/SunnyvaleMeetings> or <https://sunnyvaleca.legistar.com/calendar.aspx>*
- *Submit written comments to the City Council up to 4 hours prior to the meeting to council@sunnyvale.ca.gov or by mail to City Clerk, 603 All America Way, Sunnyvale, CA 94086.*
- *Teleconference participation: You may provide audio public comment by connecting to the teleconference 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

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment, contact the City at least 2 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. 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 (28 CFR 35.160 (b) (1)).

5:15 P.M. SPECIAL COUNCIL MEETING (Study Session)**Call to Order**

Call to Order via teleconference.

Roll Call

Call to Order via teleconference.

Study Session

The public may provide comments regarding the Study Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda.

A [21-0024](#) Cultural Inclusion Study and Plan

B [21-0485](#) Economic Development Strategy

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 via teleconference.

ROLL CALL**SPECIAL ORDER OF THE DAY**

C [21-0350](#) Public Works Week

D [21-0389](#) Nurses Week

E [21-0388](#) Municipal Clerks Week

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** [21-0344](#) Approve City Council Meeting Minutes of April 20, 2021

Recommendation: Approve the City Council Meeting Minutes of April 20, 2021 as submitted.

- 1.B** [21-0545](#) Approve City Council Meeting Minutes of April 27, 2021
(Closed Session)

Recommendation: Approve the City Council Meeting Minutes of April 27, 2021 as submitted.

- 1.C** [21-0242](#) 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** [21-0495](#) Approve Budget Modification No. 23 in the Amount of
\$310,000 to Provide Reimbursable Funding for the Creation of
Objective Citywide and Specific/Area Plan Design Guidelines
and Citywide Landscape Design Guidelines

Recommendation: Approve Budget Modification No. 23 in the amount of \$310,000 for consulting services and associated staff costs to update the City's design guidelines and to create new guidelines for landscaping, to be fully reimbursed by the California Department of Housing and Community Development.

- 1.E [21-0309](#) Authorize the Purchase of Two (2) Sweeper Service Vehicles from Tymco, Inc. (F21-090)

Recommendation: Authorize the Purchase of Two (2) Sweeper Service Vehicles from Tymco, Inc. (F21-090).

- 1.F [21-0236](#) Authorize the Issuance of Purchase Order to Turf Star Western for Eleven (11) Golf Equipment and Service Vehicles

Recommendation: Authorize the issuance of a Purchase Order in the amount of \$417,863.92, including sales tax, to Turf Star Western for eleven (11) Golf service maintenance equipment and vehicles.

- 1.G [21-0436](#) Award of a Contract (PW21-03) to Redgwick Construction Co. in the amount of \$1,091,866 for Homestead Road at Homestead High School Pedestrian and Bicycle Improvements, Finding of CEQA Categorical Exemption, and Approve Budget Modification No. 25

Recommendation: Take the following actions:

- Make a finding of categorical exemption from the California Environmental Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$1,091,866 to Redgwick Construction Co.;
- Approve a 10% construction contingency in the amount of \$109,187; and
- Approve Budget Modification No. 25 in the amount of \$128,353.

- 1.H [21-0477](#) Award of Contract to Basset Engineering in the amount of \$559,766 for Citywide Water Line Replacement 2019-Package 1 and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

- Recommendation:**
1. Make a finding of categorical exemption from the California Environmental Quality Act pursuant to California Environmental Quality Act Guidelines Section 15302 (c);
 2. Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$559,766 to Basset Engineering of San Francisco, California;
 3. Authorize the City Manager to execute the contract when all necessary conditions have been met; and
 4. Approve a 10% Contingency in the amount of \$55,977.

- 1.I [21-0239](#) Adopt a Resolution to Comply with Assembly Bill 2135 (Surplus Land Act) to Apply for One Bay Area Grant 2 Programs

- Recommendation:** Adopt a Resolution to Comply with Assembly Bill 2135 (Surplus Land Act) to Apply for One Bay Area Grant 2 Programs.

- 1.J [21-0286](#) Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Saratoga Road Class IIB Buffered Bicycle Lanes Project

- Recommendation:** Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Saratoga Road Class IIB Buffered Bicycle Lanes Project.

- 1.K [21-0327](#) Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Bicycle, Pedestrian and Safe Routes To School Safety Improvements Project

Recommendation: Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Bicycle, Pedestrian and SRTS Safety Improvements Project.

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 [21-0234](#) Public Hearing to Adopt a Resolution Confirming the Annual Report to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District (BID) for Fiscal Year 2021/22

Recommendation: Alternative 1: Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2021/22.

- 3 [21-0472](#) Approval of Redistricting Outreach Plan for City Council Redistricting, Second Amendment to Agreement with PlaceWorks, Inc. in the amount of \$67,410 and Approve Budget Modification No. 24 in the amount of \$112,000

Recommendation: Alternative 1: Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000.

- 4 [21-0539](#) CONTINUED FROM APRIL 20, 2021
Discussion and Possible Direction Regarding Taking a Position on Assembly Bill (AB) 703 (Rubio, Blanca D) - Open Meetings: Local Agencies: Teleconferences

Recommendation: Staff makes no recommendation. This report is being presented to Council to facilitate a discussion at the public hearing and for providing possible direction for the Mayor regarding AB 703.

- 5 [21-0523](#) Consider Approval of Draft 2021 Housing and Urban Development (HUD) Action Plan

Recommendation: Alternative 1: Approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report.

- 6 [21-0518](#) CONTINUED FROM APRIL 6, 2021
Introduce an Ordinance Making Minor Amendments to Chapters 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), 19.24 (Office and Public Facilities Zoning Districts), and 19.79 (Accessory Dwelling Units) of the Sunnyvale Municipal Code and Amending Chapter 19.98 (General Procedures) of the Sunnyvale Municipal Code to Create a Procedure for Appealing Incompleteness Determinations, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA

Recommendation: Alternative 1: Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.24, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from the California Environmental Quality Act (CEQA) pursuant to the California Environmental Quality Act Guidelines Section 15061(b)(3).

- 7 [21-0377](#) Proposed Project:
GENERAL PLAN AMENDMENT INITIATION (GPI):
Consideration of initiating amendment of the Lakeside Specific Plan to modify the timing of development for the required hotel (approved under Project 2015-7576) and to consider alternative community benefits.
Location: 1250 Lakeside (APNs: 216-43-014, -016, -017, -037, -038, -039 and -040)
File #: 2021-7296

Zoning: Lakeside Specific Plan

Applicant / Owner: Sunnyvale Partners Ltd Co. (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).

Project Planner: Trudi Ryan, (408) 730-7444,
tryan@sunnyvale.ca.gov

Recommendation: Alternative 1: Initiate a Specific Plan Amendment study amend the Lakeside Specific Plan and to analyze alternative community benefits related to changing the timing of the hotel construction and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15378(a).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-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.

21-0476	Tentative Council Meeting Agenda Calendar
21-0483	Board/Commission Meeting Minutes
21-0484	Information/Action Items
21-0505	Notice of Public Works Director's Decision on Final Maps (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 after 7 p.m. on Thursdays or in the Office of the City Clerk

located at 603 All America Way, 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 at 603 All America Way, during normal business hours and in the Council Chamber 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 to access City Hall to view these materials and 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 following the meeting.

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.



City of Sunnyvale

Agenda Item

21-0024

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Cultural Inclusion Study and Plan

BACKGROUND

In adopting the 2017 "Statement on Our City Values and Public Service," the City Council affirmed its commitment to creating a culture of belonging where all members of our diverse community feel included, heard and respected, as strengths of Sunnyvale's history (Attachment 1). In doing so, the City recognized the significant role diversity plays in leading an innovation economy like Sunnyvale's.

In 2019, Council approved Study Issue LCS 19-03 - Explore Strategies to Promote Cultural Inclusion in City Programs and Services. This Study explores policies and programs to advance the City's goals for ensuring a service delivery system that is inclusive and reflective of the City's diverse communities, which included: 1) an assessment of the City's current policies, programs and resources as they relate to equity and inclusion; 2) a review of best practices and development of recommendations relative to cultural inclusion policies and programs; and 3) analysis of the costs and resources required to establish an Office of Cultural Inclusion or other, less costly, options for strengthening Sunnyvale's diversity and inclusion efforts.

During City Council's Strategic Planning Workshop on January 28, staff presented a preliminary report on Study Issue LCS 19-03. Staff provided a summary organizational assessment, highlights of best practices and cost estimates for establishing an Office of Cultural Inclusion as well as two other less costly organizational approaches. At the Workshop, Council also established Equity, Access, and Inclusion as one of six Council Policy Priorities. Individual Council members also requested additional information be included in the final Study Issue report to include an option for a pilot program, opportunities for community celebrations and continuation of Sunnyvale Unity conversations, and benchmarking neighboring cities' inclusion efforts related to staffing, budget, outreach and training efforts.

EXISTING POLICY

Chapter 2 (2-33) of the City's General Plan Values and Vision
Resolution 997-20: Denouncing Xenophobia and Anti-Asian Sentiment
Resolution No. 1046-21: Denouncing Anti-Asian Hate

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) and 15378(b)(5) in that it is a fiscal and governmental organizational or administrative activity that will not result in direct or indirect changes in the environment and does not involve any commitment to any specific

project which may result in a potential significant impact on the environment.

DISCUSSION

Organizational Assessment

Staff conducted an organizational assessment, meeting with representatives from each City department. Through these conversations, staff identified current policies, practices, and documents as well as numerous on-going programs, services and efforts designed to reach and serve diverse residents. These include, but are not limited to:

- Information/brochures for the public in multiple languages
- Multi-lingual staff available for translation services
- Cultural inclusion policies and plans
- Website translations into multiple languages
- Outreach to diverse community groups for recruitment on Boards and Commissions
- Anti-bullying policy for Library and Recreation programs
- Administrative Policy Ch. 3 Art. 32: Policy Against Harassment, Discrimination and Retaliation
- City-wide multi-cultural special events and programs
- Community outreach programs including unity events in response to community requests

Additionally, the City currently performs the following functions during regular business:

- Provides news releases and information to ethnic media outlets and community organizations with diverse membership through a subscription list that any organization can sign up for to receive current city information.
- Develop relationships with leaders of diverse ethnic and cultural organizations representing Sunnyvale residents.
- Encourages internal diversity and inclusion through recruitment efforts targeting diverse communities and offering cultural diversity training for city staff.
- Encourages neighbors and residents to get to know one another through neighborhood association outreach and community cultural events/celebrations. City activities that promote neighborhood and resident interactions include National Night Out, community events and neighborhood grants program and quarterly Neighborhood Association meetings.
- Translation and interpretation services to increase access for linguistically isolated community members. City is currently updating its Administrative Policy, Chapter 1, Article 18 for Community Outreach which includes multi-lingual City documents and publications.

While we identified many policies, documents, and services, they are generally unique to departments and specific services, and may lack consistency across the broader organization. The lack of a clear inclusion strategy or policy to align these various programs and services was mentioned in multiple conversations with department representatives.

Best Practices

At the local level, Sunnyvale is one of the few majority/minority congressional districts in the US and recognizes the importance and value of being an inclusive community for all residents. Our research identified several organizations leading program design and research efforts around access and inclusion. These organizations have toolkits, trainings, convenings and experienced staff to support local jurisdictions in their various phases of implementing cultural inclusion policies and programs.

Attachment 2 summarizes the best practices of the Government Alliance on Race and Equity (GARE), the International City/County Management Association (ICMA) - Equity and Inclusion Priority, the Welcoming America model, and the Human Rights Campaign - Municipal Equity Index (MEI). Sunnyvale is currently a member of GARE and Welcoming America.

Benchmarking

In addition to researching best practices, staff conducted a benchmarking survey of eight neighboring cities (Attachment 3) to learn about local efforts. Campbell and Cupertino have no efforts underway currently. Six of the cities surveyed have broader efforts that include equity and access as well as cultural inclusion in their scope. Each city's systems, budget, staff allocations, boards/commissions and work plans vary widely and there appears to be no regional standard, trend, or approach to addressing equity and inclusion. These six cities are currently in either early discussions or a more formative stage of their respective equity and inclusion processes.

Five of the eight cities surveyed are currently considering one or more of the following organizational commitments around equity and inclusion: forming an advisory committee, creating a core staff team (utilizing existing staff), securing contracted consultants, hiring interns and/or term-limited staff, allocating short-term or long-term budget resources, and, in San Jose's case, creating an Office of Racial Equity:

- The City of Santa Clara has no dedicated staff or budget resources allocated. They recently formed a Community Task Force on Diversity, Equity and Inclusion.
- The cities of Mountain View and Palo Alto have no dedicated long-term staffing model, although they both have short-term dedicated budget resources allocated toward community outreach, data analysis, organizational training, policy development and core teams in support of their race and equity efforts.
- Redwood City has a dedicated budget for one term-limited (two-year) Equity and Inclusion Officer, as well as a Diversity, Inclusion and Equity Planning Intern to support its diversity, equity, and inclusion programming.
- The City of San Jose has recently created an Office of Racial Equity, with an annual budget of one million dollars, which covers three full-time staff and program operating costs allocated to the racial equity division of the office. In addition to the racial equity division, the Office of Racial Equity also has an immigration affairs division, with an annual budget of \$800,000, which covers three full-time staff and program operating costs.

PROGRAM ENHANCEMENT OPTIONS

Based on national best practices and the work occurring locally, staff has developed four options to promote cultural inclusion within the City of Sunnyvale. These options vary, primarily, by the level of resources required for implementation. With an understanding of the current budget pressures imposed by the pandemic, the options could be a way to "ramp up" efforts over time as more resources become available.

Each of the options includes development of an inclusion policy framework as a key component necessary for structuring all future efforts. Once the policy framework is established, specific performance measures, objectives and resource allocations would be further developed.

Option 1: Establish Internal Team

- Low resource allocation (\$30,000/annually)
- Establish an internal team to lead the City's efforts. This approach utilizes existing staffing resources and requires variable shifts in workload and priority for those individuals that make up the team. The team would be responsible for developing Sunnyvale's cultural inclusion policy using resources from GARE, Welcoming America, Human Rights Campaign and ICMA. (\$15,000).
- This team would also create organizational policies, attend trainings and conferences, and in-turn, sponsor consultant-led organization-wide training and follow-up at the department level designed to improve inclusivity in service delivery (\$15,000).

Option 2: Establish Internal Team with cultural event and organizational training

- Moderate resource allocation (\$135,000/annually, includes Option 1 action and costs)
- Create a signature cultural event separate from the annual State of the City and focused entirely on bringing the community together to celebrate the rich diversity of cultures making up the fabric of Sunnyvale. This event would be the main opportunity for outreach on service inclusivity. (\$55,000)
- Provide mandatory annual inclusion training for all Sunnyvale staff through on-site consultant services. (\$50,000)

Option 3A: Cultural Inclusion Pilot Project (3-Year)

- Significant resource allocation (\$425,000/year)
 - Inclusion Manager (\$235,000) + annual program costs (\$190,000)
- The Inclusion Manager (3-year term limited) would:
 - Establish and lead an internal team
 - Work with team and consultant(s) to develop organization-wide policies based on national recommendations for best practices that include a framework for implementation
 - Provide mandatory annual inclusion training for all Sunnyvale staff through on-site consultant services
 - Lead an annual multi-cultural event
 - Conduct regular on-going community engagement to assess needs, priority areas for planning and results

Option 3B: Office of Cultural Inclusion

- Significant resource allocation (\$750,000/annually)
 - Inclusion Manager (\$235,000), Analyst (\$195,000), Office support (\$127,000) + administrative and program costs (\$193,000 for consultants, training, multi-cultural event, etc.)
- This fully functional Office of Cultural Inclusion would:
 - Establish and lead an internal team

- Work with the team and consultant(s) to develop organization-wide policies based on national recommendations for best practices that include a framework for implementation
- Conduct regular on-going community engagement
- Lead an annual multi-cultural event
- Seek grants, donations, and partners
- Conduct regular on-going community engagement to assess needs, priority areas for planning and results

Although the workplan for Option 3B is similar to Option 3A (pilot), the major differences are the addition of three full-time staff members which allows greater impact in the community through a more concentrated, directly deployed effort. Additionally, this level is estimated to have a lower impact on existing work across the organization, as other City staff would not be called upon as much to support the effort. This level of effort also considers the development of an ongoing fully staffed “office” added to the General Fund budget well into the future.

FISCAL IMPACT

The options for strategies Sunnyvale could pursue to promote cultural inclusion in City programs and services range from:

- Lowest resource commitment of \$30,000 for a baseline effort, (\$750,000 total over 20 years if efforts were sustained at this level)
- Moderate resource commitment of \$135,000 to add an annual event and organizational training to the baseline effort (\$3.4 million total over 20 years if efforts were sustained at this level)
- A “pilot” option, presented as Option 3A, which would cost \$425,000 annually for three years (for a total effort of \$1,275,000), and
- A more significant long-term annual commitment of \$750,000 with a fully staffed Office of Inclusion (totaling \$18.8 million over 20 years).

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

Prepared by: Angela Chan, Youth and Family Resources Manager

Reviewed by: Damon Sparacino, Superintendent of Recreation Services

Reviewed by: Cherise Brandell, Director, Library and Recreation Services

Reviewed by: Jaqui Guzmán, Deputy City Manager

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Statement on Our City Values and Public Service
2. Summary of National Best Practices
3. Benchmarking Results - Neighboring Cities

CITY OF SUNNYVALE

The Heart of Silicon ValleySM

456 WEST OLIVE AVENUE SUNNYVALE, CALIFORNIA 94086 (408) 730-7473

Statement on Our City Values and Public Service

Glenn Hendricks
Mayor

Gustav Larsson
Vice Mayor

Jim Griffith
Councilmember

Larry Klein
Councilmember

Nancy Smith
Councilmember

Russ Melton
Councilmember

Michael S. Goldman
Councilmember

As the “Heart of the Silicon Valley,” Sunnyvale is a thriving community that is a highly desirable place to live, work, and play. Comprised of approximately 150,000 residents and about 9,000 active businesses, we are a community that emulates the spirit of all American ideals particularly worth noting now:

- Valuing our individual experiences and supporting and protecting people of any race, religion, ancestry, ethnicity, ability, gender, sexual orientation, or gender identity;
- Honoring cultural and religious traditions; and
- Valuing and embracing the diverse backgrounds, race, nationalities, ancestries, and ethnicities.

Sunnyvale has a large representation of immigrants from all over the world that are part of our thriving community. Per the Census 2015 American Community Survey (for 2011-2015), over 48% of Sunnyvale’s population is made up of foreign-born residents representing over 25 countries, with about 45% speaking languages other than English. Our local economy reflects both the diversity of our community, as reflected in the rich mixture of restaurants, small businesses, and availability of wide-ranging diverse goods and services. This is matched by our widely recognized global technology businesses with offices in Sunnyvale that depend on the talent and skills of members of the local and international community, such as: Amazon, Apple, GoDaddy, Google, LinkedIn, Lockheed Martin, Microsoft, Plug and Play Tech Center, Tesla, Yahoo!, and many more that contribute to the innovation economy.

We strongly believe that diversity and inclusiveness are strengths that are part of the foundation of Sunnyvale’s incredible local history. Recognized as the “nation’s safest city” (Smart Asset) and the “#1 best performing cities” (Milken Institute), Sunnyvale’s thriving, diverse community and local economy help shape the world’s innovation, and are key components of what make Sunnyvale a great place to live and work. We are proud of Sunnyvale’s record of leading the innovation economy and recognize the significant role that our immigrant population has played in advancing these efforts.

Likewise, Sunnyvale's municipal practices embrace these principles and our employees uphold them each day. The City's General Plan highlights our commitment to safety for all community members and specifically states the goal to ensure a safe and secure environment for people and property in the community by providing effective public safety response and prevention. Through strong local partnerships, the City's service delivery ethic ensures that we serve the needs of all community members with respect, professionalism, dignity, and fair and equitable treatment, regardless of race, religion, ancestry, ethnicity, ability, gender, sexual orientation, or gender identity. Specifically, all City employees are responsible to serve all members of the public with courtesy, impartiality, fairness, and equality under the law at all times¹. This model of inclusion and integration is critical to the general welfare of the City, and supports and protects our residents, business community, and quality of life. Indeed, this philosophy is the underpinning of the remarkable standard of public service that the community continues to receive and expect.

For these reasons, the City of Sunnyvale affirms its long history of inclusiveness and its public service ethic of helping our City continue to thrive as a culturally diverse community where all are welcome, safe and acknowledged.



Glenn Hendricks
Mayor

Authorized by a unanimous vote of the full City Council on February 7, 2017

¹ Administrative Policy, Chapter 1. General Management and Chapter 3. Personnel

Best Practices Summary

Government Alliance on Race and Equity (GARE)

The **Government Alliance on Race and Equity (GARE)** is a national network of local governments working to achieve racial equity and advance opportunities for all. While GARE's main focus is on racial equity, their work recognizes there are other groups of people that are still marginalized, including those based on gender, sexual orientation, ability and age, to name a few. GARE believes that to have maximum impact, their work must be focused and specific and that "one-size-fits-all" strategies are rarely successful. Having a racial equity framework that is clear about the differences between individual, institutional and structural racism, as well as the history and current reality of inequities, has applications for other marginalized groups.

Many current inequities are sustained by historical legacies, structures and systems that repeat patterns of exclusion. Government can implement policy change at multiple levels and across multiple sectors to drive larger systemic change. GARE's focus is on normalizing conversations about race, operationalizing new policies, practices and organizational cultures and organizing to achieve racial equity. GARE has intentionally selected a network model, recognizing that there are commonalities across various governmental jurisdictions and that jurisdictions are also uniquely situated. A network allows its members to expand a common field of practice, lift successes and share information, ideas and resources to achieve individual and group goals.

Membership resources and tools include national and regional convenings and webinars, issue papers describing topics and approaches that have impact, and toolkits, such as the Racial Equity Toolkit that provides an overall approach to integrating racial equity into routine decision making. There is also a racial equity curriculum for staff and GARE logic model describing the steps and outcomes expected. Local jurisdictions currently active in GARE include the City of San Jose, Santa Clara County, the Public Health Dept., Santa Clara Valley Transportation Authority, and the City of Palo Alto. Sunnyvale joined GARE in 2020.

The GARE Logic Model describes three stages of action and three stages of implementation decreasing racial inequity and improving success for all groups within the governmental organization. The three stages of action are Normalize, Organize and Operationalize.

- In the Normalize phase, the organization develops a clear vision and mission and prepares the entire organization (elected officials, leaders, staff, stakeholders, etc.) for the racial equity work ahead. There is common language, definitions of terminology and agreement on baseline information and starting place.
- In the second phase, Organize, there is a Racial Equity organizational structure and action teams made up of staff from various City Departments and community members. Community and staff surveys establish baseline metrics and goals for

documentation and planning. In addition, the step suggests cities identify other nearby jurisdictions doing similar work to create collaborations as appropriate.

- The final phase of action is to Operationalize. Here, Racial Equity plans are developed and implemented within the organization and with community and external partners.

The three stages of implementation include developing, implementing and sustaining stages. These stages of action and implementation are not linear but dynamic and include a process of continuous feedback and revision, depending on current conditions that may affect outcomes and plans such as political landscape, community incidents and local and state economy.

International City/County Management Association (ICMA) – Equity & Inclusion Priority

Founded in 1914, ICMA is a non-profit organization that advances professional local government through leadership, management, innovation and ethics. Their organizational vision is to be the leading professional association dedicated to creating and supporting thriving communities throughout the world. ICMA members are the professional city, town and county managers overseeing the day-to-day operations of our communities. ICMA provides member support; publications; data and information; peer and results-orientated assistance; and training and professional development.

ICMA has identified Equity and Inclusion as a top priority, working toward creating better communities around the world. ICMA works to mitigate the effects of bias in all areas of local government by developing and promoting programs and initiatives in the areas of service delivery, hiring practices, leadership development, community engagement and workplace culture.

In December 2020, as part of the Leading Edge Research Series, ICMA Research Fellow Benoy Jacob, Ph.D., authored a report titled *Governing for Equity: Implementing an Equity Lens in Local Governments* that examines how American local governments are actively addressing social and racial inequity in their communities. It considers the challenges and opportunities faced by public administrators when adopting an equity lens in their day-to-day operations.

The report provides case study examples of seven local governments that have developed a commitment to equity and put it into action. The distinctive features of the approach taken by these governments are:

- A commitment to promoting racial equity throughout the government.
- Using an equity lens to examine conditions, measure performance, and assess impacts and outcomes.
- Training and organizational development to raise awareness of racial bias and promote fair treatment of all residents.
- Developing programs and strategies to promote equity.

- Assessing the effectiveness of the equity initiative in reducing disparities.

The report concludes by highlighting five key lessons taken from the government case study experiences. These include:

- Initiating equity from the top or bottom of the organization.
- Defining equity across the phases of change.
- Predetermining “What is success?”
- Being prepared for resistance.
- Working at the edges of equity-change.

Welcoming America

Welcoming America is a non-profit, non-partisan organization that provides a roadmap supporting organizations and individuals to become more inclusive toward immigrants and all residents. Launched in 2009, Welcoming America has led a growing movement across the United States, with one in eight Americans living in a Welcoming Community.

Welcoming Communities foster a culture and policy environment that makes it possible for newcomers of all backgrounds to feel valued and fully participate alongside their neighbors in the social, civic and economic fabric of their adopted hometowns.

Welcoming America’s approach goes beyond a single program or service to work with institutions across the community to reduce the barriers immigrants face and to build bridges between newcomers and long-time residents.

The Welcoming America model includes three approaches:

- Connect with leaders in the community, government and non-profit sectors.
- Build on the great work happening in local communities by providing tested methods and approaches to creating inclusive, welcoming places for immigrants.
- Change systems and cultures by helping communities create policy, reinforce welcoming principles and communicate the socioeconomic benefits of inclusion.

Their membership program, called the Welcoming Network, offers tools, resources, technical assistance and a global network of help for non-profit and government partners to transform communities into more welcoming places. Local jurisdictions currently active in the Welcoming Network include the City of San Jose, Santa Clara County and Redwood City. Sunnyvale joined the Welcoming Network in 2019.

Welcoming week is a signature activity of Welcoming America. During Welcoming Week, organizations and communities bring together immigrants, refugees, and long-time residents to build strong connections and affirm the importance of welcoming and inclusive places in achieving collective prosperity. Welcoming Week is scheduled annually for one week in September and can easily align with Sunnyvale’s annual Celebrate Sunnyvale event. Welcoming Week goals, objectives and activities can support and enhance Celebrate Sunnyvale with a similar objective of bringing together

Sunnyvale residents to build connections and learn about the local initiatives and efforts to create a welcoming and prosperous community for all.

Human Rights Campaign – Municipal Equity Index (MEI)

Established in 1980, the Human Rights Campaign is currently one of the largest mainstream advocacy organizations in the United States. The organization strives to end discrimination against the LGBTQ community and realize a world that achieves fundamental fairness and equality for all. It envisions a world where lesbian, gay, bisexual, transgender and queer people are ensured equality and embraced as full members of society at home, at work and in every community.

One of their resources is the Municipal Equity Index (MEI), designed by the Human Rights Campaign Foundation, to help residents learn how inclusive their city's laws and policies are in considering the LGBTQ community. It is an annual self-assessment at the State, County and Municipal level, which includes Non-Discrimination Laws, Municipalities as Employers, Municipal Services, Law Enforcement and Leadership on LGBTQ Equality. In 2020, Sunnyvale's MEI score was 89 out of 100.

	Mountain View	Palo Alto	Town of Los Gatos	San Jose	Santa Clara	Redwood City	Sunnyvale
Staffing	Police Dept - added a new, part-time limited term (1 yr.) research fellow from UC Berkeley focused on collecting and analyzing data about police interactions to make recommendations for improved practice. No new/dedicated city staff for overall initiative; led by Office of City Manager -Assistant CM + Principal Management Analyst.	No new/dedicated city staff for overall initiative; led Deputy City Manager + Administrative Services staff.	No new/dedicated city staff for overall initiative	Has Office of Racial Equity - 1 Director + 6 staff; 3 for Immigrant Affairs + 3 for Racial Equity; staff positions are Assistant to the City Manager, Senior Executive Analyst; Senior Analyst	No new/dedicated city staff for overall initiative; led by Office of City Manager - Assistant CM + Management Analyst.	New full-time position for an Equity & Inclusion Officer in City Manager's Office (2-year budgeted position)	No new/dedicated city staff
Budget	Estimated at \$200K for staff trainings/discussions	One-time budget allocation of \$500,000	No new budget allocations	Program budget = \$1 million for current FY	City will use existing funds within approved budget.	One-time \$350,000 allocation + \$100,000 annual budget allocation	No current budget allocations
Commission/Board	Created new Public Safety Advisory Board made up of residents; Brown Act noticed; discuss policing issues, access to police staffed by City Manager's Office, Principal Management Analyst.	No new commission/board; formed Ad Hoc committee for Police Policy Manual, Data and Hiring; Public Safety Alternative Models; Police Accountability and Transparency; and Citywide Diversity & Inclusion	No new commission/board	No new commission/board	Task Force on Diversity, Equity, and Inclusion with 7 community members that will review police use of force policies and engage communities to seek a diverse range of input, experiences, and stories.	No new commission/board	No commission/board
Work/Action Plan	Racial Equity and Inclusion Action Plan, https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=33266	City of Palo Alto's blog on current race and equity work - https://medium.com/paloaltoconnect/palo-alto-continues-race-and-equity-efforts-eabfaa6fad00?source=friends_link&sk=58dc1bb8f7e5cc217e6b2fbf77c9277d . City Council adopted a set of seventeen recommendations on race and equity work - https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=61327.01&BlobID=79088	General Plan Advisory Committee added Racial, Social and Enviromental Justice Element to the General Plan on July 30, 2020.	Workplan still in the planning stages but has some broad goals: 1. Staff Training - develop and implement needs and training analysis; 2. Build CORE team and citywide infrastructure; 3. Equity in budget process; 4. Support reimagining community safety work; 5. Support community economic recovery efforts; 6. Intergrate Offices of Immigrant Affairs & Welcome SJ plan with equity work.	November 2020 - June 2021 for Task Force - Engage the community to attend listening sessions and support dialogue around systemic inequalities; August - September 2021 - Report findings of the review to the community, seek feedback from community and make recommendations on policy reform and strategies to Council; October - November 2021 - Present findings and recommendatinos to Council to reform the City's police use of force policies, structures or culture that negatively impact or do not fully benefit historically disenfranchised communities and present possible recommendations to the Council on City Charter changes, may establish Oversight body or Commission.	Scope of work has a 2-prong approach - internal and external. Internal - working on staff capacity and familiarity with equity and its impact, standardizing language/definition, address gaps in data, information and process in city operations and staff trainings. Pilot activity - develop and introduce equity tool; request each city dept. apply the equity tool to one existing program/activity. Learn from the exercise and implement any changes necessary to ensure program/activity is accessible by all residents. External - develop equity plan with City Council in the areas of policing, housing, and homelessness. Equity is the center of city's strategic plan.	Council added diversity, equity and access as a strategic value in January 2021. No action steps identified yet pending budget process decisions.
Current Efforts	Make progress on action plan, finalizing members of the Public Safety Advisory Board, staff is researching and in conversation with County on police and mental health responses.	Current work/focus is internal and external with community/residents. For internal, plan to survey city staff for climate/culture check-in, city-wide equity conversations and look at current demographics on staff make-up, etc. Held a 3-part retreat with Senior Executives of the organization to explore the issue and come to shared understanding and path forward. Externally or with residents, launched a 21-day racial equity challenge with Palo Alto School District and on-going community conversations.	All staff liaisons to the existing 10 city boards/commissions were made aware that Diversity, Equity and Inclusion (DEI) is a Council Strategic Priority for FY 2021/23 and to review commission/board workplans with a DEI lens.	Implementing workplan items described above.	Implementing workplan items described above.	Implementing workplan items described above.	Discussing options for scope of efforts
Staff Contact	Melvin Gaines, 650-903-6397, melvin.gaines@mountainview.gov	Minka van Der Swagg, 650-463-4953, Minka.vanderzwaag@cityofpaloalto.org ; Steve Guagliardo, steven.guagliardo@cityofpaloalto.org ; Chantel Gaines; Deputy City Manager, chantal.gaines@cityofpaloalto.org	Arn Andrews, 408-354-6836, aandrews@losgatosca.gov	Zulma Maciel, 408-535-8146, zulma.maciел@sanjoseca.gov	Genevive Yip, 408-615-2253, gyip@santaclaraca.gov	Briana Evans, Equity & Inclusion Officer, 650-780-7081; bevans@redwoodcity.org	
* Cities of Cupertino and Campbell were also contacted as part of the benchmarking project. These cities are currently in discussion and formative stages of their equity and inclusion efforts.							



City of Sunnyvale

Agenda Item

21-0485

Agenda Date: 5/4/2021

Economic Development Strategy



City of Sunnyvale

Agenda Item

21-0350

Agenda Date: 5/4/2021

Public Works Week



City of Sunnyvale

Agenda Item

21-0389

Agenda Date: 5/4/2021

Nurses Week



City of Sunnyvale

Agenda Item

21-0388

Agenda Date: 5/4/2021

Municipal Clerks Week



City of Sunnyvale

Agenda Item

21-0344

Agenda Date: 5/4/2021

SUBJECT

Approve City Council Meeting Minutes of April 20, 2021

RECOMMENDATION

Approve the City Council Meeting Minutes of April 20, 2021 as submitted.



City of Sunnyvale

Meeting Minutes - Draft

City Council

Tuesday, April 20, 2021

5:15 PM

Telepresence Meeting: City Web Stream |
AT&T Channel 99 | Comcast Channel 15

**Special Meeting: Closed Session - 5:15 PM | Special Meeting: Study Session - 6 PM |
Regular Meeting - 7 PM**

5:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Mayor Klein called the meeting to order at 5:15 p.m. via teleconference.

Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Mason Fong
Councilmember Alysia Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

Public Comment

Public Comment opened at 5:16 p.m.

No speakers.

Public Comment closed at 5:16 p.m.

Convene to Closed Session

A [21-0398](#) CONFERENCE WITH LEGAL COUNSEL-PENDING
LITIGATION Closed Session held pursuant to California
Government Code Section 54956.9 (d)(1). Name of Case:

Michael Laurent v. City of Sunnyvale, Santa Clara County
Superior Court, Case No. 19CV355846

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 5:55 p.m.

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

Call to Order

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Mayor Klein called the meeting to order at 6:00 p.m. via teleconference.

Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Mason Fong
Councilmember Alysia Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

Study Session

B [21-0321](#) Tasman Drive Complete Street Corridor Study Update by
Valley Transportation Authority

John Sighamony, Senior Transportation Planner, Valley Transportation Authority (VTA) provided the VTA report and presentation.

Public Comment opened at 6:43 p.m.

Richard Mehlinger shared support for the proposed improvements along at the Tasman Drive (Tasman) and Fair Oak Avenue (Fair Oaks) intersection. He spoke towards contiguous sidewalks and a permanent lane closure along Tasman Drive.

Ari Feinsmith voiced support for the proposed improvements to the Calabazas Creek Trail and the Tasman at Fair Oaks intersection. He spoke towards closing the sidewalk gap between Vienna Drive and Tasman Court.

Martin Pyne shared concerns with traffic being diverted to nearby streets in the Tasman area and spoke towards closing the sidewalk gap on Lawrence Expressway south of Tasman.

Public Comment closed at 6:50 p.m.

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 6:50 p.m.

7 P.M. COUNCIL MEETING

Call to Order

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Mayor Klein called the meeting to order at 7:00 p.m. via teleconference.

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Mason Fong
Councilmember Alysa Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

CLOSED SESSION REPORT

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54956.9 (d)(1). CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION Name of Case: Michael Laurent v. City of Sunnyvale, Santa Clara County Superior Court, Case No. 19CV355846; nothing to report.

SPECIAL ORDER OF THE DAY

C [21-0390](#) Affordable Housing Month

Mayor Klein read a proclamation in honor of Affordable Housing Month.

Jan Lindenthal, SV@Home Board Member spoke towards the proclamation.

D [21-0349](#) Asian Pacific American Heritage Month

Mayor Klein welcomed Heritage Preservation Commissioner David Wu.

Commissioner Wu read a proclamation in honor of Asian Pacific American Heritage Month and spoke towards the proclamation.

E [21-0519](#) Earthquake Preparedness Month

Mayor Klein read a proclamation in honor of Earthquake Preparedness Month.

Public Safety Specialist Steve Roth spoke towards the proclamation.

ORAL COMMUNICATIONS

Vice Mayor Hendricks announced details for the following:

- Current recruitment for various Boards and Commissions;
- Current recruitment for the Redistricting Commission;
- COVID-19 testing availability at Murphy Park and testing availability via Santa Clara County; and
- COVID-19 vaccination availability at the Sunnyvale vaccination center and availability via Santa Clara County.

A member of the public communicated support for a sanctioned encampment for the unhoused in Sunnyvale and continuing the hotel program.

Helen Gettinger shared support for a sanctioned encampment in Sunnyvale.

CONSENT CALENDAR

MOTION: Vice Mayor Hendricks moved and Councilmember Larsson seconded the motion to approve agenda items 1.A through 1.J.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Fong
Councilmember Cisneros
Councilmember Din

No: 0

1.A [21-0466](#) Approve City Council Meeting Minutes of April 6, 2021

Approve the City Council Meeting Minutes of April 6, 2021 as submitted.

1.B [21-0241](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Approve the list(s) of claims and bills.

1.C [21-0320](#) Approve Budget Modification No. 20 to Appropriate \$3.5 Million
in Valley Transportation Authority (VTA) 2016 Measure B
Funding and \$389,000 from the Transportation Impact Fee
Funds for the Environmental, Permitting, and Design Costs for
the Stevens Creek Trail Segment from W. Remington Drive to
W. Fremont Avenue and Authorize the City Manager to
Execute All Grant-Related Documents

Approve Budget Modification No. 20 to appropriate \$3,500,000 in Valley
Transportation Authority (VTA) 2016 Measure B funding and \$389,000 from the
Transportation Impact Fee Funds for the environmental, permitting and design costs
for the Stevens Creek Trail segment from W. Remington Drive to W. Fremont
Avenue and authorize the City Manager to execute all grant-related documents.

1.D [21-0143](#) Award of Contract to JJR Construction Inc. for ADA Curb
Retrofit (CDBG) 2021 and Finding of CEQA Categorical
Exemption

Take the following actions:

- Make a finding of categorical exemption from the California Environmental Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$580,328 to JJR Construction Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions

have been met; and

- Approve a 20% construction contingency in the amount of \$116,066.

1.E [21-0432](#) Award of Contract to Intermountain Slurry Seal, Inc. for Slurry Seal 2021 and Finding of CEQA Categorical Exemption

Take the following actions:

- Make a finding of categorical exemption from the California Environmental Act (CEQA) pursuant to CEQA Guidelines Section 15301 (c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$647,627 to Intermountain Slurry Seal, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% construction contingency in the amount of \$64,763.

1.F [21-0435](#) Approve the Second Amendment to Outside Counsel Agreement with Downey Brand for Litigation Services pertaining to the pending litigation San Francisco Baykeeper v. City of Sunnyvale and Approve Budget Modification No. 19 in the amount of \$500,000

Authorize the City Attorney to execute a second amendment, in substantially the same form as Attachment 1 to the report, to the Legal Services Agreement with the law firm of Downey Brand, LLP to increase the not-to-exceed amount by \$400,000, for a new not-to-exceed contract amount of \$500,000 and approve Budget Modification No. 19 in the amount of \$500,000.

1.G [21-0462](#) Countywide AB 939 Fee and Household Hazardous Waste Agreements for FY 2021/22 through FY 2023/24.

- Authorize the City Manager to execute a three-year agreement for Countywide AB 939 Implementation Fee, in substantially the same form as Attachment 1 of the report, and a three-year agreement for Countywide Household Hazardous Waste (HHW) Collection Program, in substantially the same form as Attachment 2 of the report, with an augmentation amount of \$152,321; and
- Authorize the City Manager to execute annual amendments to the Countywide HHW Collection Program agreement and the authority to approve an increase of up to 20% in the augmentation amount.

1.H [21-0408](#) Extension of Lease Agreement with Sunnyvale Community Services at 725 Kifer Road

Authorize City Manager or his designee to execute a first amendment to Lease of

Real Property in substantially the same form as Attachment 1 of the staff report for 725 Kifer Road with Sunnyvale Community Services.

- 1.I [21-0428](#) Appoint Mr. Russell Brunson and Ms. Lori Parris to the NOVA Workforce Board

Appoint Mr. Russell Brunson and Ms. Lori Parris to the NOVA Workforce Board.

- 1.J [21-0451](#) Approve Local Plan for NOVA and Regional Plan for Bay Peninsula Regional Planning Unit

Approve the Local Plan for NOVA and the Regional Plan for the Bay Peninsula Regional Planning Unit.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [21-0066](#) Housing Strategy: Update and Discussion on Sunnyvale Mobile Home Park Memorandum of Understanding

Housing Officer Jenny Carloni provided the staff report and presentation.

Council took a recess at 7:45 p.m. and reconvened at 8:00 p.m. with all Councilmembers present via teleconference.

Ms. Carloni continued the staff report and presentation.

Public Hearing opened at 9:03 p.m.

Ryan Jasinsky, Director of Property Management, Brandenburg Staedler and Moore on behalf of the mobile home park owners stakeholders group communicated the group's key points for a Memorandum Of Understanding (MOU) specifically price stability, rental safety net program and long-lasting agreement that balances interests of all stakeholders.

Mitch Mankin, Preservation and Protection Associate, SV@Home shared information about rent stabilization ordinances and space rent increases from neighboring cities within Santa Clara County.

Galen Kim Davis, Board member, Livable Sunnyvale voiced the group's unanimous decision to support the mobile home park resident's (residents) MOU positions.

Agnes Veith spoke towards space rent and pass-through costs such as capital

improvement expenses and urged Council to draft an MOU that supports the residents.

Liam Davis, President, Firebirds for All communicated support for the residents' position on the MOU.

Bryson Chen, Vice President, Firebirds for All shared support for the residents' position on the MOU.

Julia Liu spoke towards Sunnyvale's Housing Strategy goal that mobile homes remain an affordable housing option and voiced concerns with meeting this goal.

Mike Serrone, President, Sunnyvale Democratic Club communicated the group's unanimous decision to support Livable Sunnyvale's letter specifically the residents' position on the MOU and for MOU terms that are similar to other cities in the region.

Tara Martin-Milius voiced support for an MOU that the residents can accept or an ordinance that protects mobile home park residents.

Frank David shared support for mobile home rent stabilization.

Rick spoke towards space rent costs at Plaza Del Rey and communicated support for a Rent Stabilization Ordinance (RSO).

Leia Mehlman spoke towards goals that should be achieved with an MOU such as economic equity between the owners and residents.

Anne spoke towards space rent costs and requested Council support the residents' position on the MOU to protect the those living on a fixed income.

Jason Feinsmith shared information comparing resident owned and business owned mobile home parks and "new market element."

Randi spoke towards restrictions on mobile home park residents specifically the inability to rent their manufactured homes.

Gail Rubino, Livable Sunnyvale communicated support for the residents' position on the MOU, for developing an RSO concurrently in case of an MOU breach and for an MOU that is similar to neighboring cities.

Doug Johnson, Park Owners Association voiced support for an MOU and shared information related to RSOs adopted by the City of Milpitas and Alameda County.

Bruce Stanton, Attorney on behalf of the mobile home park residents stakeholder group communicated the group's key points for an MOU specifically fair annual rent adjustments, reasonable resale rent caps on turnovers and a mechanism to ensure enforceability.

Cor van de Water spoke towards space rent increases and the real estate vacancy rate at Plaza Del Rey and voiced support for an RSO or MOU that protects residents.

Murali Srinivasan urged Council to address policy loopholes in order to make Sunnyvale an equal opportunity city.

Robert Koreski, Managing Partner, Mary Manor Estates Mobile Home Parks spoke towards their commitment to a successful conclusion of an MOU, safety net program for residents and if the MOU is successful it will be offered to current leaseholders in their park.

Jess shared the impacts of space rent cost increases and urged Council to support the residents' position on the MOU.

Dana spoke towards the space rent increases at Plaza Del Rey and the impact to the real estate property at the park.

Richard Mehlinger, Chair, Livable Sunnyvale shared the group's support of an MOU that is acceptable to the residents, is in line with best practices adopted by other cities and for preparing an RSO.

Christine Ryczkowski voiced concerns regarding the space rent costs at Plaza Del Rey and support for an MOU that ensures fair and equitable terms for residents.

Tanya Ivanov shared information about the expenses incurred with maintaining a manufactured home.

Gladys Aragon shared concerns regarding the space rent increases at Plaza Del Rey.

Janette Brambila spoke towards space rent costs and voiced support for the residents' position on the MOU.

Debbie Walter communicated support for an RSO that would guarantee an affordable housing option and serve as a "contract" that is approved by the City.

Judy Pavlick and Tim Kerr on behalf of the mobile home park residents shared statistics about the mobile home park residents' population. They spoke towards the annual space rent increase being connected to a percentage of the Consumer Price Index (CPI) and limiting rate increases at turnover.

Ken Kravenas, Chief Operating Officer, Hometown America on behalf of mobile home park owners communicated the group's key points for an MOU such as an annual rent increase of CPI with a 3.5% floor, a cap turnover of 20% and a safety net program.

Public Hearing closed at 10:26 p.m.

MOTION: Vice Mayor Hendricks moved and Mayor Klein seconded the motion to approve Alternative 3 to direct staff to continue to negotiate final terms with Memorandum of Understanding (MOU) Stakeholders and to exclude rental parks from the MOU.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Fong
Councilmember Cisneros
Councilmember Din

No: 0

Council took a recess at 10:55 p.m. and reconvened at 11:05 p.m. with all Councilmembers present via teleconference.

3 [21-0378](#) Selection of a Configuration of the Mary Avenue Overcrossing

to be Defined as the Proposed Project in an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA); Approve Budget Modification No. 21 in the Amount of \$273,092 from the Transportation Impact Fee funds; and Increase the Kimley-Horn and Associates contract from \$666,550 to \$914,815.

Principal Transportation Engineer Angela Obeso provided the staff report and presentation.

Public Hearing opened at 11:42 p.m.

Richard Mehlinger urged Council to select option 3 as their preferred project.

Ari Feinsmith voiced support for option 3 or 4 as the preferred project.

Public Hearing closed at 11:40 p.m.

MOTION: Councilmember Din moved and Vice Mayor Hendricks seconded the motion to approve Alternative 1:

- Select option 2 as the "Project" for the purposes of the project definition in the Environmental Impact Report for the Mary Avenue overcrossing and fully evaluate the other four options as Project alternatives;
- Approve Budget Modification no. 21 in the amount of \$273,092 from the Transportation Impact Fee funds;
- Approve a second amendment in substantially the same form as Attachment 6 to the report to the Kimley-Horn and Associates contract to change the scope of work and increase the contract amount from \$666,550 to \$914,815; and
- Approve a 10% contingency for the additional scope of work.

The motion failed with the following vote:

Yes: 2 - Vice Mayor Hendricks
Councilmember Larsson

No: 5 - Mayor Klein
Councilmember Melton
Councilmember Fong
Councilmember Cisneros
Councilmember Din

MOTION: Councilmember Din moved and Councilmember Melton seconded the

motion to approve Alternative 2:

- Select option 4 as the "Project" for the purposes of the project definition in the Environmental Impact Report for the Mary Avenue overcrossing and fully evaluate the other four options as Project alternatives;
- Approve Budget Modification no. 21 in the amount of \$273,092 from the Transportation Impact Fee funds;
- Approve a second amendment in substantially the same form as Attachment 6 to the report to the Kimley-Horn and Associates contract to change the scope of work and increase the contract amount from \$666,550 to \$914,815; and
- Approve a 10% contingency for the additional scope of work.

The motion failed with the following vote:

Yes: 3 - Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 4 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Fong

MOTION: Councilmember Melton moved and Councilmember Larsson seconded the motion to approve Alternative 2:

- Select option 3 as the "Project" for the purposes of the project definition in the Environmental Impact Report for the Mary Avenue overcrossing and fully evaluate the other four options as Project alternatives;
- Approve Budget Modification no. 21 in the amount of \$273,092 from the Transportation Impact Fee funds;
- Approve a second amendment in substantially the same form as Attachment 6 to the report to the Kimley-Horn and Associates contract to change the scope of work and increase the contract amount from \$666,550 to \$914,815; and
- Approve a 10% contingency for the additional scope of work.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Councilmember Larsson
Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 2 - Vice Mayor Hendricks
Councilmember Fong

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to adjourn the meeting.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 1 - Councilmember Fong

- 4 [21-0130](#) Discussion and Possible Direction Regarding Taking a
Position on Assembly Bill (AB) 703 (Rubio, Blanca D) - Open
Meetings: Local Agencies: Teleconferences

Agenda item not heard by Council.

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

Agenda item not heard by Council.

NON-AGENDA ITEMS & COMMENTS

-Council

Agenda item not heard by Council.

-City Manager

Agenda item not heard by Council.

INFORMATION ONLY REPORTS/ITEMS

[21-0467](#) Tentative Council Meeting Agenda Calendar

[21-0468](#) Board/Commission Meeting Minutes

- [21-0469](#) Information/Action Items
- [21-0490](#) Mayoral Announcement of Mayor-Appointed Ad Hoc Advisory Committee on City Attorney Compensation (Information Only)
- [21-0516](#) Board/Commission Resignation (Information Only)

ADJOURNMENT

Mayor Klein adjourned the meeting at 12:12 a.m.



City of Sunnyvale

Agenda Item

21-0545

Agenda Date: 5/4/2021

SUBJECT

Approve City Council Meeting Minutes of April 27, 2021 (Closed Session)

RECOMMENDATION

Approve the City Council Meeting Minutes of April 27, 2021 as submitted.



City of Sunnyvale

Meeting Minutes - Draft

City Council

Tuesday, April 27, 2021

6:00 PM

Telepresence Meeting: City Web Stream

Special Meeting: Closed Session - 6 PM Meeting

6 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Mayor Klein called the meeting to order at 6:00 p.m. via teleconference.

Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Mason Fong
Councilmember Alysa Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

Public Comment

Public Comment opened at 6:03 p.m.

No speakers.

Public Comment closed at 6:03 p.m.

Convene to Closed Session

[21-0053](#)

Closed Session held pursuant to California Government Code Section 54956.9: LEGAL COUNSEL-THREAT OF LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of

subdivision (d) of Section 54956.9.

Number of potential cases: 1

Mayor Klein reconvened the City Council Special Meeting at 7:07 p.m. with all Councilmembers present via teleconference.

Vice Mayor Hendricks reported that Council met in Closed Session Closed Session held pursuant to California Government Code Section 54956.9: LEGAL COUNSEL-THREAT OF LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9. Number of potential cases: 1; nothing to report.

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 7:08 p.m.



City of Sunnyvale

Agenda Item

21-0242

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

BACKGROUND

Pursuant to Sunnyvale Charter Section 802(6), the City Manager has approved for payment claims and bills on the following list(s); and checks have been issued.

<u>List No.</u>	<u>Date</u>	<u>Total Disbursements</u>
070	04-04-21 through 04-10-21	\$1,943,740.45
071	04-11-21 through 04-17-21	\$12,868,825.26

Payments made by the City are controlled in a variety of ways. In general, payments are reviewed by the appropriate City staff for compliance with the goods or services provided. Any discrepancies are resolved and re-submitted for payment. Different levels of dollar amounts for payments require varying levels of approval within the organization. Ultimately payments are reviewed and processed by the Finance Department. Budgetary control is set by Council through the budget adoption resolution.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Approve the list(s) of claims and bills.

Prepared by: Tim Kirby, Director of Finance
Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. List(s) of Claims and Bills Approved for Payment

City of Sunnyvale

LIST # 070

**List of All Claims and Bills Approved for Payment
For Payments Dated 04/04/2021 through 04/10/2021**

Sorted by Payment Type, Payment Number and Invoice Number

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
CHECK	XXXXX0875	04/06/2021	Atlassian Pty Ltd	-80.25	3809395015	Orig Invoice Date 9/10/19	-80.25	0.00	\$2,969.75
				3,050.00	AT-122162815.	Annual SAAS	3,050.00	0.00	
	XXXXX0876	04/06/2021	Graniterock Co	2,324.72	1277868		2,324.72	0.00	\$7,639.69
				3,745.06	1284248		3,745.06	0.00	
				1,569.91	1285183		1,569.91	0.00	
	XXXXX0877	04/07/2021	4Leaf Inc	14,720.00	J3567W	February Inspections	14,720.00	0.00	\$14,720.00
	XXXXX0878	04/07/2021	Cal-Vet Services Inc	1,529.00	12098		1,529.00	0.00	\$1,529.00
	XXXXX0879	04/07/2021	Dell Marketing LP	7,069.19	10458294880		7,069.19	0.00	\$7,069.19
	XXXXX0880	04/07/2021	H F & H Consultants LLC	2,040.00	9717459	July 2020 Project W4038	2,040.00	0.00	\$2,040.00
	XXXXX0881	04/07/2021	State Water Resources Control Board	150.00	Dennis Therres G2 Cert	Dennis Therres Grade 2 Cert Renewal	150.00	0.00	\$150.00
	XXXXX0882	04/07/2021	Municipal Maintenance Equipment Inc	818.10	0148612-IN		818.10	0.00	\$1,808.61
				458.63	0151158-IN		458.63	0.00	
				531.88	0152511-IN		531.88	0.00	
	XXXXX0883	04/07/2021	Municipal Plan Check Services Inc	27,000.00	1171	February 2021	27,000.00	0.00	\$27,000.00
	XXXXX0884	04/07/2021	NBS	2,607.50	1120000503	Public Facilities Impact Fees Study	2,607.50	0.00	\$2,607.50

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX0887	04/07/2021	Office Depot Inc			Svc Thru 12/31/2020			\$5,391.21
				33.33	144397155001	Rebecca Montalvo 1/5/2021	33.33	0.00	
				87.52	145936153001	Patricia Pickett 1/8/2021	87.52	0.00	
				63.97	148001998001	Michelle Chuck 1/7/2021	63.97	0.00	
				23.09	148232515001	Aracely Diaz 1/7/2021	23.09	0.00	
				-695.69	148859844001	Michelle Chuck 1/22/2021	-695.69	0.00	
				-644.17	148878369001	Michelle Chuck 1/22/2021	-644.17	0.00	
				213.55	149090493001	Julie Callaghan 1/12/2021	213.55	0.00	
				23.46	149096040001	Julie Callaghan 1/12/2021	23.46	0.00	
				19.61	149784612001	Michelle Chuck 1/13/2021	19.61	0.00	
				44.34	150007430001	Julie Callaghan 1/20/2021	44.34	0.00	
				10.18	150018584001	Erin An 1/12/2021	10.18	0.00	
				81.91	150052821001	Julie Callaghan 1/20/2021	81.91	0.00	
				46.86	150221335001	Julie Callaghan 1/20/2021	46.86	0.00	
				154.54	150495888001	Julie Callaghan 1/28/2021	154.54	0.00	
				78.38	150548245001	Julie Callaghan 1/28/2021	78.38	0.00	
				-141.69	150876834001	Frances Morales 2/17/2021	-141.69	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				22.30	151914794001	Michelle Chuck 1/27/2021	22.30	0.00	
				61.03	156147890001	Patricia Pickett 2/17/21	61.03	0.00	
				50.39	157008297001	Elizabeth Rich 2/17/2021	50.39	0.00	
				15.90	157008300001	Elizabeth Rich 2/17/2021	15.90	0.00	
				530.83	157546487001	Priscilla Luckey 3/5/2021	530.83	0.00	
				196.18	157549650001	Priscilla Luckey 2/28/21	196.18	0.00	
				16.01	158562026001	Priscilla Luckey 2/22/2021	16.01	0.00	
				233.96	158659374001	Parks 2/16/2021	233.96	0.00	
				-322.08	158671418001	Michelle Chuck 2/19/2021	-322.08	0.00	
				120.34	159498027001	Jaime Hernandez 2/25/2021	120.34	0.00	
				118.82	159677778001	Aaron Migliaccio 2/25/2021	118.82	0.00	
				32.13	159697493001	Julie Callaghan 3/10/2021	32.13	0.00	
				130.77	159870090001	Priscilla Luckey 3/1/2021	130.77	0.00	
				117.03	159877371001	Tim Kashitani 3/1/2021	117.03	0.00	
				22.65	159991221001	Chaunacey Dunklee 3/13/2021	22.65	0.00	
				38.14	160562595001	Edith Alanis 3/4/2021	38.14	0.00	
				188.31	16062258100	Lorena Rodriguez	188.31	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					1	3/24/2021			
				336.64	160744201001	Julie Callaghan 3/18/2021	336.64	0.00	
				556.78	161022552001	Stacy De Benedetti 3/4/2021	556.78	0.00	
				12.25	161022554001	Stacy De Benedetti 3/4/2021	12.25	0.00	
				356.79	161114086001	Michelle Chuck 3/17/2021	356.79	0.00	
				8.96	161114154001.	Michelle Chuck 3/17/2021	8.96	0.00	
				48.64	161123343001	Daniel Furton 3/8/2021	48.64	0.00	
				23.97	161133243001	Lorena Rodriguez 3/4/2021	23.97	0.00	
				106.89	161852632001	Lorena Rodriguez 3/9/2021	106.89	0.00	
				16.67	161861126001	Nelia Lopez 3/9/2021	16.67	0.00	
				66.38	161967085001	Priscilla Luckey 3/10/2021	66.38	0.00	
				150.77	162209169001	Victoria Ketell 3/8/2021	150.77	0.00	
				38.14	162209169002		38.14	0.00	
				23.53	162209174001	Victoria Ketell 3/8/2021	23.53	0.00	
				128.29	162497435001	Phyllis Chan 3/22/2021	128.29	0.00	
				64.69	162743151001	Frances Morales 3/11/2021	64.69	0.00	
				748.18	162961648001	Lorena Rodriguez 3/16/2021	748.18	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				236.07	163157655001	Phyllis Chan 3/15/2021	236.07	0.00	
				62.08	163609536001	Jamie Hernandez 3/29/2021	62.08	0.00	
				379.76	163962075001	Phyllis Chan 3/19/2021	379.76	0.00	
				20.37	164081297001		20.37	0.00	
				105.99	164102510001		105.99	0.00	
				148.87	164717887001	Rodney Wilson 3/22/2021	148.87	0.00	
				288.80	166034840001	Debra Alvarez 4/1/2021	288.80	0.00	
				94.36	166170919001	Aracely Diaz 3/30/2021	94.36	0.00	
				177.66	166399397001	Priscilla Luckey 3/30/2021	177.66	0.00	
				217.78	166487816001	Elizabeth Elizondo 3/31/2021	217.78	0.00	
	XXXXX0888	04/07/2021	P&R Paper Supply Co Inc	157.17	30364439-02		157.17	0.00	\$431.33
				274.16	30365194-01		274.16	0.00	
	XXXXX0889	04/07/2021	Pacific Coast Trane Controls	2,731.00	C24535		2,731.00	0.00	\$2,731.00
	XXXXX0890	04/07/2021	Pacific Crest Landscape and Maintenance	1,750.00	42163		1,750.00	0.00	\$1,750.00
	XXXXX0891	04/07/2021	Pacific West Security Inc	205.00	45959	CNC April 2021	205.00	0.00	\$205.00
	XXXXX0892	04/07/2021	Peterson	8,122.84	SW240172429		8,122.84	0.00	\$8,527.45
				404.61	SW240173059		404.61	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX0893	04/07/2021	Pine Cone Lumber Co Inc	325.25	83748		325.25	0.00	\$677.30
				121.01	93111		121.01	0.00	
				231.04	93979		233.16	2.12	
	XXXXX0894	04/07/2021	Safety Kleen Systems Inc	367.50	85395347		367.50	0.00	\$397.50
				30.00	85399718		30.00	0.00	
	XXXXX0895	04/07/2021	San Francisco Bay Bird Observatory	1,729.80	1786	Feb 2021	1,729.80	0.00	\$1,729.80
	XXXXX0896	04/07/2021	Shred-It USA LLC	74.17	8181265642	Customer 13180904	74.17	0.00	\$216.91
				142.74	8181540653	13177717 Feb 2021	142.74	0.00	
	XXXXX0897	04/07/2021	Sierra Pacific Turf Supply Inc	992.39	0593552-IN		992.39	0.00	\$4,569.90
				125.06	0593610-IN		125.06	0.00	
				2,631.02	0594156-IN		2,631.02	0.00	
				821.43	0594291-IN		821.43	0.00	
	XXXXX0898	04/07/2021	State Water Resources Control Board	150.00	Linda Reese G2 Cert	Linda Reese Grade 2 Cert Renewal	150.00	0.00	\$150.00
	XXXXX0901	04/07/2021	Summit Uniforms	552.81	71650.		552.81	0.00	\$23,493.24
				172.62	71651		172.62	0.00	
				1,012.75	71669		1,012.75	0.00	
				122.36	71713		122.36	0.00	
				102.70	71718		102.70	0.00	
				428.26	71763		428.26	0.00	
				128.92	71815		128.92	0.00	
				439.19	71817		439.19	0.00	
				527.68	71833		527.68	0.00	
				194.47	71853		194.47	0.00	
				386.75	71862		386.75	0.00	
				563.73	71877		563.73	0.00	
				91.77	71881		91.77	0.00	
				563.73	71886		563.73	0.00	
				246.91	71891		246.91	0.00	
				192.28	71892		192.28	0.00	
				128.92	71894		128.92	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				455.57	71895		455.57	0.00	
				64.46	71903.		64.46	0.00	
				281.87	71929		281.87	0.00	
				257.83	71931		257.83	0.00	
				281.87	71978		281.87	0.00	
				128.92	71982		128.92	0.00	
				905.68	72008		905.68	0.00	
				152.95	72048		152.95	0.00	
				1,654.05	72097		1,654.05	0.00	
				193.37	72113		193.37	0.00	
				257.83	72114		257.83	0.00	
				183.54	72146		183.54	0.00	
				541.88	72158		541.88	0.00	
				541.88	72159		541.88	0.00	
				422.80	72160		422.80	0.00	
				422.80	72203		422.80	0.00	
				461.04	72217		461.04	0.00	
				292.79	72223		292.79	0.00	
				520.03	72224		520.03	0.00	
				76.48	72243		76.48	0.00	
				159.51	72244		159.51	0.00	
				257.83	72246		257.83	0.00	
				263.29	72289		263.29	0.00	
				428.26	72293		428.26	0.00	
				135.47	72297		135.47	0.00	
				140.93	72298		140.93	0.00	
				539.70	72312		539.70	0.00	
				128.92	72375		128.92	0.00	
				50.26	72379		50.26	0.00	
				257.83	72408		257.83	0.00	
				257.83	72409		257.83	0.00	
				645.67	72410		645.67	0.00	
				387.84	72411		387.84	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				128.92	72413		128.92	0.00	
				383.47	72443		383.47	0.00	
				632.56	72458		632.56	0.00	
				281.87	72483		281.87	0.00	
				419.52	72515		419.52	0.00	
				257.83	72596		257.83	0.00	
				119.08	72609		119.08	0.00	
				238.17	72610		238.17	0.00	
				140.93	72611		140.93	0.00	
				400.95	72612		400.95	0.00	
				237.07	72614		237.07	0.00	
				520.03	72672		520.03	0.00	
				520.03	72673		520.03	0.00	
				272.03	72674		272.03	0.00	
				102.70	72675		102.70	0.00	
				145.30	72707		145.30	0.00	
				284.05	72722		284.05	0.00	
				284.05	72723		284.05	0.00	
				233.80	72724		233.80	0.00	
				284.05	72726		284.05	0.00	
	XXXXX0902	04/07/2021	Sunbelt Rentals Inc	14,745.98	104908856-0007		14,745.98	0.00	\$21,676.40
				6,930.42	105257226-0008		6,930.42	0.00	
	XXXXX0903	04/07/2021	TaylorMade Golf Co	744.17	34676245	To apply credit memo to this invoice	744.17	0.00	\$7,273.87
				680.40	34678647	To use credit memo to apply to invoice.	680.40	0.00	
				132.25	34704631		132.25	0.00	
				141.60	34736360		141.60	0.00	
				177.75	34738690		177.75	0.00	
				395.58	34739059		395.58	0.00	
				293.24	34742328		293.24	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				395.91	34744941		403.59	7.68	
				161.60	34745026		161.60	0.00	
				475.66	34745056		475.66	0.00	
				1,320.40	34745171		1,346.94	26.54	
				336.00	34745172		336.00	0.00	
				395.91	34749494		403.59	7.68	
				813.57	34782197		829.68	16.11	
				809.83	34782515		809.83	0.00	
	XXXXX0904	04/07/2021	Turf & Industrial Equipment Co	10.31	IV37199		10.31	0.00	\$333.17
				107.13	IV37256		107.13	0.00	
				99.80	IV37256A		99.80	0.00	
				115.93	IV37285		115.93	0.00	
	XXXXX0905	04/07/2021	UC Regents	300.00	1041113-211	19-13-501-12 Carol Titus	300.00	0.00	\$15,647.00
				507.50	1051518-204	19-13-501-06 Kentaro Westdorp	507.50	0.00	
				360.00	1066988-204	19-13-1136-11 Michael Doubovis	360.00	0.00	
				322.50	1081578-211	19-13-1170-18 Donna Curry	322.50	0.00	
				5,346.00	1083004-211	19-13-1170-26 Jason Jing	5,346.00	0.00	
				3,901.50	1083408-211	19-13-201-27 Leah Kidger	3,901.50	0.00	
				4,909.50	1083477-211	19-13-501-25 Tashae Hawkins	4,909.50	0.00	
	XXXXX0906	04/07/2021	United Parcel Service	228.20	0000966608061		228.20	0.00	\$228.20
	XXXXX0907	04/07/2021	United Site Services of California Inc	783.95	114-11706712		783.95	0.00	\$783.95
	XXXXX0909	04/07/2021	University of California Santa Cruz	600.00	58712	19-14-501-62 Hoang Anh Tu Dang	600.00	0.00	\$81,232.10
				589.00	58717	19-14-501-63	589.00	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						Andrew Inenaga			
				482.50	58749	19-14-501-75 Jeannette Eaton	482.50	0.00	
				49.00	58759	19-14-501-55 Alla Likhtenshtein	49.00	0.00	
				125.00	58804	19-14-201-90 Emily Zhao	125.00	0.00	
				157.50	58850	19-14-501-103 William Cortright	157.50	0.00	
				273.00	58925	19-14-1170-120 Kristin Kain	273.00	0.00	
				5,371.65	59010	19-14-1170-140 Srilatha Addanki	5,371.65	0.00	
				5,400.00	59012	19-14-1170-143 Ha Cao	5,400.00	0.00	
				5,400.00	59014	19-14-1194-152 Catrina Corona	5,400.00	0.00	
				3,357.00	59019	19-14-1170-148 Meng-En Chu	3,357.00	0.00	
				3,438.00	59021	19-14-1170-147 Ranjan Roy	3,438.00	0.00	
				3,366.00	59023	19-14-1170-141 Michelle Doyle	3,366.00	0.00	
				2,706.75	59025	19-14-1170-146 Yung-Ching Young	2,706.75	0.00	
				3,526.20	59027	19-14-1170-142 Michael Oneto	3,526.20	0.00	
				4,896.00	59029	19-14-1170-149 Cristian Andreev	4,896.00	0.00	
				3,825.00	59031	19-14-1170-145 Shahzrad Motie	3,825.00	0.00	
				3,933.00	59033	19-14-1170-150 Sonboleah Sandoval	3,933.00	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						Mousavi			
				3,415.50	59035	19-14-501-151 Nita Brozowski	3,415.50	0.00	
				2,070.00	59037	19-14-1170-154 Joey Guillory	2,070.00	0.00	
				2,070.00	59039	19-14-1170-158 Miles Johnson	2,070.00	0.00	
				4,855.50	59041	19-14-201-153 Rong Hua Lin	4,855.50	0.00	
				5,400.00	59047	19-14-1170-155 Carmel Crane	5,400.00	0.00	
				5,400.00	59049	19-14-1194-160 Veronica Boyd	5,400.00	0.00	
				5,125.50	59051	19-14-1194-159 Vesna Jankovic	5,125.50	0.00	
				5,400.00	59057	19-14-1170-161 Marisela Meskus	5,400.00	0.00	
	XXXXX0910	04/07/2021	Valley Concrete	15,026.31	15-5657		15,026.31	0.00	\$18,876.31
				3,850.00	15-5723		3,850.00	0.00	
	XXXXX0911	04/07/2021	VWR International LLC	55.42	8803802626		55.42	0.00	\$707.15
				110.84	8803832178		110.84	0.00	
				133.34	8803840840		133.34	0.00	
				208.17	8803938565		208.17	0.00	
				199.38	8803950087		199.38	0.00	
	XXXXX0912	04/07/2021	Weck Laboratories Inc	477.55	W1C0069		477.55	0.00	\$477.55
	XXXXX0913	04/07/2021	West Valley Staffing Group	2,368.44	290861	Margaret Netto W/E 2/21/2021	2,368.44	0.00	\$7,105.32
				2,368.44	291290	Margaret Netto W/E 2/28/2021	2,368.44	0.00	
				2,368.44	291694		2,368.44	0.00	
	XXXXX0914	04/07/2021	Western States Tool & Supply Corp	619.99	188156		619.99	0.00	\$826.87
				103.55	188640		103.55	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				103.33	189064		103.33	0.00	
	XXXXX0915	04/07/2021	Winsupply of Silicon Valley	505.21	022317 01		514.63	9.42	\$505.21
	XXXXX0916	04/07/2021	Yorke Engineering LLC	3,138.25	24612	Jan 2021	3,138.25	0.00	\$3,138.25
	XXXXX0917	04/07/2021	YWCA of Silicon Valley	4,652.93	AG#2021-827550 #1	Ag#2021-827550 Jul-Sep 2020	4,652.93	0.00	\$15,210.93
				10,558.00	Ag#2021-827550 #2	Ag#2021+-827550 Oct-Dec 2020	10,558.00	0.00	
	XXXXX0918	04/07/2021	Yamaha Motor Finance Corporation, U.S.A.	12,249.62	680212	Lease M17036137 2018-2021 Property Tax	12,249.62	0.00	\$12,249.62
	XXXXX0919	04/07/2021	Sara Stern	175.00	02+Feb 19, 2021	2/24/2021 Cooking Class	175.00	0.00	\$175.00
	XXXXX0920	04/07/2021	Engineered Outsource Solutions	2,788.64	168589-72324	Utility Credit balance refund	2,788.64	0.00	\$2,788.64
	XXXXX0921	04/07/2021	Kunal Vohra	33.85	200805-51950	Utility credit balance refund	33.85	0.00	\$33.85
	XXXXX0922	04/07/2021	Matthew Smith	86.62	503024	Rec Refund CR210331LN-2 Smith	86.62	0.00	\$86.62
	XXXXX0923	04/07/2021	Ying Cheung	980.00	503121	Rec Refund CR210331LN-1 Cheung	980.00	0.00	\$980.00
	XXXXX0924	04/07/2021	Karl Lichtenberger	56.25	503021	Rec Refund CR210331LN-2 Lichtenberger	56.25	0.00	\$56.25
	XXXXX0925	04/07/2021	Tony Lem Co	36.58	078572	Business License Refund	36.58	0.00	\$36.58
	XXXXX0926	04/07/2021	Arrow Realty	261.41	026071	Business License Refund	261.41	0.00	\$261.41
	XXXXX0927	04/07/2021	Dess Shop and Event Planner	121.65	064797	Business License Refund	121.65	0.00	\$121.65
	XXXXX0928	04/07/2021	Jp Digital Imaging Inc.	133.74	075938	Business License	133.74	0.00	\$133.74

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						Refund			
	XXXXX0929	04/07/2021	A1 Septic Tank Service Inc	2,250.00	30290		2,250.00	0.00	\$2,250.00
	XXXXX0930	04/07/2021	AAA Speedy Smog Test Only Station	40.00	031828		40.00	0.00	\$120.00
				40.00	031834		40.00	0.00	
				40.00	031835		40.00	0.00	
	XXXXX0931	04/07/2021	Acme Boiler & Water Heating Co	3,911.51	7411	4/11/21 - Sent to Connie	3,911.51	0.00	\$3,911.51
	XXXXX0932	04/07/2021	Airgas USA LLC	189.33	9110343358		189.33	0.00	\$189.33
	XXXXX0933	04/07/2021	Al Clancy & Assoc	810.00	COS20100		810.00	0.00	\$810.00
	XXXXX0934	04/07/2021	Alameda County	335.00	Fernandez	Registration R. Fernandez - Internal Affairs 4/5/21-4/7/21	335.00	0.00	\$335.00
	XXXXX0935	04/07/2021	Amazon Capital Services Inc	30.31	16CQ-C3HH-6HM1		30.31	0.00	\$1,599.88
				-14.38	17H4-H1NH-6NDX	Orig Inv #1VVQ-DDJC-GY11	-14.38	0.00	
				13.61	17Q3-RMFP-MP4V		13.61	0.00	
				194.48	17R3-NV4V-Q6P7		194.48	0.00	
				28.33	19FM-Q6VK-T331		28.33	0.00	
				8.70	1GJG-YT7D-CHRK		8.70	0.00	
				53.82	1KJP-1TWQ-NDK1		53.82	0.00	
				302.75	1L7J-R3CM-49T1		302.75	0.00	
				45.68	1NCL-DDCG-JR4R		45.68	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				179.82	1NQL-NJD6-PQMN		179.82	0.00	
				483.96	1QDP-M3JK-GQ6P		483.96	0.00	
				50.08	1VGG-17MM-VVWR		50.08	0.00	
				68.66	1VTD-JQTV-4QCT		68.66	0.00	
				86.91	1X3H-4HMX-HGMJ		86.91	0.00	
				20.69	1XNG-WHMF-FKP6		20.69	0.00	
				26.59	1XNG-WHMF-LYFX		26.59	0.00	
				19.87	1XV9-NL6K-6RMG		19.87	0.00	
	XXXXX0936	04/07/2021	American Leak Detection	990.00	33630A		990.00	0.00	\$990.00
	XXXXX0937	04/07/2021	AmfaSoft Corp	3,892.50	JenniferF-01	1st-90%	3,892.50	0.00	\$3,892.50
	XXXXX0938	04/07/2021	AT&T	26,037.94	000016035579		26,037.94	0.00	\$26,037.94
	XXXXX0939	04/07/2021	Baker & Taylor	5,450.90	415168032021V	March 2021	5,450.90	0.00	\$13,806.34
				427.39	5016696744		427.39	0.00	
				371.07	5016701429		371.07	0.00	
				286.53	5016718199		286.53	0.00	
				21.32	5016718291		21.32	0.00	
				2,026.68	5016723281		2,026.68	0.00	
				1,769.39	5016723439.		1,769.39	0.00	
				577.03	5016724478		577.03	0.00	
				2,812.22	H53714920		2,812.22	0.00	
				30.55	H53798370		30.55	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				17.79	H54159060.		17.79	0.00	
				15.47	H54320500		15.47	0.00	
	XXXXX0940	04/07/2021	Bay Area Water Supply & Conservation Agy	51,697.00	7245		51,697.00	0.00	\$51,697.00
	XXXXX0941	04/07/2021	Bibliotheca LLC	19,162.34	INV-US40533		19,162.34	0.00	\$27,599.79
				5.00	INV-US40647		5.00	0.00	
				84.98	INV-US40648		84.98	0.00	
				1,068.41	INV-US40649		1,068.41	0.00	
				7.99	INV-US40650		7.99	0.00	
				119.99	INV-US40651		119.99	0.00	
				287.96	INV-US40732		287.96	0.00	
				247.39	INV-US40733		247.39	0.00	
				1,421.37	INV-US40734		1,421.37	0.00	
				276.93	INV-US40735		276.93	0.00	
				2,791.05	INV-US40738		2,791.05	0.00	
				35.49	INV-US40744		35.49	0.00	
				12.99	INV-US41442		12.99	0.00	
				17.50	INV-US41443		17.50	0.00	
				944.91	INV-US41444		944.91	0.00	
				5.99	INV-US41445		5.99	0.00	
				325.97	INV-US41446		325.97	0.00	
				783.53	INV-US41447		783.53	0.00	
	XXXXX0942	04/07/2021	Cal-Vet Services Inc	1,529.00	11993		1,529.00	0.00	\$1,529.00
	XXXXX0943	04/07/2021	California Department of Justice	1,105.00	486665	December 2020	1,105.00	0.00	\$1,105.00
	XXXXX0944	04/07/2021	City of Cupertino	2,800.00	2019-00000006	Leadership Academy 2019 Acct #316 - Original Invoice Date 6/3/19	2,800.00	0.00	\$2,800.00
	XXXXX0945	04/07/2021	City of San Jose	319.86	0012	Agrmt #002-1145-19 Dec 2020	319.86	0.00	\$319.86

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX0946	04/07/2021	Clearwater Hydrology	8,110.00	7402		8,110.00	0.00	\$8,110.00
	XXXXX0947	04/07/2021	Colantuono Highsmith & Whatley PC	300.00	46829	Special Counsel Services	300.00	0.00	\$300.00
	XXXXX0948	04/07/2021	Consolidated Parts Inc	22.89	5064977		22.89	0.00	\$2,412.17
				1,718.93	5065233		1,718.93	0.00	
				670.35	5065274		670.35	0.00	
	XXXXX0949	04/07/2021	D & M Traffic Services Inc	569.53	77324	255 Construction White Markings	569.53	0.00	\$569.53
	XXXXX0950	04/07/2021	Dahlin Group	5,542.50	2011-119	November 2020	5,542.50	0.00	\$8,657.50
				3,115.00	2012-123	December 2020	3,115.00	0.00	
	XXXXX0951	04/07/2021	Del Gavio Group	68,502.79	9707		68,502.79	0.00	\$68,502.79
	XXXXX0952	04/07/2021	Delta Dental Insurance Co	1,242.48	BE004371450	April 2021	1,242.48	0.00	\$1,242.48
	XXXXX0953	04/07/2021	Earth Share of California	39.34	PR202106	PR202106 - Earth Share	39.34	0.00	\$39.34
	XXXXX0954	04/07/2021	EOA Inc	2,396.33	SUN001-0121	January 2021 Project #SUN001	2,396.33	0.00	\$2,396.33
	XXXXX0955	04/07/2021	Foster Bros Security Systems Inc	410.71	324470		410.71	0.00	\$621.37
				157.23	324491		157.23	0.00	
				53.43	324935		53.43	0.00	
	XXXXX0956	04/07/2021	Gardenland Power Equipment	457.20	836087		457.20	0.00	\$457.20
	XXXXX0957	04/07/2021	BKF Engineers	2,421.50	21020717	12/28/20-1/24/21 Project C20180484-10	2,421.50	0.00	\$6,339.88
				3,918.38	21030433	1/25/21-2/21/21 Project C20180484-10	3,918.38	0.00	
	XXXXX0958	04/07/2021	Goldfarb & Lipman	928.00	138641	File 851-1 December 2020	928.00	0.00	\$4,576.00
				992.00	138642	File 851-9 December	992.00	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						2020			
				384.00	138643	File 851-18 December 2020	384.00	0.00	
				2,272.00	138644	December 2020	2,272.00	0.00	
	XXXXX0959	04/07/2021	Goodyear Commercial Tire & Service Ctr	6,160.13	189-1105834		6,160.13	0.00	\$6,160.13
	XXXXX0960	04/07/2021	Haute Cuisine Inc	524.00	267-2021		524.00	0.00	\$524.00
	XXXXX0961	04/07/2021	HydroScience Engineers Inc	835.00	262001110	Services through 2/28/21	835.00	0.00	\$835.00
	XXXXX0962	04/07/2021	IDEXX Distribution Inc	35.92	3080260952		35.92	0.00	\$35.92
	XXXXX0963	04/07/2021	Jacobs Project Management Co.	103,477.44	R5W72001- 012	Civic Center 1/30- 2/26/21	103,477.44	0.00	\$103,477.44
	XXXXX0964	04/07/2021	Kanopy Inc	1,339.00	243026-PPU		1,339.00	0.00	\$1,339.00
	XXXXX0965	04/07/2021	Kidz Love Soccer	1,518.44	KLS2021JF		1,518.44	0.00	\$1,518.44
	XXXXX0966	04/07/2021	Kimley Horn & Assoc Inc	5,191.93	18098882	Dilemma Zone II Svc Thru 12/31/2020	5,191.93	0.00	\$5,191.93
	XXXXX0967	04/07/2021	Lawson Products Inc	50.95	9308205108		50.95	0.00	\$989.91
				776.77	9308223085		776.77	0.00	
				162.19	9308275717		162.19	0.00	
	XXXXX0968	04/07/2021	Lehr Auto Electric	67.84	SI57269		67.84	0.00	\$67.84
	XXXXX0969	04/07/2021	MediWaste Disposal LLC	50.00	0000118123		50.00	0.00	\$50.00
	XXXXX0970	04/07/2021	Midwest Tape	4,623.86	500250222		4,623.86	0.00	\$4,623.86
	XXXXX0971	04/07/2021	Mountain View/Los Altos High School Dist	855.00	03152021	19-06-201-07 Sherrell Robinson	855.00	0.00	\$855.00
	XXXXX0972	04/08/2021	NOVAworks Foundation	81.92	PR202114	Payroll 202114 Dues	81.92	0.00	\$81.92

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX0973	04/08/2021	Sunnyvale Public Safety Officers Assn	19,800.00	PR202114	Payroll 202114 Assoc Dues	19,800.00	0.00	\$19,800.00
	XXXXX0974	04/08/2021	Dorothy Funk	50.00	501409	JV-CR210221LN1-D. Funk	50.00	0.00	\$50.00
	XXXXX0975	04/08/2021	18771 Homestead Rd LLC	2,985.00	180643	Permit Fees Refund	2,985.00	0.00	\$2,985.00
	XXXXX0976	04/08/2021	Elizabeth Schwartz	37.50	503023	Rec Refund CR210331LN-2 Schwartz	37.50	0.00	\$37.50
	XXXXX0977	04/08/2021	Christian Science Reading Room	3.50	053283	Business License Refund	3.50	0.00	\$3.50
	XXXXX0978	04/08/2021	Advance Design Consultants Inc	23,270.00	1930917-05RV		23,270.00	0.00	\$23,270.00
	XXXXX0979	04/08/2021	Anderson Brule Architects Inc	63,105.67	20.0401.0-8	December 2020	63,105.67	0.00	\$180,553.80
				117,448.13	20.0401.0-9	January 2021 Services	117,448.13	0.00	
	XXXXX0980	04/08/2021	California Department of Justice	1,876.98	496068		1,876.98	0.00	\$1,876.98
	XXXXX0981	04/08/2021	Callander Associates Landscape Architec	18,507.37	18054-19		18,507.37	0.00	\$19,507.76
				1,000.39	18054-20		1,000.39	0.00	
	XXXXX0982	04/08/2021	Carbonic Service Inc	247.75	330446		247.75	0.00	\$758.11
				255.18	336245	Febraury 2021	255.18	0.00	
				255.18	341739	March 2021	255.18	0.00	
	XXXXX0983	04/08/2021	Century Graphics	1,673.79	54424		1,673.79	0.00	\$2,938.98
				1,142.32	54450		1,142.32	0.00	
				38.42	54523		38.42	0.00	
				84.45	54529		84.45	0.00	
	XXXXX0987	04/08/2021	Cintas Loc #38K	8.80	4063233830		8.80	0.00	\$2,786.94
				6.53	4063233940		6.53	0.00	
				44.10	4063234117		44.10	0.00	
				8.80	4063849807		8.80	0.00	
				6.53	4063849828		6.53	0.00	
				44.10	4063850043		44.10	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				8.80	4064489251		8.80	0.00	
				6.53	4064489333		6.53	0.00	
				44.10	4064489341		44.10	0.00	
				7.87	4065150469		7.87	0.00	
				6.53	4065150586		6.53	0.00	
				44.10	4065150688		44.10	0.00	
				7.87	4065867869.		7.87	0.00	
				6.53	4065867908		6.53	0.00	
				44.10	4065867956.		44.10	0.00	
				7.87	4066474455		7.87	0.00	
				6.53	4066474538		6.53	0.00	
				44.10	4066474705		44.10	0.00	
				7.87	4067115346.		7.87	0.00	
				6.53	4067115394		6.53	0.00	
				44.10	4067115560		44.10	0.00	
				7.87	4067702098		7.87	0.00	
				6.53	4067702126		6.53	0.00	
				44.10	4067702314		44.10	0.00	
				6.53	4068329387		6.53	0.00	
				7.87	4068329397		7.87	0.00	
				44.10	4068329528		44.10	0.00	
				7.87	4069139968		7.87	0.00	
				6.53	4069140002		6.53	0.00	
				44.10	4069140194		44.10	0.00	
				7.87	4069768059		7.87	0.00	
				6.53	4069768087		6.53	0.00	
				44.10	4069768269		44.10	0.00	
				7.87	4070449483		7.87	0.00	
				6.53	4070449516		6.53	0.00	
				44.10	4070449637		44.10	0.00	
				6.53	4071048991		6.53	0.00	
				7.87	4071049013.		7.87	0.00	
				44.10	4071049185.		44.10	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				6.53	4071687946		6.53	0.00	
				7.87	4071687967		7.87	0.00	
				44.10	4071688163.		44.10	0.00	
				17.08	4072411031		17.08	0.00	
				17.08	4072411101		17.08	0.00	
				17.08	4072416496		17.08	0.00	
				100.14	4072416614		100.14	0.00	
				82.87	4072416682		82.87	0.00	
				168.59	4072416885		168.59	0.00	
				22.56	4072416926		22.56	0.00	
				34.34	4072417064		34.34	0.00	
				17.75	4072417084		17.75	0.00	
				17.08	4073038082		17.08	0.00	
				17.08	4073038083		17.08	0.00	
				17.08	4073042252		17.08	0.00	
				100.14	4073042327		100.14	0.00	
				82.87	4073042478		82.87	0.00	
				168.59	4073042623		168.59	0.00	
				22.56	4073042711		22.56	0.00	
				17.75	4073042770		17.75	0.00	
				34.34	4073042801		34.34	0.00	
				36.47	4073042806		36.47	0.00	
				17.08	4073699550		17.08	0.00	
				17.08	4073699577		17.08	0.00	
				17.08	4073704569		17.08	0.00	
				100.14	4073704829		100.14	0.00	
				82.87	4073704955		82.87	0.00	
				22.56	4073705139		22.56	0.00	
				168.59	4073705173		168.59	0.00	
				17.75	4073705344		17.75	0.00	
				34.34	4073705375		34.34	0.00	
				17.08	4074353427		17.08	0.00	
				17.08	4074353439		17.08	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				17.08	4074358690		17.08	0.00	
				100.14	4074358858		100.14	0.00	
				82.87	4074358979		82.87	0.00	
				168.59	4074359206		168.59	0.00	
				22.56	4074359331		22.56	0.00	
				36.47	4074359413		36.47	0.00	
				34.34	4074359472		34.34	0.00	
	XXXXX0988	04/08/2021	Clean Vent Inc	760.00	43765		760.00	0.00	\$760.00
	XXXXX0989	04/08/2021	Concentra	529.50	69348887		529.50	0.00	\$4,147.50
				84.50	69487091		84.50	0.00	
				200.00	70041058		200.00	0.00	
				508.50	70101861		508.50	0.00	
				2,102.00	70163560		2,102.00	0.00	
				100.00	70223682		100.00	0.00	
				623.00	70227184		623.00	0.00	
	XXXXX0990	04/08/2021	CSG Consultants Inc	40,654.50	35494	Services through 12/25/20- CSG #SUNNYV10-CA-20-338-1	40,654.50	0.00	\$119,207.00
				40,560.00	B210135	January 2021	40,560.00	0.00	
				37,992.50	B210283	February 2021	37,992.50	0.00	
	XXXXX0991	04/08/2021	Dennys #7218	13.27	CR21-2128	PSO Contreras meal pick up on 3/19/21	13.27	0.00	\$13.27
	XXXXX0992	04/08/2021	Gardenland Power Equipment	33.81	835154		33.81	0.00	\$192.22
				158.41	839283		158.41	0.00	
	XXXXX0993	04/08/2021	Goodyear Commercial Tire & Service Ctr	677.53	189-1105139		677.53	0.00	\$872.18
				194.65	189-1105250		194.65	0.00	
	XXXXX0994	04/08/2021	Grainger	112.49	9800063753		112.49	0.00	\$495.41
				382.92	9808097803		382.92	0.00	
	XXXXX0995	04/08/2021	Heritage Bank of Commerce	26,282.65	FOAOHBRID GE#08	TR-13/01-16	26,282.65	0.00	\$26,282.65
	XXXXX0996	04/08/2021	Intervision Systems	1,008.00	INV0014940		1,008.00	0.00	\$1,008.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
			LLC						
	XXXXX0997	04/08/2021	Joseph J Albanese Inc	489,370.43	FOAOHBRID GE#08	TR-13/01-06	489,370.43	0.00	\$489,370.43
	XXXXX0998	04/08/2021	Kelly Paper Co	337.25	10483355		337.25	0.00	\$337.25
	XXXXX0999	04/08/2021	Kimley Horn & Assoc Inc	2,060.62	18494162	Fiber Master Plan Thru 2/28/2021	2,060.62	0.00	\$2,060.62
	XXXXX1000	04/08/2021	Kramer Workplace Investigations	9,869.00	482		9,869.00	0.00	\$9,869.00
	XXXXX1001	04/08/2021	LTI Electric Inc	4,275.00	4372		4,275.00	0.00	\$4,275.00
	XXXXX1002	04/08/2021	Mahan and Sons Inc	1,060.00	1822	Feb 2021	1,060.00	0.00	\$1,060.00
	XXXXX1003	04/08/2021	Maze & Assoc	6,900.00	39070	SCVURPPP Audit Y/E 6/30/2020	6,900.00	0.00	\$6,900.00
	XXXXX1004	04/08/2021	MM Communications	1,500.00	INV-1002		1,500.00	0.00	\$1,500.00
	XXXXX1005	04/08/2021	Moody's Investors Service Inc	1,500.00	P0323391	CA Sewer Enterprise 12/1/19-11/30/20	1,500.00	0.00	\$2,000.00
				500.00	P0360055	CA Water Enterprise 12/1/19-11/30/20	500.00	0.00	
	XXXXX1006	04/08/2021	Motorola	2,250.00	8330187605		2,250.00	0.00	\$2,250.00
	XXXXX1007	04/08/2021	National Construction Rentals Inc	130.90	6060960		130.90	0.00	\$130.90
	XXXXX1008	04/08/2021	O'Dell Engineering	976.90	3524029	Preschool Outdoor Play Area 2/8/2021-3/720/21	976.90	0.00	\$976.90
	XXXXX1009	04/08/2021	P&A Administrative Services Inc	2,970.76	611864	Health & Dep Care Reimb 3/28/2021-4/3/2021	2,970.76	0.00	\$2,970.76
	XXXXX1010	04/08/2021	Pacific Gas & Electric Co	3,629.54	0395847945-7 0321	121 W Evelyn Ave-Multimodal	3,629.54	0.00	\$3,641.09

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				11.55	8980516791-6 0321	N/S El Camino & E Remington	11.55	0.00	
	XXXXX1011	04/08/2021	Pacific West Security Inc	176.00	45743	Golf Shop April 2021	176.00	0.00	\$176.00
	XXXXX1012	04/08/2021	Peterson	8,569.14	R3224442		8,569.14	0.00	\$84,838.33
				76,269.19	SWS2401731 19		76,269.19	0.00	
	XXXXX1013	04/08/2021	Pine Cone Lumber Co Inc	41.53	83744		41.53	0.00	\$41.53
	XXXXX1014	04/08/2021	Polydyne Inc	54,049.80	1523773		54,049.80	0.00	\$54,049.80
	XXXXX1015	04/08/2021	Pro-Sweep Inc	856.96	290534		856.96	0.00	\$1,392.56
				535.60	290535		535.60	0.00	
	XXXXX1016	04/08/2021	QOVO Solutions Inc	243.00	26-3542	April 2021	243.00	0.00	\$243.00
	XXXXX1017	04/08/2021	Quadient	325.73	16348489		325.73	0.00	\$325.73
	XXXXX1018	04/08/2021	Questica Inc	1,202.50	INV106753		1,202.50	0.00	\$1,202.50
	XXXXX1019	04/08/2021	Reed & Graham Inc	2,383.04	996992	\$125.42 Discount By 4/29/2021	2,383.04	0.00	\$3,977.84
				1,594.80	996993	\$83.94 Discount By 4/29/2021	1,594.80	0.00	
	XXXXX1020	04/08/2021	RootX	4,500.00	63164		4,500.00	0.00	\$4,500.00
	XXXXX1021	04/08/2021	San Diego Police Equipment Co	2,603.28	646566		2,603.28	0.00	\$2,603.28
	XXXXX1022	04/08/2021	County of Santa Clara	2,276.00	1800076321		2,276.00	0.00	\$2,276.00
	XXXXX1023	04/08/2021	Silicon Valley Ergonomics LLC	450.00	SVL1012		450.00	0.00	\$450.00
	XXXXX1024	04/08/2021	Slakey Brothers Inc	241.99	851801899		241.99	0.00	\$241.99
				241.99	851801907	Cr Memo 851814970	241.99	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						with Tax Adj			
				-241.99	851814970	Invoice 851801907 Correct Tax -\$19.99	-241.99	0.00	
	XXXXX1025	04/08/2021	SmithGroup Inc	117,719.96	0153016	Civic Center 1/30/20201- 2/26/2021	117,719.96	0.00	\$117,719.96
	XXXXX1026	04/08/2021	Suburban Propane	70.73	2632491	Account 1644- 042648	70.73	0.00	\$70.73
	XXXXX1027	04/08/2021	Sure Fire Protection Co Inc	190.00	PQ21287-01		190.00	0.00	\$190.00
	XXXXX1028	04/08/2021	Sustainable Turf Science Inc	2,223.60	5551	BL010678 Expired 3/22/2021	2,223.60	0.00	\$2,223.60
	XXXXX1029	04/08/2021	Target Specialty Products Inc	1,380.75	INVP5003471 30		1,380.75	0.00	\$1,380.75
	XXXXX1030	04/08/2021	The Home Depot Pro	407.49	567702972		407.49	0.00	\$1,328.22
				513.24	578579260		513.24	0.00	
				407.49	584279087		407.49	0.00	
	XXXXX1031	04/08/2021	Thomson Reuters West	1,917.09	844072448		1,917.09	0.00	\$1,917.09
	XXXXX1032	04/08/2021	TMT Enterprises Inc	1,554.35	08039		1,554.35	0.00	\$1,554.35
	XXXXX1033	04/08/2021	Toro NSN	2,600.30	195625247		2,600.30	0.00	\$2,600.30
	XXXXX1034	04/08/2021	Tyler Technologies	612.50	025-324791		612.50	0.00	\$1,312.50
				700.00	025-326926		700.00	0.00	
	XXXXX1035	04/08/2021	United Parcel Service	258.18	00009660810 1		258.18	0.00	\$258.18
	XXXXX1036	04/08/2021	United Way Bay Area	149.15	PR202114	Payroll 202114 Contributions	149.15	0.00	\$149.15
	XXXXX1037	04/08/2021	Univar Solutions USA Inc	3,285.39	48996670		3,285.39	0.00	\$7,156.61
				3,871.22	49001329		3,871.22	0.00	
	XXXXX1038	04/08/2021	USDA-APHIS General	801.20	3003767317	Customer#3282817 Activity Thru	801.20	0.00	\$801.20

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						3/31/2021			
	XXXXX1039	04/08/2021	Valley Oil Co	7,597.07	62302		7,597.07	0.00	\$7,597.07
	XXXXX1040	04/08/2021	Viking Shred LLC	2,400.00	51103014		2,400.00	0.00	\$2,400.00
	XXXXX1041	04/08/2021	Water One Industries Inc	1,300.00	145100	March 2021 Water Treatment	1,300.00	0.00	\$1,300.00
	XXXXX1042	04/08/2021	Watersavers Irrigation Inc	1,452.59	2424624-00		1,452.59	0.00	\$1,452.59
	XXXXX1043	04/08/2021	West Coast Security Inc	75.00	03092021-18		75.00	0.00	\$75.00
	XXXXX1044	04/08/2021	Winsupply of Silicon Valley	308.06	022732 01		308.06	0.00	\$308.06
	XXXXX1045	04/08/2021	Witmer Tyson Imports Inc	1,011.50	T13979		1,011.50	0.00	\$1,011.50
	XXXXX1046	04/08/2021	WOWzy Creation Corp	721.89	94285		721.89	0.00	\$1,832.74
				241.19	94377		241.19	0.00	
				127.78	94622		127.78	0.00	
				360.94	94682		360.94	0.00	
				380.94	94717		380.94	0.00	
	XXXXX1047	04/08/2021	Yamaha Motor Finance Corporation, U.S.A.	5,973.20	731439	Lease M17036137	5,973.20	0.00	\$11,946.40
				5,973.20	734439	Lease M17036137	5,973.20	0.00	
	XXXXX1048	04/08/2021	Western State Design	270.00	0493869-IN		270.00	0.00	\$997.50
				520.00	0493954-IN		520.00	0.00	
				207.50	0494161-IN		207.50	0.00	
EFT	XXXXX1198	04/09/2021	Giancarlo S Ella	149.82	EXP0013815 190	Misc Boot Reimbursement 031421	149.82	0.00	\$149.82
	XXXXX1199	04/09/2021	Anais Martinez Aquino	1,235.00	EXP0013899 206	Tuition Reimbursement Claim FY 2020/2021	1,235.00	0.00	\$1,235.00
	XXXXX1200	04/09/2021	Dzanh K Le	211.00	EXP0014281	Travel Folsom	211.00	0.00	\$211.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					483	032121			
	XXXXX1201	04/09/2021	Mario Alberto Felix	76.26	EXP0013815329	Misc - Uniform Reimbursement	76.26	0.00	\$76.26
	XXXXX1202	04/09/2021	Tiffany R Shillito	878.00	EXP0014281600	Travel Monterey 031421	878.00	0.00	\$878.00
	XXXXX1203	04/09/2021	Leopoldo Sanchez Junior	354.25	EXP0014317093	Misc Ballist Vest Reimbursement	354.25	0.00	\$354.25
	XXXXX1204	04/09/2021	Ron J Locke	333.00	EXP0013685925	Travel Rancho Cordova 031421	333.00	0.00	\$333.00
	XXXXX1205	04/09/2021	Camelia Rivera Villa	267.08	EXP0014450366	Tuition Reimbursement Financial Accounting FY20/21	267.08	0.00	\$267.08
	XXXXX1206	04/09/2021	Daniel L Moskowitz	273.05	EXP0014347261	Travel Orange 031721	273.05	0.00	\$273.05
	XXXXX1207	04/09/2021	Steven Michael Gorshe	790.00	EXP0014403156	Travel Monterey 032221	790.00	0.00	\$790.00
	XXXXX1208	04/09/2021	Fabian E Monge	33.52	EXP0013999243	Misc Reimbursement 032621	33.52	0.00	\$582.32
				548.80	EXP0014347157	Travel Salinas 031521	548.80	0.00	
	XXXXX1209	04/09/2021	Robert T Duenas	101.31	EXP0014308988	Misc - Uniform Reimbursement	101.31	0.00	\$101.31
	XXXXX1210	04/09/2021	Scott B Isaacs	437.60	EXP0013511624	Travel Chico 030921	437.60	0.00	\$437.60
	XXXXX1211	04/09/2021	Michael B Mendoza	311.89	EXP0013815226	Travel Anaheim 031621	311.89	0.00	\$311.89
	XXXXX1212	04/09/2021	Sorin O Halmagean	483.08	EXP0013865493	Travel Rancho Cordova 031421	483.08	0.00	\$483.08
	XXXXX1213	04/09/2021	Justin Joseph Mardesich	747.83	EXP0014281523	Travel Seaside 031521	747.83	0.00	\$747.83
Grand Total				1,943,740.45			1,943,810.00	69.55	\$1,943,740.45

City of Sunnyvale

LIST # 071

**List of All Claims and Bills Approved for Payment
For Payments Dated 04/11/2021 through 04/17/2021**

Sorted by Payment Type, Payment Number and Invoice Number

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
CHECK	XXXXX1049	04/13/2021	State Water Resources Control Board	150.00	H Nguyen G2 Cert	Huey Nguyen G2 Cert Renewal	150.00	0.00	\$150.00
	XXXXX1050	04/13/2021	Fricke Parks Press Inc	7,216.89	110318	Horizon-Spring 2021	7,216.89	0.00	\$7,216.89
	XXXXX1051	04/14/2021	Yuanzheng Ming	485.00	21-120	Reimbursement to NOVA participant for CCHI Exam fees	485.00	0.00	\$485.00
	XXXXX1052	04/14/2021	Rekha Garg	37.66	21-122	Essential Scrum: A Practical Guide to the Most Popular Agile Process. WIOA #5641798	37.66	0.00	\$37.66
	XXXXX1053	04/14/2021	Sonbole Sandoval Mousavi	200.00	21-125	PMP Examination Preparation course materials. WIOA #5643288	200.00	0.00	\$200.00
	XXXXX1054	04/14/2021	Aaron's Industrial Pumping	395.00	3/16/21		395.00	0.00	\$395.00
	XXXXX1055	04/14/2021	Air Filter Control	416.77	550058		416.77	0.00	\$3,689.39
				748.02	550073		748.02	0.00	
				2,524.60	551224		2,524.60	0.00	
	XXXXX1056	04/14/2021	Airgas USA LLC	663.66	9110664257		663.66	0.00	\$663.66
	XXXXX1058	04/14/2021	Amazon Capital Services Inc	80.45	11YN-QXDV-4MX1		80.45	0.00	\$6,045.17

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				41.39	139X-76KD-JHTW		41.39	0.00	
				72.92	14FC-HRXW-1GCT		72.92	0.00	
				150.73	16CV-DR9J-XF4Y		150.73	0.00	
				588.54	16NF-37X7-9GK6		588.54	0.00	
				54.48	176W-LX77-T1JN		54.48	0.00	
				29.80	17F4-FHTM-FPFT		29.80	0.00	
				27.22	17LR-MJXY-4H9J		27.22	0.00	
				16.34	19CV-LD7Y-H3H3		16.34	0.00	
				147.00	19DD-W47T-49TX		147.00	0.00	
				1,942.80	19JQ-61LL-NHNC		1,942.80	0.00	
				38.84	19RN-YN7K-CCFT		38.84	0.00	
				12.70	1DGT-D6F6-36YK		12.70	0.00	
				101.30	1F4K-DTTV-9NHD		101.30	0.00	
				32.36	1GW9-CT9C-3HY9		32.36	0.00	
				597.10	1GXD-D9DY-GQKN		597.10	0.00	
				55.56	1H1V-4RHF-4DRP		55.56	0.00	
				6.86	1HDH-RKRG-		6.86	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					Q4J7				
				10.87	1JYX-HJ4P-KLFD		10.87	0.00	
				383.60	1K34-D1R7-NCVT		383.60	0.00	
				10.89	1KK9-TVGQ-39LX		10.89	0.00	
				184.14	1L7J-R3CM-TV1L		184.14	0.00	
				103.51	1LC9-VDHT-VHX6		103.51	0.00	
				29.84	1MQN-G7RR-6JP3		29.84	0.00	
				22.88	1N3N-PQNF-3Y4R		22.88	0.00	
				87.15	1PQW-P1XR-DXGR		87.15	0.00	
				42.40	1QG7-TQMM-DYWX		42.40	0.00	
				67.02	1QQJ-V9DK-7QWL		67.02	0.00	
				240.88	1RJR-YGNN-6X7V		240.88	0.00	
				373.80	1TND-C7VL-74VM		373.80	0.00	
				13.80	1WCV-1PQH-H663		13.80	0.00	
				272.49	1WJ3-RYFV-G6GL		272.49	0.00	
				106.20	1X44-CG46-NJQJ		106.20	0.00	
				18.52	1X44-CG46-		18.52	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					QXTP				
				63.36	1XXN-Q9T6-CMNT		63.36	0.00	
				17.43	1YR9-1F1H-VYG6		17.43	0.00	
	XXXXX1059	04/14/2021	American Red Cross	160.00	22328052	2/15/21 Lifeguarding Class	160.00	0.00	\$160.00
	XXXXX1061	04/14/2021	Bauer Compressors Inc	1,952.04	0000274538	Annual Testing/Maint. of Compressors at Station 1 & Station 2	1,952.04	0.00	\$1,952.04
	XXXXX1062	04/14/2021	Bay Area Water Supply & Conservation Agy	51,697.00	7272	4th Quarter Assessment	51,697.00	0.00	\$54,197.00
				2,500.00	7510	Nov 2020-Jan 2020 Water Loss Control Program	2,500.00	0.00	
	XXXXX1063	04/14/2021	Belkorp AG LLC	513.56	693404		513.56	0.00	\$513.56
	XXXXX1064	04/14/2021	Bellecci & Assoc Inc	11,690.00	20002-H	Services 12/14/20 - 1/17/21	11,690.00	0.00	\$11,690.00
	XXXXX1065	04/14/2021	Benchmark Environmental Engineering	325.00	E21-201		325.00	0.00	\$325.00
	XXXXX1066	04/14/2021	Berlitz Languages Inc	110.00	001-274-21-00959	February 2021	110.00	0.00	\$110.00
	XXXXX1067	04/14/2021	Betty Wilkins	79.00	21-121		79.00	0.00	\$79.00
	XXXXX1068	04/14/2021	Biggs Cardosa Assoc Inc	22,034.62	80025		22,034.62	0.00	\$42,318.45
				20,283.83	80334		20,283.83	0.00	
	XXXXX1069	04/14/2021	Bound Tree Medical LLC	6,671.18	83899647		6,671.18	0.00	\$15,673.53
				368.76	83909597		368.76	0.00	
				185.64	83927947		185.64	0.00	
				2,877.28	83956961		2,877.28	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				2,211.49	83958771		2,211.49	0.00	
				2,524.45	83993255		2,524.45	0.00	
				834.73	83996472		834.73	0.00	
	XXXXX1070	04/14/2021	BSK Associates	1,440.00	AE05127		1,440.00	0.00	\$1,440.00
	XXXXX1071	04/14/2021	Burke Williams & Sorensen LLP	147.50	266533		147.50	0.00	\$147.50
	XXXXX1072	04/14/2021	Burtens Fire Inc	342.47	S51364		342.47	0.00	\$342.47
	XXXXX1073	04/14/2021	Caltronics Business Systems	95.00	3137373		95.00	0.00	\$95.00
	XXXXX1074	04/14/2021	Caminar Family & Children Services	372.92	1	Grant Reimbursement July-December 2020	372.92	0.00	\$372.92
	XXXXX1075	04/14/2021	Carl Warren & Company	8,125.00	CWC-2007843	January 2021	8,125.00	0.00	\$8,125.00
	XXXXX1076	04/14/2021	Casper Airport Solutions Inc	47,053.00	CAS2020-1074	NEEDS RECEIVING 4/12 - Receiving Complete	47,053.00	0.00	\$70,570.00
				23,517.00	CAS2021-1001	NEEDS RECEIVING	23,517.00	0.00	
	XXXXX1077	04/14/2021	CDM Smith	3,823.80	90115602	Srvs 10/4/20-1/2/20 Project 232467	3,823.80	0.00	\$3,823.80
	XXXXX1078	04/14/2021	CENGAGE Learning Inc/Gale	30.51	72752814		30.51	0.00	\$203.90
				26.16	72757867		26.16	0.00	
				26.16	73690347		26.16	0.00	
				38.93	73690685		38.93	0.00	
				66.56	73793252		66.56	0.00	
				15.58	73803409		15.58	0.00	
	XXXXX1079	04/14/2021	Center for Employment Opportunities	5,387.17	8-DS	Nov '20 Agrmt #004-2287-20	5,387.17	0.00	\$10,474.39
				5,087.22	9-DS	Dec '20 Agrmt #004-2287-20	5,087.22	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1080	04/14/2021	City & County of San Francisco	20,311.62	P2EI-012	November 2020 Agrmt #001-2287-20	20,311.62	0.00	\$23,777.21
				3,465.59	P2EI-013	December 2020 Agrmt #001-2287-20	3,465.59	0.00	
	XXXXX1081	04/14/2021	City of San Jose	19,069.47	0009	November 2020	19,069.47	0.00	\$46,571.74
				27,502.27	0010	December 2020	27,502.27	0.00	
	XXXXX1082	04/14/2021	Contractor Compliance & Monitoring Inc	8,366.25	13809		8,366.25	0.00	\$8,753.25
				387.00	13873		387.00	0.00	
	XXXXX1083	04/14/2021	Cover Specialty Services Inc	5,580.00	2021031		5,580.00	0.00	\$7,535.00
				1,955.00	2021034		1,955.00	0.00	
	XXXXX1084	04/14/2021	D & M Traffic Services Inc	1,733.10	77386		1,733.10	0.00	\$1,733.10
	XXXXX1085	04/14/2021	Dahlin Group	1,486.25	2101-030	January 2021 - Project #1129-002	1,486.25	0.00	\$1,486.25
	XXXXX1086	04/14/2021	De Anza Appliance	99.95	0121-0037-1395		99.95	0.00	\$99.95
	XXXXX1087	04/14/2021	Delia and Associates	2,260.00	MBT 12/9/20	MBTI Training 12/9/20	2,260.00	0.00	\$2,260.00
	XXXXX1088	04/14/2021	Du-All Safety	3,100.00	22338	February 2021	3,100.00	0.00	\$3,100.00
	XXXXX1089	04/14/2021	E-Z-Go Textron Inc	83.13	92326554		83.13	0.00	\$343.19
				260.06	92326555		260.06	0.00	
	XXXXX1090	04/14/2021	Econolite Systems Inc	16,205.64	33483	Jan '21 Maintenance Rolling	16,205.64	0.00	\$84,204.81
				15,852.04	33484	Jan '21 City Request Rolling Report	15,852.04	0.00	
				11,597.53	33485	Jan '21 Mark Outs	11,597.53	0.00	
				19,332.46	33521	Jan '21 Streetlight Maintenance & Repairs	19,332.46	0.00	
				6,789.20	33592	Jan '21-Quarterly Preventive	6,789.20	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						Maintenance			
				14,427.94	33593	Jan '21 Annual Preventive Maintenance	14,427.94	0.00	
	XXXXX1091	04/14/2021	FleetPride Inc	97.55	68217018		97.55	0.00	\$2,070.50
				1,778.93	68312529		1,778.93	0.00	
				174.05	68704169		174.05	0.00	
				19.97	68708241		19.97	0.00	
	XXXXX1092	04/14/2021	Ghirardelli Associates Inc	106,367.94	19110-11	February 2021 - Fair Oaks Bridge Rehab	106,367.94	0.00	\$106,367.94
	XXXXX1093	04/14/2021	Gigantic Idea Studio Inc	4,883.75	INV-3466	FoodCycle Outreach 2020	4,883.75	0.00	\$37,221.22
				6,012.50	INV-3489	FoodCycle Outreach 2020	6,012.50	0.00	
				26,324.97	INV-3501	FoodCycle Outreach 2020	26,324.97	0.00	
	XXXXX1094	04/14/2021	Golden Gate Truck Center	97.38	FA005033255:01		97.38	0.00	\$1,085.04
				79.11	FA005033778:01		79.11	0.00	
				908.55	FA005034489:01		908.55	0.00	
	XXXXX1095	04/14/2021	Goodyear Commercial Tire & Service Ctr	846.35	189-1105267		846.35	0.00	\$4,416.07
				154.50	189-1105268		154.50	0.00	
				165.33	189-1105381		165.33	0.00	
				284.41	189-1105441		284.41	0.00	
				205.84	189-1105497		205.84	0.00	
				1,467.74	189-1105535		1,467.74	0.00	
				81.84	189-1105536		81.84	0.00	
				166.02	189-1105537		166.02	0.00	
				809.57	189-1105547		809.57	0.00	
				234.47	189-1105635		234.47	0.00	
	XXXXX1096	04/14/2021	Grainger	53.26	9800974819		53.26	0.00	\$53.26

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1097	04/14/2021	Hach Co Inc	603.36	12352666		603.36	0.00	\$603.36
	XXXXX1098	04/14/2021	Hi-Tech Optical Inc	175.00	854696	V. Agustin	175.00	0.00	\$820.00
				200.00	855302	Dec/Jan Dispensing	200.00	0.00	
				125.00	856799	M. Maes	125.00	0.00	
				120.00	856982	M. Maes	120.00	0.00	
				200.00	857845	Jan/Feb Dispensing	200.00	0.00	
	XXXXX1099	04/14/2021	IBI Group	312.80	0010002477	Dec 2020 - Project 118278	312.80	0.00	\$312.80
	XXXXX1100	04/14/2021	Idemia Identity & Security USA LLC	2,745.00	131863	4/11/21 Address Change Submitted - GMC	2,745.00	0.00	\$2,745.00
	XXXXX1101	04/14/2021	Imperial Maintenance Services Inc	61,947.00	32	January 2021	61,947.00	0.00	\$126,094.77
				61,947.00	33		61,947.00	0.00	
				2,200.77	COS0005		2,200.77	0.00	
	XXXXX1102	04/14/2021	Imperial Sprinkler Supply	494.98	4503792-00		494.98	0.00	\$494.98
	XXXXX1103	04/14/2021	International Contact Inc	110.00	I-04834		110.00	0.00	\$195.00
				85.00	I-05234		85.00	0.00	
	XXXXX1104	04/14/2021	Intex Auto Parts	24.53	2-55011-12		24.53	0.00	\$1,589.26
				4.09	2-55030-16		4.09	0.00	
				36.52	2-55341-13		36.52	0.00	
				44.60	2-55410-11		44.60	0.00	
				12.54	2-55564-12		12.54	0.00	
				21.53	2-55801-11		21.53	0.00	
				19.60	2-56636-14		19.60	0.00	
				23.98	2-63243-14		23.98	0.00	
				133.98	2-63721-15		133.98	0.00	
				21.80	2-63822-14		21.80	0.00	
				7.09	2-64123-16		7.09	0.00	
				28.38	2-64154-15		28.38	0.00	
				11.45	2-64561-14		11.45	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				34.34	2-66192-13		34.34	0.00	
				40.55	2-66446-13		40.55	0.00	
				118.07	2-68494-17		118.07	0.00	
				118.07	2-68655-10		118.07	0.00	
				118.07	2-68784-13		118.07	0.00	
				15.42	2-70380-13		15.42	0.00	
				84.04	2-70427-13		84.04	0.00	
				253.03	2-93245-13		253.03	0.00	
				417.58	2-93250-12		417.58	0.00	
	XXXXX1105	04/14/2021	Jakes of Sunnyvale	163.83	12620		163.83	0.00	\$163.83
	XXXXX1106	04/14/2021	Javelco Equipment Service Inc	38.23	57705		38.23	0.00	\$381.74
				337.90	57800		337.90	0.00	
				5.61	57806		5.61	0.00	
	XXXXX1107	04/14/2021	JobTrain	1,201.00	PTE004	November 2020 Agrmt #005-2287-20	1,201.00	0.00	\$2,329.00
				1,128.00	PTE005	December 2020 Agrmt #005-2287-20	1,128.00	0.00	
	XXXXX1108	04/14/2021	Keenan & Associates	37,127.08	254097	WC Claim Admin Installment 3 of 12	37,127.08	0.00	\$74,254.16
				37,127.08	254641	WC Claim Admin Installment 4 of 12	37,127.08	0.00	
	XXXXX1109	04/14/2021	Lawson Products Inc	680.60	9308279266		680.60	0.00	\$1,447.24
				766.64	9308308456		766.64	0.00	
	XXXXX1110	04/14/2021	LexisNexis Risk Solutions	130.00	1409790-20210331	1409790 March 2021	130.00	0.00	\$130.00
	XXXXX1111	04/14/2021	Mahan and Sons Inc	1,060.00	1829	March 2021	1,060.00	0.00	\$1,060.00
	XXXXX1112	04/14/2021	Mallory Safety & Supply LLC	549.36	5053539		549.36	0.00	\$549.36
	XXXXX1113	04/14/2021	McMaster Carr Supply Co	404.22	54111755		404.22	0.00	\$9,560.77
				70.96	54112837		70.96	0.00	
				249.95	54536998		249.95	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				2,438.83	54585441		2,438.83	0.00	
				1,767.94	54683531		1,767.94	0.00	
				472.53	54703415		472.53	0.00	
				164.91	54721092		164.91	0.00	
				1,212.18	54725056		1,212.18	0.00	
				422.09	54788955		422.09	0.00	
				465.10	54885962		465.10	0.00	
				713.93	55049226		713.93	0.00	
				1,098.91	55442489		1,098.91	0.00	
				79.22	55450268		79.22	0.00	
	XXXXX1114	04/14/2021	Metal Werx	427.55	0004714		427.55	0.00	\$427.55
	XXXXX1115	04/14/2021	Metropolitan Transportation Commission	2,500.00	4926-AR 12020	StreetSaver Subscription 6/1/2021-5/31/2022	2,500.00	0.00	\$2,500.00
	XXXXX1116	04/14/2021	MidPen Housing Corporation	33,386.30	1718-832040 Draw#27	CDBG Contract 1718-832040 Draw#27	33,386.30	0.00	\$33,386.30
	XXXXX1117	04/14/2021	MWA Architects Inc	10,704.79	201727.00-30	Admin & Lab Building Dec 2020	10,704.79	0.00	\$207,601.97
				196,897.18	201727.00-31	Admin & Lab Building Jan 2021	196,897.18	0.00	
	XXXXX1118	04/14/2021	Office Depot Inc	59.24	15003144000 1		59.24	0.00	\$635.08
				87.72	16144935600 1		87.72	0.00	
				6.47	16462462800 1	Candi Latini 3/31/2021	6.47	0.00	
				271.29	16619130500 1	Lorena Rodriguez 4/5/2021	271.29	0.00	
				210.36	16619162500 1	Lorena Rodriguez 4/5/2021	210.36	0.00	
	XXXXX1119	04/14/2021	OverDrive Inc	2,842.26	00910CO210		2,842.26	0.00	\$14,470.87

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					86717				
				3,410.56	00910CO210 86721		3,410.56	0.00	
				6,835.47	00910CO210 86722		6,835.47	0.00	
				754.23	00910CO211 21520		754.23	0.00	
				19.95	00910DA210 87303		19.95	0.00	
				65.00	00910DA211 22167		65.00	0.00	
				543.40	00910DA211 23766		543.40	0.00	
	XXXXX1120	04/14/2021	P&R Paper Supply Co Inc	995.72	30366298-00		995.72	0.00	\$995.72
	XXXXX1121	04/14/2021	Pacific Crest Landscape and Maintenance	833.33	42245		833.33	0.00	\$833.33
	XXXXX1122	04/14/2021	Pacific Gas & Electric Co	2,953.93	5335077041- 7 0321	10900 N Blaney Ave/NGV Tube Trailer	2,953.93	0.00	\$3,053.02
				99.09	9129031168- 6 0321	1382 Kifer Rd/Kifer Lift Station	99.09	0.00	
	XXXXX1123	04/14/2021	Peterson	6,567.15	SW24017140 2		6,567.15	0.00	\$7,057.23
				490.08	SW24017153 9		490.08	0.00	
	XXXXX1124	04/14/2021	Planet Futsal	705.60	FK2021FM	AB3OSA 1/25/21- 3/8/21	705.60	0.00	\$705.60
	XXXXX1125	04/14/2021	Project Sentinel Inc	5,217.89	PS-422- 093020	2021-827550 7/1- 2020-9/30/2020	5,217.89	0.00	\$11,514.60
				6,296.71	PS-422- 123120	2021-827550 10/1/2020- 12/31/2020	6,296.71	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1126	04/14/2021	Psomas	200,442.70	170557	WPCP Plant Construction Mgmt Svc 1/1/21-2/4/21	200,442.70	0.00	\$200,442.70
	XXXXX1127	04/14/2021	Quality Assurance Solutions LLC	991.25	CA-2021-020		991.25	0.00	\$991.25
	XXXXX1128	04/14/2021	R & B Co	1,412.64	N941043		1,412.64	0.00	\$1,412.64
	XXXXX1129	04/14/2021	Royal Brass Inc	598.86	936003-001		598.86	0.00	\$2,623.72
				53.70	937806-001		53.70	0.00	
				31.19	942099-001		31.19	0.00	
				68.88	942631-001		68.88	0.00	
				44.30	942634-001		44.30	0.00	
				101.71	942922-001		101.71	0.00	
				39.73	942955-001		39.73	0.00	
				76.46	943589-001		76.46	0.00	
				320.65	944208-001		320.65	0.00	
				60.38	944208-002		60.38	0.00	
				48.35	944477-001		48.35	0.00	
				56.23	944483-001		56.23	0.00	
				49.04	944700-001		49.04	0.00	
				939.69	945000-001		939.69	0.00	
				57.47	945000-002		57.47	0.00	
				32.24	945000-003		32.24	0.00	
				44.84	945076-001		44.84	0.00	
	XXXXX1130	04/14/2021	Safeway Inc	17.95	00438508-033121		17.95	0.00	\$345.45
				53.85	00721578-040121		53.85	0.00	
				53.85	00808576-033021		53.85	0.00	
				219.80	669761-040121		219.80	0.00	
	XXXXX1131	04/14/2021	SCS Engineers	750.00	0394988	LF & mart Stn	750.00	0.00	\$2,186.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						Compliance Dec 2020			
				1,436.00	0402771	LF Non-Routine & Repair Svc March 2021	1,436.00	0.00	
	XXXXX1132	04/14/2021	Security Alert Systems of California Inc	615.00	176973		615.00	0.00	\$615.00
	XXXXX1133	04/14/2021	Shawn Spano	4,000.00	21-1		4,000.00	0.00	\$4,000.00
	XXXXX1134	04/14/2021	SHI International Corp	198.20	B13267822		198.20	0.00	\$198.20
	XXXXX1135	04/14/2021	Shred-It USA LLC	288.73	8181730960	13190207 March 2021	288.73	0.00	\$288.73
	XXXXX1136	04/14/2021	Sierra-Cedar Inc	78,750.00	PC-000208771	Security Matrix	78,750.00	0.00	\$78,750.00
	XXXXX1137	04/14/2021	California Newspapers Partnership	203.00	0006551762	2/12/21 J. Mariano	203.00	0.00	\$470.00
				112.00	0006551803	2/19/21 S. DeBenedetti	112.00	0.00	
				155.00	0006555068	2/26-J. Mariano	155.00	0.00	
	XXXXX1138	04/14/2021	SiteOne Landscape Supply LLC	279.24	106984421-001		279.24	0.00	\$279.24
	XXXXX1139	04/14/2021	Smiths Gopher Trapping Service	2,064.00	18461B		2,064.00	0.00	\$2,064.00
	XXXXX1140	04/14/2021	Stevens Creek Chevrolet	21,492.21	520143		21,492.21	0.00	\$21,492.21
	XXXXX1141	04/14/2021	Studio Em Graphic Design	122.63	18193		122.63	0.00	\$122.63
	XXXXX1142	04/14/2021	Summit Uniforms	290.61	72098		290.61	0.00	\$290.61
	XXXXX1143	04/14/2021	Target Specialty Products Inc	2,922.52	INVP5003772 52		2,922.52	0.00	\$2,922.52
	XXXXX1144	04/14/2021	TaylorMade Golf Co	532.80	34833215		532.80	0.00	\$532.80

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1145	04/14/2021	TRISTAR Risk Management	1,920.70	112493	W Lee Workers Comp March 2021	1,920.70	0.00	\$1,920.70
	XXXXX1146	04/14/2021	Turf & Industrial Equipment Co	35.16	IV36448		35.16	0.00	\$1,941.51
				241.34	IV37070		241.34	0.00	
				148.15	IV37411		148.15	0.00	
				186.06	IV37440		186.06	0.00	
				16.76	IV37440A		16.76	0.00	
				148.15	IV37599		148.15	0.00	
				359.45	IV37661		359.45	0.00	
				316.10	IV37661A		316.10	0.00	
				99.69	IV37672		99.69	0.00	
				96.87	IV37703		96.87	0.00	
				102.82	IV37718		102.82	0.00	
				62.88	IV37718A		62.88	0.00	
				128.08	IV37772		128.08	0.00	
	XXXXX1147	04/14/2021	Umesh Gaitonde	66.48	21-128		66.48	0.00	\$66.48
	XXXXX1148	04/14/2021	Unity Courier Service Inc	878.00	467789	Account C30508 March 2021	878.00	0.00	\$878.00
	XXXXX1149	04/14/2021	USA Bluebook	359.07	524265		359.07	0.00	\$359.07
	XXXXX1150	04/14/2021	Valley Oil Co	143.88	488261		143.88	0.00	\$4,123.11
				521.57	494851		521.57	0.00	
				143.88	494921		143.88	0.00	
				1,553.03	501531		1,553.03	0.00	
				494.43	501761		494.43	0.00	
				1,266.32	501771		1,266.32	0.00	
	XXXXX1151	04/14/2021	Van Dermyden Maddux Law Corp	12,720.00	16682		12,720.00	0.00	\$12,720.00
	XXXXX1152	04/14/2021	Verde Design Inc	1,277.50	2-2006000	Cricket Betting Cage Feasibility Study 2/26-3/25/21	1,277.50	0.00	\$8,787.50
				7,510.00	2006000-	Cricket Battling Cage	7,510.00	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					1188	Feasibility Study 1/26/21-2/25/21			
	XXXXX1153	04/14/2021	Kirby Canyon Recycling and Disposal Facility	780,558.46	March 2021	10,531.01 Tons@\$74.12/Ton	780,558.46	0.00	\$780,558.46
	XXXXX1154	04/14/2021	Weck Laboratories Inc	488.13	W1C0708		488.13	0.00	\$1,814.58
				1,326.45	W1C1041		1,326.45	0.00	
	XXXXX1155	04/14/2021	Western States Tool & Supply Corp	1,173.93	190965		1,173.93	0.00	\$1,820.30
				646.37	191263		646.37	0.00	
	XXXXX1156	04/14/2021	Wilsey Ham	2,889.00	23909	On-Call Survey Svc Feb 2021	2,889.00	0.00	\$2,889.00
	XXXXX1157	04/14/2021	Cratus Inc	89,062.50	LWRNCEXP RSS#01	UY-15/03-16	89,062.50	0.00	\$89,062.50
	XXXXX1158	04/14/2021	Net Transcripts Inc	208.95	NT2776		208.95	0.00	\$208.95
	XXXXX1159	04/14/2021	G & G Builders Inc	182,153.95	PlyAreaMrphy Prk#01	PR-17-08	182,153.95	0.00	\$182,153.95
	XXXXX1160	04/15/2021	Gesmyne Bell	284.32	176607-8074	Utility Credit balance refund	284.32	0.00	\$284.32
	XXXXX1161	04/15/2021	Phil Horowitz	127.31	183845-8434	Utility Credit balance refund	127.31	0.00	\$127.31
	XXXXX1162	04/15/2021	Shawn Chen	214.99	202425- 34488	Utility Credit balance refund	214.99	0.00	\$214.99
	XXXXX1163	04/15/2021	Sara Zaidi	86.62	503001	Rec Refund CR210331LN-2 Zaidi	86.62	0.00	\$86.62
	XXXXX1164	04/15/2021	Michael Oneto	200.00	21-126	PMP Examination Preparation course materials. WIOA #5642990	200.00	0.00	\$560.29
				360.29	21-130	A Guide to Project Management Body of Knowledge and the PMP Exam Prep System. WIOA	360.29	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						#5642990			
	XXXXX1165	04/15/2021	Linda Gorgolinski	72.75	21-116	A Guide to the Project Management Body of Knowledge. WIOA #5641440	72.75	0.00	\$72.75
	XXXXX1166	04/15/2021	Meng-En Grace Chu	47.83	21-124	Effective Project Management: Traditional, Agile, Extreme, Hybrid. WIOA #5642783	47.83	0.00	\$47.83
	XXXXX1167	04/15/2021	Sonbole Sandoval Mousavi	339.96	21-132	PMP Exam Prep System & A Guide to the Project management Body of Knowledge. WIOA #5643288	339.96	0.00	\$339.96
	XXXXX1168	04/15/2021	Michelle Doyle	631.99	21-127	Lean-Agile Software Development: Achieving Enterprise Agility & Guide to the Project Management Boyd of Knowledge, and PMP Exam Prep Book and Hot Topics Flashcards. WIOA 5642429	631.99	0.00	\$631.99
	XXXXX1169	04/15/2021	Dev Datta	81.23	21-131	Designing with the Mind in Mind: Simple Guide to Understanding User Interface & A Project Guide to UX Design: For User Experience Designers in the	81.23	0.00	\$81.23

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						Field or in the Making. WIOA #5641991			
	XXXXX1170	04/15/2021	Ricardo Bonilla	86.29	21-133	Business Communication: Processes & Product. WIOA #5641210	86.29	0.00	\$86.29
	XXXXX1171	04/15/2021	Shahrzad Motie	485.21	21-134	PMP Examination Preparation online & PMP Exam Prep System. WIOA #5643149	485.21	0.00	\$485.21
	XXXXX1172	04/15/2021	3T Equipment Co Inc	1,062.97	69608		1,062.97	0.00	\$1,062.97
	XXXXX1173	04/15/2021	AT&T	723.19	000016140983	Bandwidth Chares 2/6/21-3/5/21	723.19	0.00	\$723.19
	XXXXX1175	04/15/2021	Baker & Taylor	2,034.82	5016723273		2,034.82	0.00	\$8,040.38
				155.43	5016725812		155.43	0.00	
				2,086.12	5016733568		2,086.12	0.00	
				96.53	5016738746		96.53	0.00	
				13.44	5016738748		13.44	0.00	
				13.25	5016738750		13.25	0.00	
				120.62	5016738752		120.62	0.00	
				687.56	5016738754		687.56	0.00	
				12.68	5016738759		12.68	0.00	
				256.72	5016738761		256.72	0.00	
				47.41	5016750918		47.41	0.00	
				205.71	5016750920		205.71	0.00	
				174.19	5016750922		174.19	0.00	
				124.54	5016750924		124.54	0.00	
				8.33	5016750926		8.33	0.00	
				24.99	5016750928		24.99	0.00	
				124.64	5016750930		124.64	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				129.71	5016756292		129.71	0.00	
				21.91	5016762406		21.91	0.00	
				26.51	5016762408		26.51	0.00	
				524.18	5016762410		524.18	0.00	
				203.16	5016762412		203.16	0.00	
				28.82	5016762414		28.82	0.00	
				11.47	5016762416		11.47	0.00	
				11.50	5016762418		11.50	0.00	
				36.30	5016762420		36.30	0.00	
				194.59	5016762422		194.59	0.00	
				6.39	5016762982		6.39	0.00	
				40.35	5016762984		40.35	0.00	
				137.94	5016762986		137.94	0.00	
				89.50	5016763134		89.50	0.00	
				55.19	5016763136		55.19	0.00	
				55.54	5016780836		55.54	0.00	
				23.04	5016780838		23.04	0.00	
				159.79	5016780840		159.79	0.00	
				97.51	5016780842		97.51	0.00	
	XXXXX1176	04/15/2021	Buckles-Smith Electric Co	75.93	3218241-01		75.93	0.00	\$3,510.43
				118.72	3223323--00		118.72	0.00	
				2,055.45	3224846--00		2,055.45	0.00	
				464.85	3226161-00		464.85	0.00	
				795.48	3226161-01		795.48	0.00	
	XXXXX1177	04/15/2021	Cintas Loc #38K	17.75	4074359432		17.75	0.00	\$17.75
	XXXXX1179	04/15/2021	Cooke & Associates	155.00	192343		155.00	0.00	\$44,729.79
				2,264.00	192390	Recruitment Background Process	2,264.00	0.00	
				2,240.00	192391	Recruitment Background Process	2,240.00	0.00	
				525.00	192392		525.00	0.00	
				2,240.00	192393		2,240.00	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				425.00	192394		425.00	0.00	
				2,255.00	192395		2,255.00	0.00	
				2,436.00	192396		2,436.00	0.00	
				2,225.00	192397		2,225.00	0.00	
				2,240.00	192398		2,240.00	0.00	
				315.00	192399		315.00	0.00	
				175.00	192400		175.00	0.00	
				2,240.00	192401		2,240.00	0.00	
				2,281.95	192402		2,281.95	0.00	
				175.00	192432		175.00	0.00	
				2,298.95	192434		2,298.95	0.00	
				175.00	192435		175.00	0.00	
				175.00	192436		175.00	0.00	
				2,240.00	192437		2,240.00	0.00	
				175.00	192446		175.00	0.00	
				175.00	192447		175.00	0.00	
				175.00	192448		175.00	0.00	
				175.00	192449		175.00	0.00	
				2,298.95	192450		2,298.95	0.00	
				2,304.95	192451		2,304.95	0.00	
				2,240.00	192452		2,240.00	0.00	
				175.00	192480		175.00	0.00	
				2,306.95	192481		2,306.95	0.00	
				2,320.04	192482		2,320.04	0.00	
				315.00	192524		315.00	0.00	
				2,240.00	192525		2,240.00	0.00	
				175.00	192526		175.00	0.00	
				315.00	192527		315.00	0.00	
				2,258.00	192528		2,258.00	0.00	
	XXXXX1180	04/15/2021	E-Z-Go Textron Inc	247.23	92324866		247.23	0.00	\$247.23
	XXXXX1181	04/15/2021	Earth Share of California	39.34	PR202112		39.34	0.00	\$78.68
				39.34	PR202114		39.34	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1182	04/15/2021	Electro-Motion Inc	1,263.68	1223-16723		1,263.68	0.00	\$1,263.68
	XXXXX1183	04/15/2021	Ferguson US Holdings Inc	34,880.00	1589856.		34,880.00	0.00	\$34,880.00
	XXXXX1184	04/15/2021	FleetPride Inc	257.92	67846547		257.92	0.00	\$1,999.20
				1,024.37	68697896		1,024.37	0.00	
				159.44	68954561		159.44	0.00	
				222.06	69241248		222.06	0.00	
				59.46	69241464		59.46	0.00	
				275.95	69445307		275.95	0.00	
	XXXXX1185	04/15/2021	Infosend Inc	1,491.61	185653		1,491.61	0.00	\$1,491.61
	XXXXX1186	04/15/2021	Intex Auto Parts	70.09	2-61247-10		70.09	0.00	\$180.88
				49.95	2-63235-16		49.95	0.00	
				60.84	2-95555-4		60.84	0.00	
	XXXXX1187	04/15/2021	Justine Duong	131.67	21-123		131.67	0.00	\$131.67
	XXXXX1188	04/15/2021	Mark Thomas & Co Inc	650.16	39799	Java Road Diet Svc Thru 2/28/2021	650.16	0.00	\$650.16
	XXXXX1189	04/15/2021	Midwest Tape	70.26	500148324		70.26	0.00	\$112.75
				12.25	500180952		12.25	0.00	
				30.24	500220574		30.24	0.00	
	XXXXX1190	04/15/2021	Mountain View Garden Center	176.53	102524		176.53	0.00	\$4,993.52
				176.53	102881		176.53	0.00	
				182.90	103573		182.90	0.00	
				654.00	103784		654.00	0.00	
				257.24	104202		257.24	0.00	
				257.24	104209		257.24	0.00	
				119.90	104629		119.90	0.00	
				165.46	104910		165.46	0.00	
				165.46	104912		165.46	0.00	
				165.46	104914		165.46	0.00	
				91.45	104915		91.45	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				206.83	104916		206.83	0.00	
				419.65	104926		419.65	0.00	
				419.65	104928		419.65	0.00	
				206.83	104938		206.83	0.00	
				235.71	105764		235.71	0.00	
				330.27	105952		330.27	0.00	
				299.75	105981		299.75	0.00	
				226.67	105998		226.67	0.00	
				235.99	106153		235.99	0.00	
	XXXXX1191	04/15/2021	Mythics Inc	867.08	158564	Feb 2021	867.08	0.00	\$867.08
	XXXXX1192	04/15/2021	National Construction Rentals Inc	407.20	6060959		407.20	0.00	\$407.20
	XXXXX1193	04/15/2021	Nutrien AG Solutions Inc	1,804.16	44723950		1,804.16	0.00	\$1,804.16
	XXXXX1194	04/15/2021	Office Depot Inc	3.37	164624615002		3.37	0.00	\$336.39
				110.16	166724459001	Phyllis Chan 4/7/2021	110.16	0.00	
				92.26	166915433001	Rebecca Montalvo 4/9/2021	92.26	0.00	
				98.06	167407558001	Priscilla Luckey 4/6/2021	98.06	0.00	
				32.54	167454892001	Julie Callaghan 4/6/2021	32.54	0.00	
	XXXXX1195	04/15/2021	Pine Cone Lumber Co Inc	38.37	93431		38.37	0.00	\$73.92
				35.55	94131		35.55	0.00	
	XXXXX1196	04/15/2021	Pro-Sweep Inc	856.96	289539	Feb 2021	856.96	0.00	\$856.96
	XXXXX1197	04/15/2021	R & B Co	1,192.24	N743565		1,192.24	0.00	\$5,740.17
				236.96	N780813		236.96	0.00	
				1,538.13	N800975		1,538.13	0.00	
				1,098.72	N914390		1,098.72	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				1,532.42	N947990		1,532.42	0.00	
				141.70	S1987929.00 1		141.70	0.00	
	XXXXX1198	04/15/2021	Regional Government Services Authority	6,210.00	11747	Jan 2021	6,210.00	0.00	\$6,210.00
	XXXXX1199	04/15/2021	Safeway Inc	6.53	00437557-020321		6.53	0.00	\$322.25
				213.07	00660898-040721		213.07	0.00	
				35.90	00801134-033121		35.90	0.00	
				66.75	00807930-020321		66.75	0.00	
	XXXXX1200	04/15/2021	SCS Engineers	472.50	0394986	LF & Smart Stn Compliance Activities Dec 2020	472.50	0.00	\$1,972.50
				1,500.00	0399046	LF & Smart Stn Compliance Activities Feb 2021	1,500.00	0.00	
	XXXXX1201	04/15/2021	SFO Reprographics	1,416.56	68609		1,416.56	0.00	\$5,102.73
				1,263.53	68639		1,263.53	0.00	
				92.65	68705		92.65	0.00	
				68.02	68772		68.02	0.00	
				93.30	69054		93.30	0.00	
				1,103.08	69233		1,103.08	0.00	
				163.94	69249		163.94	0.00	
				686.70	69422		686.70	0.00	
				214.95	69481		214.95	0.00	
	XXXXX1202	04/15/2021	Shred-It USA LLC	78.36	8181645141	13180904 March 2021	78.36	0.00	\$78.36
	XXXXX1203	04/15/2021	Sierra Pacific Turf Supply Inc	781.91	0594707-IN		781.91	0.00	\$781.91
	XXXXX1204	04/15/2021	Silicon Valley Auto	2,675.00	81121		2,675.00	0.00	\$4,850.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
			Body Inc	2,175.00	81122		2,175.00	0.00	
	XXXXX1205	04/15/2021	Smart & Final Inc	62.10	950833-022221		62.10	0.00	\$62.10
	XXXXX1206	04/15/2021	SmithGroup Inc	49,292.32	0152434	Civic Center 12/26/20-1/29/21	49,292.32	0.00	\$49,292.32
	XXXXX1207	04/15/2021	SSA Landscape Architects Inc	17,698.71	7037	Park Playground Replacement 2/26/2021-3/25/221	17,698.71	0.00	\$17,698.71
	XXXXX1208	04/15/2021	Staples Inc	53.72	3472185729	Summary Inv#8061618659 Thao Nguyen 3/9/2021	53.72	0.00	\$179.30
				19.50	3472185730	Summary Inv#8061618659 Thao Nguyen 3/9/2021	19.50	0.00	
				106.08	3473154902	Summary Inv#8061760078 Edith Alanis 3/23/21	106.08	0.00	
	XXXXX1209	04/15/2021	Studio Em Graphic Design	367.88	18112		367.88	0.00	\$6,709.50
				2,943.00	18126		2,943.00	0.00	
				2,888.50	18143		2,888.50	0.00	
				147.15	18158		147.15	0.00	
				362.97	18159		362.97	0.00	
	XXXXX1210	04/15/2021	Superior Press	148.69	4319872		148.69	0.00	\$148.69
	XXXXX1211	04/15/2021	Thomson Reuters West	2,017.09	843910532	Feb 2021	2,017.09	0.00	\$2,017.09
	XXXXX1212	04/15/2021	TJKM	280.40	0050841	Signal HW & Wiring at Hendy March 2021	280.40	0.00	\$22,635.28
				22,354.88	0050844	Traffic Signal Upgrades March 2021	22,354.88	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1213	04/15/2021	Turf & Industrial Equipment Co	336.29	RO28322		336.29	0.00	\$336.29
	XXXXX1214	04/15/2021	UC Regents	549.50	1066120-211	19-13-501-10 Arsene Michel	549.50	0.00	\$549.50
	XXXXX1215	04/15/2021	United Language Group LLC	943.59	151679	March 2021	943.59	0.00	\$943.59
	XXXXX1216	04/15/2021	United Rentals	1,673.26	165469049-028		1,673.26	0.00	\$7,495.06
				1,673.26	165469049-029		1,673.26	0.00	
				3,367.64	172295268-022		3,367.64	0.00	
				780.90	192250303-001		780.90	0.00	
	XXXXX1217	04/15/2021	United Rotary Brush Corp	4,194.03	CI264340		4,194.03	0.00	\$4,194.03
	XXXXX1218	04/15/2021	University of California Santa Cruz	23.00	58782	19-14-501-80 Phu Pham	23.00	0.00	\$15,206.00
				67.00	58788	19-14-1170-86 Christopher Sulek	67.00	0.00	
				37.00	58810	19-14-1170-94 Bin Gu	37.00	0.00	
				154.00	58862	19-14-1170-101 Krista Markert	154.00	0.00	
				141.30	58913	19-14-501-100 Heidi Straub	141.30	0.00	
				388.20	58934	19-14-1170-127 Jennifer Davis	388.20	0.00	
				5,400.00	59016	19-14-1170-156 Sanjay Passi	5,400.00	0.00	
				3,595.50	59062	19-14-501-166 Alexandra Rudashevskaya	3,595.50	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				5,400.00	59068	19-14-201-169 Charae Gilbert	5,400.00	0.00	
	XXXXX1219	04/15/2021	Valley Oil Co	24,914.66	55513		24,914.66	0.00	\$24,914.66
	XXXXX1220	04/15/2021	Verde Design Inc	53,598.97	37-I7135OO	Fair Oaks Park Renovation 1/26/21-2/25/21	53,598.97	0.00	\$81,518.12
				27,919.15	38-1713500	Fair Oaks Park Renovation 2/26/2021-3/25/2021	27,919.15	0.00	
	XXXXX1221	04/15/2021	Weco Industries LLC	916.00	0047183-IN		916.00	0.00	\$4,317.78
				3,401.78	0047326-IN		3,401.78	0.00	
	XXXXX1222	04/15/2021	Winsupply of Silicon Valley	128.47	023415 00		128.47	0.00	\$128.47
	XXXXX1223	04/15/2021	Zep Sales & Service	159.95	9006039409		159.95	0.00	\$1,599.47
				1,439.52	9006045676		1,439.52	0.00	
	XXXXX1224	04/15/2021	Roadway Steel & Fabrication Inc	2,953.90	6325		2,953.90	0.00	\$2,953.90
	XXXXX1225	04/15/2021	Syar Industries Inc	1,098.72	819928		1,098.72	0.00	\$1,098.72
WIRE	XXXXX1388	04/16/2021	Bay Counties SMaRT	1,533,465.58	Feb2021	Feb 2021 Wire Payment 3/25/2021	1,533,465.58	0.00	\$1,533,465.58
	XXXXX1389	04/16/2021	Carl Warren & Company	25,276.49	2021-0331	Liability Trust Fund Replenishment. WR Date 04/13/2021	25,276.49	0.00	\$25,276.49
	XXXXX1390	04/16/2021	Keenan & Associates	70,809.38	033121	Trust Reimbursement for Period 3/15/21 to 3/31/21. Wire Date 04/07/21	70,809.38	0.00	\$147,530.26
				76,720.88	2021-031421	Workers Comp P/E 3/14/21 Wire Payment 3/17/21	76,720.88	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX1391	04/16/2021	San Francisco Public Utilities Commission	1,352,720.90	02022021-03012021	Purchased Water from SFPUC, Feb 2021 Wire out date 3/25/2021	1,352,720.90	0.00	\$1,352,720.90
	XXXXX1392	04/16/2021	US Bank	60,000.00	1726670	1998 Parking COP Deb Service due 4/1/21 WR out date 3/26/2021	60,000.00	0.00	\$4,449,480.51
				1,279,740.00	1726671	Wastewater 2017A-T Debt Service due 4/1/21 WR date 3/26/2021	1,279,740.00	0.00	
				581,109.75	1726672	Water 2017A-T Debt Service due 4/1/21 WR date 3/26/2021	581,109.75	0.00	
				260,675.00	1726673	Water 2017A Debt Service due 4/1/21 WR date 3/26/2021	260,675.00	0.00	
				1,951,955.76	1726674	2020 Civic Center LRB Debt Service due 4/1/21 WR date 3/24/2021	1,951,955.76	0.00	
				316,000.00	1726675.	Wastewater 2017 Debt Service due 4/1/21. WR Date 3/26/2021	316,000.00	0.00	
	XXXXX1393	04/16/2021	Valley Water	726,298.76	TI002464	Valley Water Treated Water Usage, Feb, 2021 Wire out date 3/25/21	726,298.76	0.00	\$726,298.76
	XXXXX1394	04/16/2021	Public Employees Retirement System	1,765,698.66	100000016371060	April 2021 Medical Premium Wire Date 4/6/21	1,765,698.66	0.00	\$1,765,698.66
	Grand Total			12,868,825.26			12,868,825.26	0.00	\$12,868,825.26



City of Sunnyvale

Agenda Item

21-0495

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Approve Budget Modification No. 23 in the Amount of \$310,000 to Provide Reimbursable Funding for the Creation of Objective Citywide and Specific/Area Plan Design Guidelines and Citywide Landscape Design Guidelines

GRANT SUMMARY

Approval is requested for Budget Modification No. 23 in the amount of \$310,000 to provide funding for a consultant services agreement and staff costs associated with creating objective Citywide and specific/area plan design guidelines and Citywide landscape design guidelines.

The total cost is fully reimbursable by the California Department of Housing and Community Development (HCD) pursuant to a reimbursement agreement approved by the HCD in June 2020 (Attachment 1). The Reimbursement Agreement was preceded by Council approval of a required Resolution ratifying and approving the City's application for the grant funds (RTC No. 19-1024, December 3, 2019).

As a result of recent changes in State law (Senate Bill 330), the City must rely on objective development and design standards for housing or mixed-use development projects. As many of the City's design guidelines are currently subjective, the City will utilize grant funding to update existing design guideline documents, develop new objective design standards, and create a new citywide design guideline document for landscaping. The objective standards will largely be applied to multi-family and mixed-use housing projects. This includes revisions to the design guidelines of several Specific/Area Plans (e.g., Moffett Park, Lawrence Station, El Camino Real, and Downtown), as well as the design guidelines that cover projects that are not within the Specific/Area Plans. Additionally, funding will be utilized for the development of citywide landscape design guidelines to be used for all types of projects.

To help facilitate development of the objective design guidelines, a competitive Request for Proposals (RFP) was issued in November 2020 to solicit proposals from specialized consulting firms. PlaceWorks, Inc. was selected as the highest-rated proposer, and a contract was awarded, under the City's Manager's award authority in the amount of \$237,428, plus a 5.3% contract contingency in the amount of \$12,572, for a total not-to-exceed value of \$250,000. The remaining grant amount of \$60,000 will be utilized for staff time on the project.

The project scope of work consists of:

- Reviewing and updating various design guideline chapters, design guidelines in area/specific plans, and reviewing relevant Municipal Code Sections to ensure consistency across all

documents;

- Coordinating and facilitating community outreach meetings, stakeholder discussions, and participation in staff and City Council/Planning Commission meetings; and
- Preparing and presenting draft and final documents, including memoranda and policy redlines.

The Planning Division in the Community Development Department will be responsible for the management of the grant.

Granting Agency

California Department of Housing and Community Development (HCD)

EXISTING POLICY

Council Policy 7.1.5 Donations, Contributions and Sponsorships:

The City Manager may apply for grants of any dollar amount but shall notify the Council when grants are being pursued. Council approval of a budget modification to appropriate grant monies is required before funds can be expended by staff. Such a budget modification shall include the use to which the grant would be placed; the objectives or goals of the City which will be achieved through use of the grant; the local match required, if any, plus the source of the local match; any increased cost to be locally funded upon termination of the grant; and the ability of the City to administer the grant. For grants under the amount of \$5,000 that do not have any external reporting requirements or any local match requirement, Council approval of a budget modification is not required. The City Manager is authorized to accept and administratively appropriate the grant funds.

This grant does not meet all of the criteria to be administratively appropriated by the City Manager; therefore, a budget modification is required. Grant funds from the California Department of Housing and Community Development (HCD) have external reporting requirements and fall under the federal single audit guidelines.

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by affirmative votes of at least four members so as to authorize the transfer of unused balances appropriated for one purpose to another, or to appropriate available revenue not included in the budget.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it is a fiscal action that has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. It is not anticipated that the updates to the landscaping and design guidelines will have any significant environmental impacts; however, the appropriate CEQA analysis and findings will be presented at the time of approval.

FISCAL IMPACT

There is no fiscal impact associated with updating the design guidelines. Consultant costs in the amount of \$250,000 and associated staff costs of \$60,000 will be fully reimbursed by the grant. A Budget Modification is necessary to appropriate funding.

Funding Source

California Department of Housing and Community Development (HCD)

Required Local Match

None

Increased Cost to City Upon Grant Termination

None

Budget Modification No. 23 has been prepared to appropriate \$310,000 to Provide Reimbursable Funding for the Creation of Objective Citywide and Specific/Area Plan Design Guidelines and Citywide Landscape Design Guidelines

**Budget Modification No. 23
FY 2020/21**

	Current	Increase/ (Decrease)	Revised
General Fund			
<u>Revenues</u>			
California Department of Housing and Community Development Grant	\$0	\$310,000	\$310,000
<u>Expenditures</u>			
New Project - Creation of Objective Citywide and Specific Area Plan Design Guidelines and Citywide Landscape Design Guidelines	\$0	\$310,000	\$310,000

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Approve Budget Modification No. 23 in the amount of \$310,000 for consulting services and associated staff costs to update the City's design guidelines and to create new guidelines for landscaping, to be fully reimbursed by the California Department of Housing and Community Development.

Prepared by: Jeffrey Cucinotta, Senior Planner

Reviewed by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Assistant Director, Department of Community Development

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Trudi Ryan, Director, Department of Community Development

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Executed Department of Housing and Community Development Grant Reimbursement Agreement

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 03/2019)

AGREEMENT NUMBER

19-PGP-14034

PURCHASING AUTHORITY NUMBER (if applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME

City of Sunnyvale

2. The term of this Agreement is:

START DATE

Upon HCD Approval

THROUGH END DATE

12/31/2022

3. The maximum amount of this Agreement is

\$310,000.00

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement

EXHIBITS	TITLE	PAGES
Exhibit A	Authority, Purpose and Scope of Work	2
Exhibit B	Budget Detail and Payment Provisions	5
Exhibit C*	State of California General Terms and Conditions	GTC - 04/2017
Exhibit D	PGP Terms and Conditions	8
Exhibit E	Special Conditions	0
TOTAL NUMBER OF PAGES ATTACHED		15

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

City of Sunnyvale

CONTRACTOR BUSINESS ADDRESS

P.O. Box 3707

CITY

Sunnyvale

STATE

CA

ZIP

94088

PRINTED NAME OF PERSON SIGNING

Trudi Ryan

TITLE

Director of Community Development

CONTRACTOR AUTHORIZED SIGNATURE

Trudi Ryan

DATE SIGNED

June 11, 2020

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Department of Housing and Community Development

CONTRACTING AGENCY ADDRESS

2020 W. El Camino Ave., Suite 130

CITY

Sacramento

STATE

CA

ZIP

95833

PRINTED NAME OF PERSON SIGNING

Synthia Rhinehart

Shawn Singh

TITLE

Contracts Manager,
Business & Contract Services Branch

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

6/15/2020

California Department of General Services Approval (or exemption, if applicable)

Exempt per: SCM Vol. 1 4.04.A.3 (DGS memo dated 6/12/1981)

EXHIBIT A

AUTHORITY, PURPOSE AND SCOPE OF WORK

1. Authority

Pursuant to Health and Safety Code section 50470, subdivision (b)(1)(A), the State of California Department of Housing and Community Development (the "Department" or "State") has established the Planning Grants Program ("PGP," or the "Program" as defined in Section 102 of the Guidelines) for Local Governments and Localities. This Standard Agreement, along with all its exhibits (the "Agreement"), is entered into under the authority of, and in furtherance of, the purpose of the Program. Pursuant to Health and Safety Code Section 50470, subdivision (d), the Department has issued the Senate Bill 2 Planning Grants Program Year 1 Guidelines (the "Guidelines") dated December 2018 governing the Program, and a Notice of Funding Availability ("NOFA") dated March 28, 2019.

2. Purpose

In accordance with the authority cited above, the Grantee has been awarded financial assistance in the form of a grant from the Program. The Department has agreed to make the grant to provide financial assistance for the preparation, adoption and implementation of a plan for Accelerating Housing Production and Streamlined Housing Production (as defined in Section 102 of the Guidelines) pursuant to the terms of the Guidelines, the NOFA, and this Agreement. By entering into this Agreement and thereby accepting the award of the Program funds, the Grantee agrees to comply with the terms and conditions of the Guidelines, the NOFA, this Agreement, the representations contained in the application, and the requirements of the authority cited above. Based on the representations made by the Grantee, the State shall provide a grant in the amount shown in Exhibit B, Section 2.

3. Definitions

Terms herein shall have the same meaning as definitions in Section 102 of the Guidelines.

4. Scope of Work

Update planning documents, entitlement processes or zoning ordinances in accordance with the Grantee's Schedule F: Project Timeline and Budget, as provided by the Grantee in the SB 2 Planning Grant Program application used for subsequent approval by the Department.

5. Department Contract Coordinator

The Contract Coordinator of this Agreement for the Department is the Housing Policy Development Manager, or the Manager's designee. Unless otherwise informed, any

EXHIBIT A

notice, report, or other communication required by this Agreement shall be mailed by first class mail to the Department Contract Coordinator at the following address:

Department of Housing and Community Development
Housing Policy Development
Land Use Planning Unit
Attention: PGP Program Manager
2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833
P. O. Box 952050
Sacramento, CA 94252-2050

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Application for Funds

- A. The Department is entering into this Agreement on the basis of, and in reliance on facts, information, assertions and representations contained in the Application and any subsequent modifications or additions thereto approved by the Department. The Application and any approved modifications and additions thereto are hereby incorporated into this Agreement.
- B. The Grantee warrants that all information, facts, assertions and representations contained in the Application and approved modifications and additions thereto are true, correct, and complete to the best of the Grantee's knowledge. In the event that any part of the Application and any approved modification and addition thereto is untrue, incorrect, incomplete, or misleading in such a manner that would substantially affect the Department's approval, disbursement, or monitoring of the funding and the grant or activities governed by this Agreement, the Department may declare a breach hereof and take such action or pursue such remedies as are provided for breach hereof.

2. Grant and Reimbursement Limit

The maximum total amount granted and reimbursable to the Grantee pursuant to this Agreement shall not exceed \$310,000.

3. Grant Timelines

- A. This Agreement is effective upon approval by all parties and the Department, which is evidenced by the date signed by the Department on page one, Standard Agreement, STD 213 (the "Effective Date").
- B. All Grant funds must be expended by June 30, 2022.
- C. The Grantee shall deliver to the Department all final invoices for reimbursement on or before February 28, 2022, to ensure meeting the June 30, 2022 deadline. Under special circumstances, as determined by the Department, the Department may modify the February 28, 2022 deadline.
- D. It is the responsibility of the Grantee to monitor the project and timeliness of draws within the specified dates.

EXHIBIT B

4. **Allowable Uses of Grant Funds**

- A. The Department shall not award or disburse funds unless it determines that the grant funds shall be expended in compliance with the terms and provisions of the Guidelines, the NOFA, and this Agreement.
- B. Grant funds shall only be used by the Grantee for project activities approved by the State that involve the preparation and adoption of project activities as stated in the scope of work, project description, project timeline and other parts of the application, and eligible activities and uses pursuant to Article III of the Guidelines.
- C. Grant funds may not be used for administrative costs of persons employed by the Grantee for activities not directly related to the preparation and adoption of the proposed activity.
- D. The Grantee shall use no more than 5 percent of the total grant amount for costs related to administration of the project.
- E. A Grantee that receives funds under this Program may use a subcontractor. The subcontract shall provide for compliance with all the requirements of the Program. The subcontract shall not relieve the Grantee of its responsibilities under the Program.
- F. After the contract has been executed by the Department and all parties, approved and eligible costs for eligible activities may be reimbursed for the project(s) upon completion of deliverables in accordance with Schedule F: Project Timeline and Budget and the Statement of Work and subject to the terms and conditions of this Agreement.
- G. Only approved and eligible costs incurred for work after the NOFA date, continued past the date of execution and acceptance of the Standard Agreement and completed during the grant term will be reimbursable.
- H. Approved and eligible costs incurred prior to the NOFA date are ineligible.

5. **Performance**

The Grantee shall take such actions, pay such expenses, and do all things necessary to complete the scope of work specified in Exhibit A and as incorporated by the SB 2 Program application in accordance with the schedule for completion set forth therein and within the terms and conditions of this Agreement.

EXHIBIT B

6. **Fiscal Administration**

- A. The Grantee is responsible for maintaining records which fully disclose the activities funded by the PGP grant. Adequate documentation for each reimbursable transaction shall be maintained to permit the determination, through an audit if requested by the State, of the accuracy of the records and the allowability of expenditures charged to PGP grant funds. If the allowability of expenditure cannot be determined because records or documentation are inadequate, the expenditure may be disallowed, and the State shall determine the reimbursement method for the amount disallowed. The State's determination of the allowability of any expense shall be final, absent fraud, mistake or arbitrariness.
- B. Work must be completed prior to requesting reimbursement. The Department may make exceptions to this provision on a case by case basis. In unusual circumstances, the Department may consider alternative arrangements to reimbursement and payment methods based on documentation demonstrating cost burdens, including the inability to pay for work.
- C. Prior to receiving reimbursement, the Grantee shall submit the following documentation:
- 1) Government Agency Taxpayer ID Form (GovTIN; Fi\$cal form);
 - 2) A Request for Funds on a form provided by the Department; and
 - 3) Any and all documentation requested by the Department in the form and manner as outlined in the following subsection D.
- D. Grantee shall submit all required reimbursement documentation to the following address:
- Department of Housing and Community Development
Housing Policy Development
Land Use Planning Unit
Attention: PGP Program Manager
2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833
P. O. Box 952050
Sacramento, CA 94252-2050
- E. The Grantee shall submit invoices for reimbursement to the Department according to the following schedule:

EXHIBIT B

- 1) At maximum, once per quarter; or
- 2) Upon completion of a deliverable, subject to the Department's approval; and
- 3) At minimum, one invoice for reimbursement annually.

The Department will use the 2019 calendar year beginning with January, with first requests for reimbursement accepted on or after September 30, 2019.

- F. The request for reimbursement must be for a minimum of 15 percent of the maximum grant amount awarded. The Department may consider exceptions to the minimum amount requested on a case-by-case basis. All invoices shall reference the contract number and shall be signed and submitted to the Department's Program Manager at the address provided above in Section 6, item D of Exhibit B. Invoices shall include at a minimum the following information:
- 1) Names of the Grantee's personnel performing work;
 - 2) Dates and times of project work;
 - 3) Itemized costs in accordance with the Schedule F: Project Timeline and Budget and Statement of Work, including identification of each employee, contractor, subcontractor staff who provided services during the period of the invoice, the number of hours and hourly rates for each of the Grantee's employees, contractor(s), sub-recipient(s) or subcontractor's staff member(s), authorized expenses with receipts, and contractor, sub-recipient and subcontractor invoices; and
 - 4) Any other documents, certifications, or evidence deemed necessary by the Department prior to disbursement of grant funds.
- G. The Department will reimburse the Grantee directly for all allowable project costs as promptly as the Department's fiscal procedures permit upon receipt of an itemized signed invoice.
- H. The Department recognizes that budgeted deliverable amounts are based upon estimates. Grantees may request, in writing, a budget adjustment across deliverables subject to written approval by the Department, as long as the total budget does not exceed the maximum amount awarded to the Grantee.
- I. Grant funds cannot be disbursed until this Standard Agreement has been fully executed.

EXHIBIT B

- J. Grant fund payments will be made on a reimbursement basis; advance payments are not allowed. The Grantee, its subcontractors and all partners, must have adequate cash flow to pay all grant-related expenses prior to requesting reimbursement from the Department. The Department may consider alternative arrangements to reimbursement and payment methods based on documentation demonstrating cost burdens, including the inability to pay for work pursuant to Section 601(f) of the Guidelines.
- K. The Grantee will be responsible for compiling and submitting all invoices, supporting documentation and reporting documents. Invoices must be accompanied by reporting materials where appropriate. Invoices without the appropriate reporting materials will not be paid.
 - 1) Supporting documentation may include, but is not limited to; purchase orders, receipts, progress payments, subcontractor invoices, timecards, or any other documentation as deemed necessary by the Department to support the reimbursement to the Grantee for expenditures incurred.
- L. The Grantee will submit for reimbursements to the Department based on actual costs incurred, and must bill the State based on clear and completed objectives and deliverables as outlined in the application, in Schedule F: Project Timeline and Budget, the Statement of Work, and/or any and all documentation incorporated into this Standard Agreement and made a part thereof.
- M. The Department may withhold 10 percent of the grant until grant terms have been fulfilled to the satisfaction of the Department.

EXHIBIT D

PGP TERMS AND CONDITIONS

1. Reporting

- A. During the term of the Standard Agreement the Grantee shall submit, upon request of the Department, a performance report that demonstrates satisfaction of all requirements identified in this Standard Agreement.
- B. Upon completion of all objectives and deliverables required to fulfill this contract pursuant to Schedule F: Project Timeline and Budget and the Scope of Work, Exhibit A, Section 4, and as referred to in Exhibit B, Section 6, subsection K. within this Standard Agreement, the Grantee shall submit a final close out report in accordance with Section 604, subsection (b), and as instructed in Attachment 3 of the December 2018 Planning Grants Program Guidelines. The close out report shall be submitted with the final invoice by the end of the grant term as listed in Exhibit B, Section 3, subsection C.

2. Accounting Records

- A. The Grantee, its staff, contractors and subcontractors shall establish and maintain an accounting system and reports that properly accumulate incurred project costs by line. The accounting system shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices.
- B. The Grantee must establish a separate ledger account for receipts and expenditures of grant funds and maintain expenditure details in accordance with the scope of work, project timeline and budget. Separate bank accounts are not required.
- C. The Grantee shall maintain documentation of its normal procurement policy and competitive bid process (including the use of sole source purchasing), and financial records of expenditures incurred during the course of the project in accordance with GAAP.
- D. The Grantee agrees that the state or designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of the Standard Agreement.
- E. Subcontractors employed by the Grantee and paid with moneys under the terms of this Standard Agreement shall be responsible for maintaining accounting records as specified above.

3. Audits

- A. At any time during the term of the Standard Agreement, the Department may perform or cause to be performed a financial audit of any and all phases of the award. At the

EXHIBIT D

Department's request, the Grantee shall provide, at its own expense, a financial audit prepared by a certified public accountant. The State of California has the right to review project documents and conduct audits during and over the project life.

- 1) The Grantee agrees that the Department or the Department's designee shall have the right to review, obtain, and copy all records and supporting documentation pertaining to performance of this Agreement.
 - 2) The Grantee agrees to provide the Department or the Department's designee, with any relevant information requested.
 - 3) The Grantee agrees to permit the Department or the Department's designee access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees who might reasonably have information related to such records and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with statutes, Program guidelines, and this Agreement.
- B. If a financial audit is required by the Department, the audit shall be performed by an independent certified public accountant. Selection of an independent audit firm shall be consistent with procurement standards contained in Exhibit D, Section 8 subsection A. of this Standard Agreement.
- 1) The Grantee shall notify the Department of the auditor's name and address immediately after the selection has been made. The contract for the audit shall allow access by the Department to the independent auditor's working papers.
 - 2) The Grantee is responsible for the completion of audits and all costs of preparing audits.
 - 3) If there are audit findings, the Grantee must submit a detailed response acceptable to the Department for each audit finding within 90 days from the date of the audit finding report.
- C. The Grantee agrees to maintain such records for possible audit after final payment pursuant to Exhibit D, Section 3, subsection E. below, unless a longer period of records retention is stipulated.
- 1) If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been started before the expiration of the required record retention period, all records must be retained by the Grantee, contractors and sub-contractors until completion of the action and resolution of all issues which arise from it. The Grantee shall include in any contract that it enters into in an amount exceeding \$10,000, the Department's right to audit the contractor's records and interview their employees.

EXHIBIT D

- 2) The Grantee shall comply with the caveats and be aware of the penalties for violation of fraud and for obstruction of investigation as set forth in California Public Contracts Code Section 10115.10.

- D. The determination by the Department of the eligibility of any expenditure shall be final.
- E. The Grantee shall retain all books and records relevant to this Agreement for a minimum of (3) three years after the end of the term of this Agreement. Records relating to any and all audits or litigation relevant to this Agreement shall be retained for five years after the conclusion or resolution of the matter.

4. Remedies of Non-performance

- A. Any dispute concerning a question of fact arising under this Standard Agreement that is not disposed of by agreement shall be decided by the Department's Housing Policy Development Manager, or the Manager's designee, who may consider any written or verbal evidence submitted by the Grantee. The decision of the Department's Housing Policy Development Manager or Designee shall be the Department's final decision regarding the dispute.
- B. Neither the pendency of a dispute nor its consideration by the Department will excuse the Grantee from full and timely performance in accordance with the terms of this Standard Agreement.
- C. In the event that it is determined, at the sole discretion of the Department, that the Grantee is not meeting the terms and conditions of the Standard Agreement, immediately upon receiving a written notice from the Department to stop work, the Grantee shall cease all work under the Standard Agreement. The Department has the sole discretion to determine that the Grantee meets the terms and conditions after a stop work order, and to deliver a written notice to the grantee to resume work under the Standard Agreement.
- D. Both the Grantee and the Department have the right to terminate the Standard Agreement at any time upon 30 days written notice. The notice shall specify the reason for early termination and may permit the grantee or the Department to rectify any deficiency(ies) prior to the early termination date. The Grantee will submit any requested documents to the Department within 30 days of the early termination notice.
- E. There must be a strong implementation component for the funded activity through this Program, including, where appropriate, agreement by the locality to formally adopt the completed planning document. Localities that do not formally adopt the funded activity could be subject to repayment of the grant.
- F. The following shall each constitute a breach of this Agreement:
 - 1) Grantee's failure to comply with any of the terms and conditions of this Agreement.
 - 2) Use of, or permitting the use of, grant funds provided under this Agreement for any

EXHIBIT D

ineligible costs or for any activity not approved under this Agreement.

- 3) Any failure to comply with the deadlines set forth in this Agreement unless approved by the Program Manager.

G. In addition to any other remedies that may be available to the Department in law or equity for breach of this Agreement, the Department may at its discretion, exercise the following remedies:

- 1) Disqualify the Grantee from applying for future PGP Funds or other Department administered grant programs;
- 2) Revoke existing PGP award(s) to the Grantee;
- 3) Require the return of unexpended PGP funds disbursed under this Agreement;
- 4) Require repayment of PGP Funds disbursed and expended under this agreement;
- 5) Seek a court order for specific performance of the obligation defaulted upon, or the appointment of a receiver to complete the obligations in accordance with the PGP Program requirements; and
- 6) Other remedies available at law, or by and through this agreement. All remedies available to the Department are cumulative and not exclusive.
- 7) The Department may give written notice to the Grantee to cure the breach or violation within a period of not less than 15 days.

5. Indemnification

Neither the Department nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by the Grantee, its officers, employees, agents, its contractors, its sub-recipients or its subcontractors under or in connection with any work, authority or jurisdiction conferred upon the Grantee under this Standard Agreement. It is understood and agreed that the Grantee shall fully defend, indemnify and save harmless the Department and all of the Department's staff from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by the Grantee, its officers, employees, agents contractors, sub-recipients, or subcontractors under this Standard Agreement.

6. Waivers

No waiver of any breach of this Agreement shall be held to be a waiver of any prior or subsequent breach. The failure of the Department to enforce at any time the provisions of this Agreement, or to require at any time, performance by the Grantee of these provisions, shall in no way be

EXHIBIT D

construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of the Department to enforce these provisions.

7. Relationship of Parties

It is expressly understood that this Standard Agreement is an agreement executed by and between two independent governmental entities and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of an independent party.

8. Third-Party Contracts

- A. All state-government funded procurements must be conducted using a fair and competitive procurement process. The Grantee may use its own procurement procedures as long as the procedures comply with all City/County laws, rules and ordinances governing procurement, and all applicable provisions of California state law.
- B. Any contract entered into as a result of this Agreement shall contain all the provisions stipulated in the Agreement to be applicable to the Grantee's sub-recipients, contractors, and subcontractors. Copies of all agreements with sub-recipients, contracts, and subcontractors must be submitted to the Department's program manager.
- C. The Department does not have a contractual relationship with the Grantee's sub-recipients, contractors, or subcontractors, and the Grantee shall be fully responsible for all work performed by its sub-recipients, contractors, or subcontractors.
- D. In the event the Grantee is partnering with another jurisdiction or forming a collaborative effort between the Grantee and other jurisdictions who are grantees of the SB 2 Planning Grants Program, the Grantee acknowledges that each partner and/or all entities forming the SB 2 Planning Grants Program collaborative are in mutual written agreement with each other but are contractually bound to the Department under separate, enforceable contracts.
- E. In the event the Grantee is partnering with another jurisdiction or forming a collaborative effort with other entities that are not grantees of the SB 2 Planning Grants Program, the Department shall defer to the provisions as noted in subsections 8(B) and 8(C) of this part.

9. Compliance with State and Federal Laws, Rules, Guidelines and Regulations

- A. The Grantee agrees to comply with all state and federal laws, rules and regulations that pertain to construction, health and safety, labor, fair employment practices, equal opportunity, and all other matters applicable to the grant, the Grantee, its contractors or subcontractors, and any other grant activity.
- B. During the performance of this Agreement, the Grantee assures that no otherwise qualified person shall be excluded from participation or employment, denied program

EXHIBIT D

benefits, or be subjected to discrimination based on race, color, ancestry, national origin, sex, gender, gender identity, gender expression, genetic information, age, disability, handicap, familial status, religion, or belief, under any program or activity funded by this contract, as required by Title VI of the Civil Rights Act of 1964, the Fair Housing Act (42 USC 3601-20) and all implementing regulations, and the Age Discrimination Act of 1975 and all implementing regulations.

- C. The Grantee shall include the nondiscrimination and compliance provisions of this clause in all agreements with its sub-recipients, contractors, and subcontractors, and shall include a requirement in all agreements with all of same that each of them in turn include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts they enter into to perform work under the PGP.
- D. The Grantee shall, in the course of performing project work, fully comply with the applicable provisions of the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)
- E. The Grantee shall adopt and implement affirmative processes and procedures that provide information, outreach and promotion of opportunities in the PGP project to encourage participation of all persons regardless of race, color, national origin, sex, religion, familial status, or disability. This includes, but is not limited to, a minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, as required by 24 CFR 92.351.

10. Litigation

- A. If any provision of this Agreement, or an underlying obligation, is held invalid by a court of competent jurisdiction, such invalidity, at the sole discretion of the Department, shall not affect any other provisions of this Agreement and the remainder of this Agreement shall remain in full force and effect. Therefore, the provisions of this Agreement are, and shall be, deemed severable.
- B. The Grantee shall notify the Department immediately of any claim or action undertaken by or against it, which affects or may affect this Agreement or the Department, and shall take such action with respect to the claim or action as is consistent with the terms of this Agreement and the interests of the Department.

11. Changes in Terms/Amendments

This Agreement may only be amended or modified by mutual written agreement of both parties.

12. State-Owned Data

- A. Definitions

EXHIBIT D

1) Work:

The work to be directly or indirectly produced by the Grantee, its employees, or by and of the Grantee's contractor's, subcontractor's and/or sub-recipient's employees under this Agreement.

2) Work Product:

All deliverables created or produced from Work under this Agreement including, but not limited to, all Work and Deliverable conceived or made, or made hereafter conceived or made, either solely or jointly with others during the term of this Agreement and during a period of six months after the termination thereof, which relates to the Work commissioned or performed under this Agreement. Work Product includes all deliverables, inventions, innovations, improvements, or other works of authorship Grantee and/or Grantee's contractor subcontractor and/or sub-recipient may conceive of or develop in the course of this Agreement, whether or not they are eligible for patent, copyright, trademark, trade secret or other legal protection.

3) Inventions:

Any ideas, methodologies, designs, concept, technique, invention, discovery, improvement or development regardless of patentability made solely by the Grantee or jointly with the Grantee's contractor, subcontractor and/or sub-recipient and/or Grantee's contractor, subcontractor, and/or sub-recipient's employees with one or more employees of the Department during the term of this Agreement and in performance of any Work under this Agreement, provided that either the conception or reduction to practice thereof occurs during the term of this Agreement and in performance of Work issued under this Agreement.

B. Ownership of Work Product and Rights

- 1) All work Product derived by the Work performed by the Grantee, its employees or by and of the Grantee's contractor's, subcontractor's and/or sub-recipient's employees under this Agreement, shall be owned by the Department and shall be considered to be works made for hire by the Grantee and the Grantee's contractor, subcontractor and/or subrecipient for the Department. The Department shall own all copyrights in the work product.
- 2) Grantee, its employees and all of Grantee's contractor's, subcontractor's and sub-recipient's employees agree to perpetually assign, and upon creation of each Work Product automatically assigns, to the Department, ownership of all United States and international copyrights in each and every Work Product, insofar as any such Work Product, by operation of law, may not be considered work made for hire by the Grantee's contractor, subcontractor and/or subrecipient from the Department. From time to time upon the Department's request, the Grantee's contractor, subcontractor and/or subrecipients, and/or its employees, shall confirm such

EXHIBIT D

assignments by execution and delivery of such assignment, confirmations or assignment or other written instruments as the Department may request. The Department shall have the right to obtain and hold in its name all copyright registrations and other evidence of rights that may be available for Work Product under this Agreement. Grantee hereby waives all rights relating to identification of authorship restriction or limitation on use or subsequent modification of the Work.

- 3) Grantee, its employees and all Grantee's contractors, subcontractors and sub-recipients hereby agrees to assign to the Department all Inventions, together with the right to seek protection by obtaining patent rights therefore and to claim all rights or priority thereunder and the same shall become and remain the Department's property regardless of whether such protection is sought. The Grantee, its employees and Grantee's contractor, subcontractor and /or subrecipient shall promptly make a complete written disclosure to the Department of each Invention not otherwise clearly disclosed to the Department in the pertinent Work Product, specifically noting features or concepts that the Grantee, its employees and/or Grantee's contractor, subcontractor and/or subrecipient believes to be new or different.
- 4) Upon completion of all work under this Agreement, all intellectual property rights, ownership and title to all reports, documents, plans, specifications and estimates, produced as part of this Agreement will automatically be vested in Department and no further agreement will be necessary to transfer ownership to Department.

13. Special Conditions

The State reserves the right to add any special conditions to this Agreement it deems necessary to assure that the policy and goals of the Program are achieved.



City of Sunnyvale

Agenda Item

21-0309

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Authorize the Purchase of Two (2) Sweeper Service Vehicles from Tymco, Inc. (F21-090)

REPORT IN BRIEF

Approval is requested to authorize the purchase of two (2) Model 600 sweeper service vehicles in the amount of \$542,450.50 (including tire and delivery fees and estimated sales tax) from Tymco, Inc. of Waco, Texas.

EXISTING POLICY

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, which was recently amended to increase the City Manager's procurement authority, Council approval is required for the procurement of good and/or services greater than \$250,000 in any one transaction.

In accordance with Sunnyvale Municipal Code Section 2.08.220(a), the purchasing officer may authorize the City's participation with one or more other governmental, public or quasi-public agencies in a cooperative agreement for the procurement of goods and/or services, provided that at least one of the agencies has solicited bids using methods similar to those set forth in Sunnyvale Municipal Code Section 2.08.060.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

BACKGROUND AND DISCUSSION

The economical operation of the City's fleet requires that vehicles and equipment be replaced prior to the time when operating costs exceed the life cycle cost, in accordance with the vehicle replacement schedule. Additionally, the vehicle replacement guidelines allow the City, in its best interest, to modernize the fleet when warranted as newer vehicles are more technically advanced, have improved safety systems, produce fewer emissions and are more fuel-efficient, which minimizes costs and assures safety.

The purchase of these vehicles follows Administrative Policy "Energy Conservation for City Owned Facilities and Equipment" (Chapter 6, Article 4). Subdivision 3.B and 3.C, which specifies that new vehicle purchases shall be energy efficient and, where practical and economically feasible, alternative fuel vehicles shall be considered. Zero emission and hybrid alternative vehicles were researched and considered as part of the vehicle purchase process but were not an option for this specific vehicle type and required specifications.

The identified vehicles for replacement are department vehicles used to perform daily and routine City operations. The vehicles are one-for-one replacements for the Department of Public Works (units #509 and #517). The identified vehicles are scheduled for replacement per the City's equipment replacement schedule.

Traditionally, the City has purchased fleet vehicles through a cooperative purchasing agreement or through a California Statewide Commodity Contract. The City has used cooperative agreements many times in the past to identify vendors and has experienced better pricing than when bidding the goods/services individually. The identified vehicles that meet the City's requirements are available through Sourcwell, a national cooperative procurement organization offering publicly solicited contracts to government entities nationwide. It is in the best interest of the City to purchase through the Sourcwell contract with Tymco, Inc., its local authorized dealer, as utilizing the Sourcwell contract pricing saves time researching and writing numerous vehicle specifications while benefiting from established vehicle pricing through this agreement.

FISCAL IMPACT

Funding for this purchase is available in the Fleet Equipment Replacement Fund. These two replacements were planned at a total of \$401,600. The shortfall of \$140,850.50 can be absorbed in the current appropriation for fleet equipment and will be reflected in the FY 2021/22 Recommended Budget. This table outlines the total cost of purchase with estimated sales tax.

Description	Quantity	Unit Cost	Total
Model 600 Sweeper	2	\$240,320.00	\$480,640.00
Tires Fee	2	\$10.50	\$21.00
Delivery Fee	2	\$8,500.00	\$17,000.00
Sub-Total		\$248,830.50	\$497,661.00
Estimated Tax		\$22,394.75	\$44,789.50
Total		\$271,225.25	\$542,450.50

Funding Source

The City's Fleet vehicles are funded by the General Services Fund-Fleet Services Sub-Fund which provides for ongoing fleet equipment replacement and maintenance. Funding is provided through internal service charges from the various affected departments based on the equipment used.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Authorize the Purchase of Two (2) Sweeper Service Vehicles from Tymco, Inc. (F21-090).

Prepared by: Gregory S. Card, Purchasing Officer

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Chip Taylor, Director of Public Works

Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager



City of Sunnyvale

Agenda Item

21-0236

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Authorize the Issuance of Purchase Order to Turf Star Western for Eleven (11) Golf Equipment and Service Vehicles

REPORT IN BRIEF

Approval is requested to authorize the issuance of a Purchase Order to Turf Star Western of Hayward, CA in the amount of \$417,863.92, including an estimated amount of \$34,502.52 in sales tax, for the purchase of replacement golf course maintenance equipment and service vehicles.

EXISTING POLICY

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, which was recently amended to increase the City Manager's procurement authority, Council approval is required for the procurement of good and/or services greater than \$250,000 in any one transaction.

In accordance with Sunnyvale Municipal Code Section 2.08.220(a), the purchasing officer may authorize the City's participation with one or more other governmental, public or quasi-public agencies in a cooperative agreement for the procurement of goods and/or services, provided that at least one of the agencies has solicited bids using methods similar to those set forth in Sunnyvale Municipal Code Section 2.08.060.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

BACKGROUND AND DISCUSSION

The economical operation of the City's fleet requires that vehicles and equipment be replaced prior to the time when operating costs exceed the life cycle cost, in accordance with the vehicle replacement schedule. Additionally, the vehicle replacement guidelines allow the City, in its best interest, to modernize the fleet when warranted as newer vehicles are more technically advanced, have improved safety systems, produce fewer emissions and are more fuel-efficient, which minimizes costs and assures safety.

The purchase of these vehicles follows Administrative Policy "Energy Conservation for City Owned Facilities and Equipment" (Chapter 6, Article 4). Subdivision 3.B and 3.C, which specifies that new

vehicle purchases shall be energy efficient and, where practical and economically feasible, alternative fuel vehicles shall be considered. Zero emission and hybrid alternative vehicles were researched and considered as part of the vehicle purchase process but were not an option for this specific vehicle type and required specifications.

The identified maintenance equipment being replaced are used to perform daily and routine City maintenance and services at the City's Sunken Gardens and Sunnyvale Golf Courses. The new equipment replaces existing equipment within the Department of Public Works as outlined in the Fiscal Impact section of this report. The identified golf course maintenance equipment and vehicles are scheduled for replacement per the City's Equipment Replacement Schedule.

Traditionally, the City has purchased fleet vehicles and equipment through a cooperative purchasing agreement or through a California Statewide Commodity Contract. The City has used cooperative agreements many times in the past to identify vendors and has experienced better pricing than when bidding the goods/services individually. The identified vehicles that meet the City's requirements are available through Omnia, a national cooperative procurement organization offering publicly solicited contracts to government entities nationwide. It is in the best interest of the City to purchase through the Omnia contracts with Toro, and its local authorized dealer Turf Star Western. Utilizing the Omnia contracts pricing saves time researching and writing numerous vehicle specifications while benefiting from established vehicle pricing through this Agreement.

FISCAL IMPACT

Funding for the Purchase Order is available in the Fleet Equipment Replacement Fund, which is funded by internal service charges based on the use of the equipment. There is \$233,209 in replacement funding available for these pieces of equipment. The Fleet Equipment Replacement Fund will absorb the additional \$150,152 in cost under the current equipment appropriation. The values will be adjusted and ultimately the Golf and Tennis Operations Fund will be impacted through higher internal service charges for the replacement of this equipment. Useful life ranges from six to twelve years dependent on the piece of equipment.

This table outlines the equipment and total cost of purchase with estimated sales tax.

Description	Unit #	Quantity	Unit Cost	Total
010-Groundskeeper 3500-D T4 Compliant Diesel 24.8HP	853	1	\$35,519.19	\$35,519.19
020-Reelmaster 3100-D Sidewinder	891	1	\$38,433.77	\$38,433.77
030-Multi Pro 1750	931	1	\$42,541.96	\$42,541.96
040-Topdresser 1800	879	1	\$7,844.09	\$7,844.09
050-Groundskeeper 4000-D T4 Compliant Diesel 54HP	852	1	\$68,930.49	\$68,930.49

Description	Unit #	Quantity	Unit Cost	Total
060-Groundsmaster 3200 24HP 2WD	828 & 896	2	\$20,453.27	\$40,906.54
070-Sand Pro 3040	850	1	\$21,447.50	\$21,447.50
080-Greensmaster 3370 Triflex Electric	898	1	\$52,672.95	\$52,672.95
090-Reelmaster 5010-Hybrid Diesel 24.8HP	809	1	\$65,229.75	\$65,229.75
100-SDI Sprayer Optimum TW160	876	1	\$9,835.16	\$9,835.16
Sub-Total			\$362,908.13	\$383,361.40
Estimated Tax				\$34,502.52
Total				\$417,863.92

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Authorize the issuance of a Purchase Order in the amount of \$417,863.92, including sales tax, to Turf Star Western for eleven (11) Golf service maintenance equipment and vehicles.

Prepared by: Gregory S. Card, Purchasing Officer

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Chip Taylor, Director of Public Works

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager



City of Sunnyvale

Agenda Item

21-0436

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Award of a Contract (PW21-03) to Redgwick Construction Co. in the amount of \$1,091,866 for Homestead Road at Homestead High School Pedestrian and Bicycle Improvements, Finding of CEQA Categorical Exemption, and Approve Budget Modification No. 25

REPORT IN BRIEF

Staff is recommending Council award a contract to Redgwick Construction Co. for pedestrian and bicycle improvements on Homestead Road at Homestead High School. Staff is also recommending approval of Budget Modification No. 25 to fund the project in the amount of \$128,353.

EXISTING POLICY

Pursuant to Chapter 2.09 of the Sunnyvale Municipal Code, City Council approval is required for construction contracts exceeding \$250,000.

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by a motion adopted by affirmative votes of at least four members to authorize the transfer of unused balances appropriated for one purpose or another, or to appropriate available revenue included in the budget.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) determination for this project is a categorical exemption pursuant to CEQA Guidelines Section 15301(c) for operation, repair or minor alteration of existing streets, sidewalks and pedestrian trails.

BACKGROUND AND DISCUSSION

This project will modify the traffic signals at the Homestead Road/Mary Avenue and Homestead Road/Kennewick Drive intersections and provide pedestrian access enhancements such as installation of high visibility crosswalks, accessible pedestrian signals, and shortening crossing for pedestrians where possible. The project also includes installation of green buffered bike lanes on the south side along Homestead Road between MacKenzie Drive and Mary Avenue, and on the north side along Homestead Road between Mary Avenue and Kennewick Dr. Project design is complete. Construction is expected to start in summer 2021 when the Homestead High School is closed.

The construction project (Project No. TR-18-06) was advertised on Demandstar on February 12, 2021. Twenty (20) contractors requested bid documents and sealed bids were opened on March 10, 2021, with three (3) responsive bids received. Redgwick Construction Co. submitted the lowest responsive and responsible bid in the amount of \$1,091,866 (see Attachment 1 - Bid Summary).

FISCAL IMPACT

Costs for the contract and contingency total \$1,201,053. Budgeted funds of \$1,072,700 are available for the construction contract in capital project 833800 - Homestead Road at Homestead High School Pedestrian and Bicycle Improvements. Additional funds of \$51,336 from project 825290 - Pavement Rehabilitation (for the pavement portion of the project), and \$77,017 of Transportation Impact Fee funding are being requested to fully fund construction.

**Budget Modification No. 25
FY 2020/21**

	Current	Increase/ (Decrease)	Revised
Capital Projects - General Fund			
<u>Assets</u>			
<u>Expenditures</u>			
833800 - Homestead Road at Homestead High School Pedestrian and Bicycle Improvements	\$1,114,472	\$128,353	\$1,242,825
 <u>Capital Projects Fund - Transportation Impact Fee Sub Fund</u>			
<u>Reserves</u>			
Capital Projects Reserve	\$39,962,336	(\$77,017)	\$39,885,319
 <u>Infrastructure Fund</u>			
<u>Expenditures</u>			
825290 - Pavement Rehabilitation	\$9,352,516	(\$51,336)	\$9,301,180

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Take the following actions:

- Make a finding of categorical exemption from the California Environmental Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$1,091,866 to Redgwick Construction Co.;
- Approve a 10% construction contingency in the amount of \$109,187; and
- Approve Budget Modification No. 25 in the amount of \$128,353.

Prepared by: Tim Kirby, Director of Finance
Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Bid Summary
2. Draft General Construction Contract
3. Project 833800 Sheet - Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
4. Project 825290 Sheet - Pavement Rehabilitation

Invitation for Bids No . PW21-03				Redgwick Construction Co.		Gruendl Inc. DBA Ray's Electric		Sposeto Engineering Inc.	
Homestead Road at Homestead High School				21 Hegenberger Ct.		411 Pendleton Way Suite B		4558 Contractors Place	
Pedestrian and Bicycle Improvements				Oakland, CA 94621		Oakland, CA 94621		Livermore, CA 94551	
TR-18-06, CML-5213(072)				Travis Miller		Greg Gruendl		John P. Sposeto	
BID ITEMS #	Description	UOM	QTY	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization (Shall Not Exceed 5% of Total Base Bid)	LS*	1		\$ 42,800.00		\$ 50,000.00		\$ 24,000.00
2	Locate Utilities Via Potholing	LS	1		\$ 25,400.00		\$ 21,000.00		\$ 10,000.00
3	Construction staking	LS	1		\$ 7,100.00		\$ 40,000.00		\$ 6,000.00
4	Construction area signs	LS	1		\$ 9,500.00		\$ 15,000.00		\$ 6,500.00
5	Traffic Control System (Shall Not Exceed 5% of Total Base Bid)	LS	1		\$ 46,800.00		\$ 50,000.00		\$ 55,720.00
6	Clearing and grubbing	LS	1		\$ 38,200.00		\$ 50,000.00		\$ 24,000.00
7	Pavement Removal and Excavation	CY	130	\$ 270.00	\$ 35,100.00	\$ 265.00	\$ 34,450.00	\$ 275.00	\$ 35,750.00
8	Remove valley gutter	SF	522	\$ 7.00	\$ 3,654.00	\$ 13.00	\$ 6,786.00	\$ 18.00	\$ 9,396.00
9	Remove concrete curb & gutter	LF	314	\$ 30.00	\$ 9,420.00	\$ 19.00	\$ 5,966.00	\$ 28.00	\$ 8,792.00
10	Remove concrete curb	LF	215	\$ 18.00	\$ 3,870.00	\$ 15.00	\$ 3,225.00	\$ 15.00	\$ 3,225.00
11	Remove existing sidewalk	SF	2,681	\$ 8.00	\$ 21,448.00	\$ 12.00	\$ 32,172.00	\$ 9.00	\$ 24,129.00
12	Remove existing storm drain inlet	EA	1	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 1,300.00	\$ 1,300.00
13	Remove existing fencing	LF	43	\$ 20.00	\$ 860.00	\$ 126.00	\$ 5,418.00	\$ 45.00	\$ 1,935.00
14	Remove existing storm drain pipe	LF	23	\$ 87.00	\$ 2,001.00	\$ 375.00	\$ 8,625.00	\$ 195.00	\$ 4,485.00
15	Remove and salvage existing sign and post	EA	2	\$ 130.00	\$ 260.00	\$ 200.00	\$ 400.00	\$ 250.00	\$ 500.00
16	Revocable Bid Item: Remove existing air raid siren pole	EA	1	\$ 12,500.00	\$ 12,500.00	\$ 5,500.00	\$ 5,500.00	\$ 21,000.00	\$ 21,000.00
17	Adjust water valve utility box to grade	EA	1	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 300.00	\$ 300.00
18	Adjust traffic signal pull box to grade	EA	2	\$ 500.00	\$ 1,000.00	\$ 1,400.00	\$ 2,800.00	\$ 621.00	\$ 1,242.00
19	Temporary erosion control	LS	1		\$ 1,500.00		\$ 2,500.00		\$ 9,500.00
20	Hot mix asphalt (12" ac section)	SF	1,458	\$ 19.00	\$ 27,702.00	\$ 23.00	\$ 33,534.00	\$ 35.00	\$ 51,030.00
21	6" vertical curb & gutter	LF	375	\$ 90.00	\$ 33,750.00	\$ 75.00	\$ 28,125.00	\$ 120.00	\$ 45,000.00
22	6" vertical curb	LF	38	\$ 55.00	\$ 2,090.00	\$ 70.00	\$ 2,660.00	\$ 90.00	\$ 3,420.00
23	Storm drain drop inlet & connect to existing storm drain line	EA	1	\$ 9,800.00	\$ 9,800.00	\$ 32,000.00	\$ 32,000.00	\$ 23,000.00	\$ 23,000.00
24	PPC curb ramp – 13C-1	EA	6	\$ 4,300.00	\$ 25,800.00	\$ 3,800.00	\$ 22,800.00	\$ 6,500.00	\$ 39,000.00
25	PPC curb ramp – 13C-2	EA	4	\$ 4,200.00	\$ 16,800.00	\$ 3,800.00	\$ 15,200.00	\$ 6,500.00	\$ 26,000.00
26	Truncated domes	SF	301	\$ 30.00	\$ 9,030.00	\$ 50.00	\$ 15,050.00	\$ 60.00	\$ 18,060.00
27	PPC bike ramp	EA	1	\$ 4,100.00	\$ 4,100.00	\$ 7,600.00	\$ 7,600.00	\$ 8,500.00	\$ 8,500.00
28	Bike driveway	EA	1	\$ 4,700.00	\$ 4,700.00	\$ 3,750.00	\$ 3,750.00	\$ 6,500.00	\$ 6,500.00
29	Removable bollard	EA	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00
30	Concrete sidewalk	SF	4,725	\$ 17.00	\$ 80,325.00	\$ 25.00	\$ 118,125.00	\$ 23.00	\$ 108,675.00
31	Slurry seal	SF	29,180	\$ 0.65	\$ 18,967.00	\$ 0.75	\$ 21,885.00	\$ 0.80	\$ 23,344.00
32	Heavy Duty Concrete	SF	519	\$ 25.00	\$ 12,975.00	\$ 30.00	\$ 15,570.00	\$ 32.00	\$ 16,608.00
33A	Traffic signal and lighting system modification at Mary/Homestead	LS	1		\$ 346,800.00		\$ 369,000.00		\$ 387,285.00

[illegible]

DRAFT GENERAL CONSTRUCTION CONTRACT

THIS CONTRACT dated _____ is by and between the CITY OF SUNNYVALE, a municipal corporation of the State of California ("Owner") and REDGEWICK CONSTRUCTION CO., a California corporation ("Contractor").

RECITALS:

The parties to this Contract have mutually covenanted and agreed, as follows:

1. The Contract Documents. The complete Contract consists of the following documents: Notice Inviting Bids; Instructions to Bidders; Performance Bond and Payment Bond; Guaranty; City of Sunnyvale Standard Specifications for Public Works Construction, 2006 Edition; City of Sunnyvale Standard Details for Public Works Construction, 2006 Edition; Plans and Specifications, "Homestead Road at Homestead High School Pedestrian and Bicycle Improvements, Project No. TR-18-06, Invitation for Bids No. PW21-03", including One (1) Addendum; OSHA, and other standards and codes as outlined in the Specifications. These documents are all incorporated by reference. The documents comprising the complete contract are collectively referred to as the Contract Documents.

Any and all obligations of the Owner and the Contractor are fully set forth and described therein.

All of the above documents are intended to work together so that any work called for in one and not mentioned in the other or vice versa is to be executed the same as if mentioned in all documents.

2. The Work. Contractor agrees to furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete the project in a good and workmanlike manner. The work consists of modifying the traffic signals at the intersections, installing green buffered bike lane pavement markings, constructing bulb-outs, curb ramps, curb, gutter, sidewalk, and drainage improvements, ready for use in accordance with these plans and specifications, as called for, and in the manner designated in, and in strict conformity with, the Plans and Specifications prepared by TJKM and adopted by the Owner. These Plans and Specifications are entitled respectively, Homestead Road at Homestead High School Pedestrian and Bicycle Improvements, Project No. TR-18-06.

It is understood and agreed that the work will be performed and completed as required in the Plans and Specifications under the sole direction and control of the Contractor, and subject to inspection and approval of the Owner, or its representatives. The Owner hereby designates as its representative for the purpose of this contract the Senior Civil Engineer for Construction or an employee of the Owner who will be designated in writing by the Director of Public Works.

3. Contract Price. The Owner agrees to pay and the Contractor agrees to accept, in full payment for the work above agreed to be done, the sum of One Million Ninety One Thousand Eight Hundred Sixty Six and No/100 Dollars (\$1,091,866.00) subject to final determination of the work performed and materials furnished at unit prices per "Exhibit A" attached hereto and incorporated by this reference, and subject to additions and deductions in accordance, as provided in the Documents and in accordance with Contract Documents.

4. Permits; Compliance with Law. Contractor shall, at its expense, obtain all necessary permits and licenses, easements, etc., for the construction of the project, give all necessary notices, pay all fees required by law, and comply with all laws, ordinances, rules and regulations relating to the work and to the preservation of the public health and safety.

5. Inspection by Owner. Contractor shall at all times maintain proper facilities and provide safe access for inspection by the Owner to all parts of the work, and to the shops wherein the work is in preparation. Where the Specifications require work to be specially tested or approved, it shall not be tested or covered up without timely notice to the Owner of its readiness for inspection and without the approval thereof or consent thereto by the latter. Should any such work be covered up without such notice, approval, or consent, it must, if required by Owner, be uncovered for examination at the Contractor's expense.

6. Extra or Additional Work and Changes. Should Owner at any time during the progress of the work request any alterations, deviations, additions or omissions from the Specifications or Plans or other Contract Documents it shall be at liberty to do so, and the same shall in no way affect or make void the contract, but will be added to or deducted from the amount of the contract price, as the case may be, by a fair and reasonable valuation, agreed to in writing between the parties hereto. No extra work shall be performed or change be made unless in pursuance of a written order from the Director of Public Works or authorized representative, stating that the extra work or change is authorized and no claim for an addition to the contract sum shall be valid unless so ordered.

7. Time for Completion. All work under this contract shall be completed before the expiration ninety (90) working days from the date specified in the Notice to Proceed.

If Contractor shall be delayed in the work by the acts or neglect of Owner, or its employees or those under it by contract or otherwise, or by changes ordered in the work, or by strikes, lockouts by others, fire, unusual delay in transportation, unavoidable casualties or any causes beyond the Contractor's control, or by delay authorized by the Owner, or by any cause which the Owner shall decide to justify the delay, then the time of completion shall be extended for such reasonable time as the Owner may decide.

This provision does not exclude the recovery of damages for delay by either party under other provisions.

8. Inspection and Testing of Materials. Contractor shall notify Owner a sufficient time in advance of the manufacture or production of materials, to be supplied under this contract, in order that the Owner may arrange for mill or factory inspection and testing of same, if Owner requests such notice from Contractor.

9. Termination. If Contractor should file a bankruptcy petition and/or be judged bankrupt, or if Contractor should make a general assignment for the benefit of creditors, or if a receiver should be appointed on account of insolvency, or if Contractor or any subcontractors should violate any of the provisions of the Contract, Owner may serve written notice upon Contractor and its surety of Owner's intention to terminate the Contract. The notice shall contain the reasons for such intention to terminate the Contract, and, unless within ten days after serving such notice, such violation shall cease and satisfactory arrangements for correction thereof be made, upon the expiration of the ten days, the Contract shall cease and terminate. In the event of any such termination, Owner shall immediately serve written notice thereof upon the surety and the Contractor, and the surety shall have the right to take over and perform the Contract; provided, however that, if the surety within fifteen days after the serving upon it of notice of termination does not give Owner written notice of its intention to take over and perform the Contract or does not commence performance thereof within thirty days from the date of the serving of such notice, Owner may take over the work and prosecute the same to completion by contract or by any other method it may deem advisable, for the account and at the expense of Contractor, and Contractor and its surety shall be liable to Owner for any excess cost occasioned Owner thereby, and in such event Owner may without liability for so doing take possession of and utilize in completing the work, such materials, appliances, plant and other property belonging to Contractor as may be on the site of the work and necessary therefor.

10. Owner's Right to Withhold Certain Amounts and Make Application Thereof. In addition to the amount which Owner may retain under Paragraph 21 until the final completion and acceptance of all work covered by the Contract, Owner may withhold from payment to Contractor such amount or amounts as in its judgment may be necessary to pay just claims against Contractor or any subcontractors for labor and services rendered and materials furnished in and about the work. Owner may apply such withheld amount or amounts to the payment of such claims in its discretion. In so doing Owner shall be

deemed the agent of Contractor and any payment so made by Owner shall be considered as a payment made under the Contract by Owner to the Contractor and Owner shall not be liable to Contractor for any such payment made in good faith. Such payment may be made without prior judicial determination of the claim or claims.

11. Notice and Service Thereof. All notices required pursuant to this Contract shall be communicated in writing, and shall be delivered in person, by commercial courier or by first class or priority mail delivered by the United States Postal Service. Nothing in this provision shall be construed to prohibit communication by more expedient means, such as by email or fax, to accomplish timely communication. Each party may change the address by written notice in accordance with this paragraph. Notices delivered personally shall be deemed communicated as of actual receipt; mailed notices shall be deemed communicated as of three business days after mailing. All notices sent pursuant to this Contract shall be addressed as follows:

Owner: City of Sunnyvale
Department of Public Works
Construction Contract Administrator
P. O. Box 3707
Sunnyvale, CA 94088-3707

Contractor: Redgwick Construction Co.
21 Hegenberger Ct.
Oakland, CA 94612

12. Assignment of Contract. Neither the Contract, nor any part thereof, nor moneys due or to become due thereunder may be assigned by Contractor without the prior written approval of Owner.

13. Compliance with Specifications of Materials. Whenever in the Specifications, any material or process is indicated or specified by patent or proprietary name, or by name of manufacturer, such Specifications must be met by Contractor, unless Owner agrees in writing to some other material, process or article offered by Contractor which is equal in all respects to the one specified.

14. Contract Security. Contractor shall furnish a surety bond in an amount at least equal to 100 percent of the contract price as security for the faithful performance of this Contract. Contractor shall also furnish a separate surety bond in an amount at least equal to 100 percent of the contract price as security for the payment of all persons for furnishing materials, provisions, provender, or other supplies, or teams, used in, upon, for or about the performance of the work contracted to be done, or for performing any work or labor thereon of any kind, and for the payment of amounts due under the Unemployment Insurance Code with respect to such work or labor in connection with this Contract, and for the payment of a reasonable attorney's fee to be fixed by the court in case suit is brought upon the bond. Bonds shall be issued by an admitted surety insurer authorized to operate in the state of California.

15. Insurance. Contractor shall not commence work under this Contract until all insurance required under this paragraph has been obtained and such insurance has been approved by the Owner, nor shall Contractor allow any subcontractor to commence work on a subcontract until all similar insurance required of the subcontractor has been so obtained and approved. Contractor shall furnish the Owner with satisfactory proof of the carriage of insurance required, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Contract and particularly Paragraph 16 hereof. Any policy of insurance required of the Contractor under this Contract shall also contain an endorsement providing that thirty (30) days' notice must be given in writing to the Owner of any pending change in the limits of liability or of any cancellation or modification of the policy. Insurance carrier shall be California-admitted.

(a) Compensation Insurance and Employer's Liability Insurance. Contractor shall take out and maintain during the life of this Contract Workers' Compensation Insurance and Employer's Liability Insurance for all of employees employed at the site of the project and, in case any work is sublet, Contractor shall require the subcontractor similarly to provide Workers' Compensation Insurance and Employer's Liability Insurance for all of the latter's employees unless such employees are covered by the protection afforded by Contractor.

In signing this Contract, Contractor makes the following certification, required by Section 1861 of the Labor Code:

"I am aware of the provision of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract."

(b) General and Automobile Liability Insurance. Contractor, at its own cost and expense, shall maintain personal injury liability and property damage insurance for the period covered by the Contract in the amount of Two Million Dollars (\$2,000,000.00) per occurrence and Four Million Dollars (\$4,000,000.00) annual aggregate combined single limit coverage. Such coverage shall include, but shall not be limited to, protection against claims arising therefrom, and damage to property resulting from activities contemplated under this Contract, use of owned automobiles, products and completed operations, including U, C and X. Such insurance shall be with insurers and under forms of policies satisfactory in all respects to the Owner and shall provide that notice must be given to Owner at least thirty (30) days prior to cancellation or material change. The following endorsements shall be attached to the policy:

Policy shall cover on an "occurrence" basis. Policy must cover personal injuries as well as bodily injuries. Exclusion of contractual liability must be eliminated from personal injury endorsement. Broad form property damage endorsement must be attached. Owner is to be named as an additional insured on any contracts of insurance under this paragraph (b). Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code. The policies of insurance shall be considered primary insurance before any policies of insurance maintained by Owner.

16. Indemnification and Hold Harmless. Contractor agrees to defend, save, indemnify and hold harmless Owner and all its officers, employees, and agents, against any and all liability, claims, judgments, or demands, including demands arising from injuries or death of persons (Contractor's employees included) and damage to property, arising directly or indirectly out of the obligations herein undertaken or out of the operations conducted by Contractor, save and except claims or litigation arising through the active negligence or willful misconduct of Owner, or of Owner's officials, agents, employees, servants, or independent contractors who are directly responsible to Owner. Contractor shall make good and reimburse Owner for any expenditures, including reasonable attorneys' fees, Owner may make by reason of such claim or litigation, and, if requested by Owner, Contractor shall defend any such suits at the sole cost and expense of Contractor.

17. Hours of Work. Eight hours of labor during any one calendar day and forty hours of labor during any one calendar week shall constitute the maximum hours of service upon all work done hereunder, and it is expressly stipulated that no laborer, worker, or mechanic employed at any time by the Contractor or by any subcontractor or subcontractors under this Contract, upon the work or upon any part of the work contemplated by this Contract, shall be required or permitted to work thereon more than eight hours during any one calendar day and forty hours during any one calendar week, except, as provided by Section 1815 of the Labor Code of the State of California, work performed by employees of contractors in excess of eight hours per day and forty hours during any one week shall be permitted upon public work upon compensation

for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay. It is further expressly stipulated that for each and every violation of Sections 1811-1815, inclusive, of the Labor Code of the State of California, all the provisions whereof are deemed to be incorporated herein, Contractor shall forfeit, as a penalty to Owner, twenty-five dollars (\$25.00) for each laborer, worker, or mechanic employed in the execution of this Contract by Contractor, or by any subcontractor under this Contract, for each calendar day during which the laborer, worker, or mechanic is required or permitted to work more than eight hours in any one calendar day and forty hours in any one calendar week in violation of the provisions of the Sections of the Labor Code.

Contractor, and each subcontractor, shall, in accordance with California Labor Code Section 1776 or as the same may be later amended, keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with work under this agreement. Each payroll record shall contain or be verified by a written declaration under penalty of perjury, in accordance with Labor Code Section 1776(a). Such payroll records shall be made available at all reasonable times at the Contractor's principal office to the persons authorized to inspect such records pursuant to Labor Code Section 1776. A certified copy of all payroll records shall be made available for inspection or furnished upon request to a representative of the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations, as well as to the Owner's representative. In the event the Contractor or a Subcontractor fails to comply in a timely manner within ten days to a written notice requesting the records, such contractor or subcontractor shall forfeit one hundred dollars (\$100.00) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated, in accordance with Labor Code Section 1776(h).

18. Wage Rates. Pursuant to the Labor Code of the State of California, or any applicable local law, Owner has ascertained the general prevailing rate per diem wages and rates for holidays, and overtime work in the city, for each craft, classification or type of laborer, worker, or mechanic needed to execute this Contract. Owner has adopted, by reference, the general prevailing rate of wages applicable to the work to be done under the Contract, as adopted and published by the Division of Labor Standards Enforcement and Labor Statistics and Research of the State of California, Department of Industrial Relations, to which reference is hereby made for a full and detailed description. A copy of the prevailing wage rates may be reviewed in the office of the Director of Public Works, City of Sunnyvale, 456 West Olive Avenue, Sunnyvale, California. Wage rates can also be obtained through the California Department of Industrial Relations website at: <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>

Neither the notice inviting bids, nor this Contract, shall constitute a representation of fact as to the prevailing wage rates upon which the Contractor or any subcontractor may base any claim against Owner.

It shall be mandatory upon Contractor and upon any subcontractor to pay not less than the specified rates to all laborers, workers, and mechanics employed in the execution of the Contract. It is further expressly stipulated that Contractor shall, as a penalty to Owner, forfeit two hundred dollars (\$200.00) for each calendar day, or portion thereof, for each laborer, worker, or mechanic paid less than the stipulated prevailing rates for any work done under this Contract by Contractor or by any subcontractor; and Contractor agrees to comply with all provisions of Section 1775 of the Labor Code.

In case it becomes necessary for Contractor or any subcontractor to employ on the project under this Contract any person in a trade or occupation (except executives, supervisory, administrative, clerical, or other non-manual workers as such) for which no minimum wage rate is herein specified, Contractor shall immediately notify Owner who will promptly thereafter determine the prevailing rate for such additional trade or occupation and shall furnish Contractor with the minimum rate based thereon. The minimum rate thus furnished shall be applicable as a minimum for such trade or occupation from the time of the initial employment of the person affected and during the continuance of such employment.

19. Accident Prevention. Precaution shall be exercised at all times for the protection of persons (including employees) and property. The safety provisions of applicable laws, building and construction codes shall be observed. Machinery, equipment, and other hazards shall be guarded or eliminated in accordance with the safety provisions of the Construction Safety Orders issued by the Industrial Accident Commission of the State of California.

20. Contractor's Guarantee. Owner shall not, in any way or manner, be answerable or suffer loss, damage, expense or liability for any loss or damage that may happen to the building, work, or equipment or any part thereof, or in, on, or about the same during its construction and before acceptance. Contractor unqualifiedly guarantees the first-class quality of all workmanship and of all materials, apparatus, and equipment used or installed by Contractor or by any subcontractor or supplier in the project which is the subject of this Contract, unless a lesser quality is expressly authorized in the Plans and Specifications, in which event Contractor unqualifiedly guarantees such lesser quality; and that the work as performed by Contractor will conform with the Plans and Specifications or any written authorized deviations therefrom. In case of any defect in work, materials, apparatus or equipment, whether latent or patent, revealed to Owner within one year of the date of acceptance of completion of this Contract by Owner, Contractor will forthwith remedy such defect or defects without cost to Owner.

21. Liquidated Damages. Time shall be the essence of this Contract. If Contractor fails to complete, within the time fixed for such completion, the entire work mentioned and described and contracted to be done and performed, Contractor shall become liable to Owner for liquidated damages in the sum of one thousand dollars exactly (\$1,000.00), for each and every calendar day during which work shall remain uncompleted beyond such time fixed for completion or any lawful extension thereof. The amount specified as liquidated damages is presumed to be the amount of damage sustained by Owner since it would be impracticable or extremely difficult to fix the actual damage; and the amount of liquidated damages may be deducted by Owner from moneys due Contractor hereunder, or its assigns and successors at the time of completion, and Contractor, or its assigns and successors at the time of completion, and its sureties shall be liable to Owner for any excess.

22. Governing Law, Jurisdiction and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of California, without regard to conflict of law or choice of law principles. Proper venue for legal actions will be exclusively vested in a state court in the County of Santa Clara. The parties agree that subject matter and personal jurisdiction are proper in state court in the County of Santa Clara and waive all venue objections.

23. Severability Clause. In case any one or more of the provisions contained herein shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions which shall remain in full force and effect.

24. Entire Agreement; Amendment. This writing constitutes the entire agreement between the parties relating to the services to be performed or materials to be furnished hereunder. No modification of this Agreement shall be effective unless and until such modification is evidenced by writing signed by all parties.

25. Execution and Counterparts. This Agreement may be executed in multiple counterparts and/or with the signatures of the Parties set forth on different signature sheets and all such counterparts, when taken together, shall be deemed one original.

IN WITNESS WHEREOF, two identical counterparts of this contract, each of which shall for all purposed be deemed an original thereof, have been duly executed by the parties.

CITY OF SUNNYVALE
a Municipal Corporation, Owner

REDGWICK CONSTRUCTION CO.
Contractor

License No. 140057

By _____
City Manager Date

By _____

Title Date

Attest:
City Clerk

By _____

Title Date

By _____
City Clerk Date

(SEAL)

APPROVED AS TO FORM:

City Attorney Date

**EXHIBIT A
BASE BID SCHEDULE**

No.	Description	QTY	Unit	Unit Cost
DEMOLITION & SITE PREPARATION				
1	Mobilization (Shall Not Exceed 5% of Total Base Bid)	1	LS*	\$42,800.00
2	Locate Utilities Via Potholing	1	LS	\$25,400.00
3	Construction staking	1	LS	\$7,100.00
4	Construction area signs	1	LS	\$9,500.00
5	Traffic Control System (Shall Not Exceed 5% of Total Base Bid)	1	LS	\$46,800.00
6	Clearing and grubbing	1	LS	\$38,200.00
7	Pavement Removal and Excavation	130	CY	\$270.00
8	Remove valley gutter	522	SF	\$7.00
9	Remove concrete curb & gutter	314	LF	\$30.00
10	Remove concrete curb	215	LF	\$18.00
11	Remove existing sidewalk	2,681	SF	\$8.00
12	Remove existing storm drain inlet	1	EA	\$2,500.00
13	Remove existing fencing	43	LF	\$20.00
14	Remove existing storm drain pipe	23	LF	\$87.00
15	Remove and salvage existing sign and post	2	EA	\$130.00
16	Revocable Bid Item: Remove existing air raid siren pole	1	EA	\$12,500.00
17	Adjust water valve utility box to grade	1	EA	\$500.00
18	Adjust traffic signal pull box to grade	2	EA	\$500.00
19	Temporary erosion control	1	LS	\$1,500.00
Paving and Concrete Work				
20	Hot mix asphalt (12" ac section)	1,458	SF	\$19.00
21	6" vertical curb & gutter	375	LF	\$90.00
22	6" vertical curb	38	LF	\$55.00
23	Storm drain drop inlet & connect to existing storm drain line	1	EA	\$9,800.00
24	PPC curb ramp – 13C-1	6	EA	\$4,300.00
25	PPC curb ramp – 13C-2	4	EA	\$4,200.00

26	Truncated domes	301	SF	\$30.00
27	PPC bike ramp	1	EA	\$4,100.00
28	Bike driveway	1	EA	\$4,700.00
29	Removable bollard	1	EA	\$1,500.00
30	Concrete sidewalk	4,725	SF	\$17.00
31	Slurry seal	29,180	SF	\$0.65
32	Heavy Duty Concrete	519	SF	\$25.00
TRAFFIC SIGNAL				
33A	Traffic signal and lighting system modification at Mary/Homestead	1	LS	\$346,800.00
33B	Payment for City-furnished traffic signal poles ((1) Galvanized type 19-4-100, 25, 15, (1) Galvanized type 15TS, 15)	1	LS	\$15,914.00
34	Traffic signal and lighting system modification at Kennewick/Homestead	1	LS	\$169,500.00
SIGNING AND STRIPING				
35	Signing and striping	1	LS	\$47,700.00
<p>1) Total Base Bid Amount shall be written in numbers.</p> <p>2) *For Lump Sum Bid Items (LS), only an amount in the "Total" column is required and only the amount in the "Total" column will be considered.</p> <p>3) <u>Buy America Requirements</u> - Attention is directed to the "Buy America" requirements of the Surface Transportation Assistance Act of 1982 (Section 165) and the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) Sections 1041(a) and 1048(a), and the regulations adopted pursuant thereto. In conformance with the law and regulations, all manufacturing processes for steel and iron materials furnished for incorporation into the work on this project shall occur in the United States; with the exception that pig iron and processed, pelletized and reduced iron ore manufactured outside of the United States may be used in the domestic manufacturing process for such steel and iron materials. The application of coatings, such as epoxy coating, galvanizing, painting, and other coating that protects or enhances the value of steel or iron materials shall be considered a manufacturing process subject to the "Buy America" requirements.</p> <p>A Certificate of Compliance, conforming to the provisions in Section 6-1.07, "Certificates of Compliance," of the State Standard Specifications, shall be furnished for steel and iron materials. The certificates, in addition to certifying that the materials comply with the specifications, shall specifically certify that all manufacturing processes for the materials occurred in the United States, except for the above exceptions.</p> <p>The requirements imposed by the law and regulations do not prevent a minimal use of foreign steel and iron materials if the total combined cost of the materials used does not exceed one-tenth of one percent (0.1 percent) of the total contract cost or \$2,500, whichever is greater. The Contractor shall furnish the Engineer acceptable documentation of the quantity and value of the foreign steel and iron prior to incorporating the materials into the work.</p>				

EXHIBIT B

Utilization of Local Workforce in Construction Projects – The Sunnyvale City Council has adopted a policy which encourages utilization of local workforces, including State-certified apprentices, as a means of supporting economic opportunities for all members of the community. Local workforce is defined as workers residing in Santa Clara County. The lowest responsive and responsible bidder must provide a projection of locally-hired workers utilized for this contract.

Contractor	Projected Number of Locally Hired Workers_____
Subcontractor(s)	Projected Percent of Locally Hired Workers_____%
	Projected Number of Locally Hired Workers_____
	Projected Percent of Locally Hired Workers_____%

Required Contract Provisions Federal- Aid Construction Contracts

(FWWA-1273- Revised May 1, 2012)

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts. In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by

the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel

actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In

the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will,

through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities:

The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment:

The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national

origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women, and;

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women.

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minorities, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form FHWA-1391. The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid

unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. (1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional

classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to

paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account, assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b. (1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at

<http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency.

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement

of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio

permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal

certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for

liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty

items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the

contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity

or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible,"

"participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website

(<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with

commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered

Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally

possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be aid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

INVITATION FOR BIDS # PW21-03
Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
TR-18-06, CML-5213(072)

REQUEST TO BIDDERS FOR STATISTICAL INFORMATION

The City of Sunnyvale is required to compile statistical data regarding Disadvantaged Business Enterprise businesses in order to comply with Federal regulations impacting the City's eligibility for federal funds.

The following questions are for informational purposes only. Please answer them to the best of your ability. Your response will have no bearing on the award of the contract for this project. If you are among the apparent three low bidders, you will be required to provide this information no later than 4:00 p.m. on the fourth day, not including Saturdays, Sundays, and legal holidays, following the bid opening.

Please fill in:

Company Name: Redgwick Construction Co.
21 Hegenberger Ct.
Address: Oakland, CA 94621

1. Does your company qualify as a Disadvantaged Business Enterprise or a Minority Business Enterprise? Yes ☐ No ☒
2. Are any of your subcontractors qualified as a Disadvantaged Business Enterprise or a Minority Business Enterprise? Yes ☒ No ☐

If so, what percentage of your bid does their work represent? 44 %

Thank you for your help.

Local Assistance Procedures Manual

Exhibit 12-B

Bidder's List of Subcontractors (DBE and NON-DBE)

Exhibit 12-B Bidder's List of Subcontractor (DBE and Non-DBE) Part 1

As of March 1, 2015 Contractors (and sub-contractors) wishing to bid on public works contracts shall be registered with the State Division of Industrial Relations and certified to bid on Public Works contracts. Please register at: <https://www.dir.ca.gov/Public-Works/Contractor-Registration.html>

In accordance with Title 49, Section 26.11 of the Code of Federal Regulations, and Section 4104 of the Public Contract Code of the State of California, as amended, the following information is required for each sub-contractor who will perform work amounting to more than one half of one percent (0.5%) of the Total Base Bid or \$10,000, (whichever is greater). **Photocopy this form for additional firms.** Federal Project Number: CML-5213(072)

Subcontractor Name and Location	Line Item & Description	Subcontract Amount	Percentage of Bid Item Sub-contracted	Contractor License Number DIR Reg Number	DBE (Y/N)	DBE Cert Number	Annual Gross Receipts
Name: <u>Bond Blacktop Inc.</u> City, State: <u>Union City, CA</u>	<u>5 partial</u> <u>31 - Slurry</u>	<u>\$31033</u>	<u>100%</u>	<u>746432</u> <u>1000001972</u>	<u>N</u>		<input type="checkbox"/> <\$1 million <input checked="" type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: <u>28</u> yrs.
Name: <u>Super Seal & Stripe</u> City, State: <u>Fillmore, CA</u>	<u>35 -</u> <u>striping</u>	<u>\$47700</u>	<u>100%</u>	<u>396627</u> <u>1000000752</u>	<u>Y</u>	<u>2003</u>	<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input checked="" type="checkbox"/> <\$15 million Age of Firm: <u>15</u> yrs.
Name: <u>JJR Construction</u> City, State: <u>San Mateo, CA</u>	<u>21, 22 30</u> <u>24-28 32</u> <u>Concrete</u>	<u>\$102367</u>	<u>54%</u>	<u>665645</u> <u>10000004118</u>	<u>Y</u>	<u>40008</u>	<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input checked="" type="checkbox"/> <\$15 million Age of Firm: <u>15</u> yrs.
Name: <u>Columbian Electric</u> City, State: <u>San Leandro</u>	<u>33A Electrical</u> <u>34 Install</u> <u>16</u>	<u>\$33576</u>	<u>47.2%</u>	<u>765902</u> <u>1000001478</u>	<u>Y</u>	<u>38529</u>	<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input checked="" type="checkbox"/> <\$15 million Age of Firm: <u>20</u> yrs.
Name: _____ City, State: _____							<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: ____ yrs.
Name: _____ City, State: _____							<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: ____ yrs.

Distribution: 1) Original-Local Agency File 2) Copy-DLAE w/ Award Package

Local Assistance Procedures Manual

Exhibit 12-B
Bidder's List of Subcontractors (DBE and NON-DBE)

Exhibit 12-B Bidder's List of Subcontractor (DBE and Non-DBE) Part 2

In accordance with Title 49, Section 26 of the Code of Federal Regulations, the Bidder shall list all subcontractor who provided a quote or bid but were not selected to participate as a subcontractor on this project. **Photocopy this form for additional firms.** Federal Project Number: CML-5213(072)

Subcontractor Name and Location	Line Item & Description	Subcontract Amount	Percentage of Bid Item Sub-contracted	Contractor License Number DIR Reg Number	DBE (Y/N)	DBE Cert Number	Annual Gross Receipts
Name: <u>RR MAHER CONST</u> City, State: <u>VALLEJO CA</u>	<u>21-28, 30</u> <u>32</u>	<u>121,187</u>	<u>N/A</u>	<u>508930</u> <u>100000345</u>	<u>N</u>		<input type="checkbox"/> <\$1 million <input checked="" type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: <u>30</u> yrs.
Name: <u>SIERRA TRAFFIC</u> City, State: <u>ROSEVILLE CA</u>	<u>1, 15, 29, 35</u>	<u>50,225</u>	<u>N/A</u>	<u>755317</u> <u>1000002783</u>	<u>N</u>		<input type="checkbox"/> <\$1 million <input checked="" type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: <u>10</u> yrs.
Name: <u>PAVENIST COATING</u> City, State: <u>SACRAMENTO CA</u>	<u>30</u>	<u>45,229</u>	<u>N/A</u>	<u>303609</u> <u>1000003382</u>	<u>N</u>		<input type="checkbox"/> <\$1 million <input checked="" type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: <u>40</u> yrs.
Name: <u>LUMINART COVC</u> City, State: <u>PLEASANTO CA</u>	<u>21-28, 30</u> <u>32</u>	<u>122,494</u>	<u>N/A</u>	<u>868242</u> <u>1000004519</u>	<u>N</u>		<input type="checkbox"/> <\$1 million <input checked="" type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: <u>10</u> yrs.
Name: <u>CHRISP COMPANY</u> City, State: <u>FREMONT CA</u>	<u>1, 5, 35</u>	<u>53,340</u>	<u>N/A</u>	<u>374600</u> <u>100000306</u>	<u>N</u>		<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input checked="" type="checkbox"/> <\$15 million Age of Firm: <u>40</u> yrs.
Name: _____ City, State: _____							<input type="checkbox"/> <\$1 million <input type="checkbox"/> <\$5 million <input type="checkbox"/> <\$10 million <input type="checkbox"/> <\$15 million Age of Firm: ____ yrs.

Distribution: 1) Original-Local Agency File 2) Copy-DLAE w/ Award Package

EXHIBIT 16-B SUBCONTRACTING REQUEST

CONTRACTOR NAME		REDGWICK CONSTRUCTION CO.		COUNTY		ROUTE		
BUSINESS ADDRESS				CONTRACT NUMBER				
CITY AND STATE				ZIP CODE		FEDERAL-AID PROJECT NUMBER		
A. SUBCONTRACTOR (Name, Business Address, Phone)		B. BID ITEM NUMBER(S)	C. PERCENTAGE OF BID ITEM SUBCONTRACTED	D. SUB LISTED AT BID TIME		E. CERTIFIED DBE	F. DESCRIBE WORK WHEN LESS THAN 100% OF WORK IS SUBCONTRACTED	G. DOLLAR AMOUNT BASED ON THE BID AMOUNT
21 Hegenberger Ct. Oakland CA		Oakland CA		94621		CML-5213(072)		
Bond Blacktop Inc.		31 Slurry	100%	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	\$31033-
Super, Seal, & Stripes		35 stripes	100%	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	\$47700-
J) R Construction Inc.		21-22 24-25 30, 32	54%	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	only form and pouring \$102367
Columbiana Electric		16 32A 35	47.23%	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Install Elec. only \$334576
				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

I certify that:

- The Standard Provisions for labor set forth in the contract apply to the subcontracted work.
- If applicable, Form FHWA- 1273 of the Special Provisions has been inserted in the subcontracts and should be incorporated in any lower-tier subcontract. Written contracts have been executed for the above noted subcontracted work.

Contractor's Signature _____

Date 3/10/21

This section is to be completed by the resident engineer.

1. Total of bid items
2. Contractor must perform with own forces (line 1 X contract req. %) _____
3. Bid items previously subcontracted (taken from previously approved 16-B)
4. Bid items subcontracted (this request)
5. Total bid items subcontracted (line 3 plus 4)
6. Balance of work contractor to perform (line 1 minus 5)

	\$	
\$		
\$		
\$		
\$		
\$	\$	

Approved	
RESIDENT ENGINEER'S SIGNATURE	DATE

Copy Distribution: Original-Contractor Copy- Resident Engineer Copy- OBEO- smallbusinessadvocate@dopt.ca.gov or fax to (916)324-1949

INSTRUCTIONS FOR COMPLETING SUBCONTRACTING REQUEST FORM

All first-tier subcontractors must be included on a subcontractor request.

Before subcontracting work starts, the contractor will submit an original CEM-1201 for approval according to the Standard Specifications. After approval, the RE returns the original to the contractor and complete the remaining distribution as listed on the bottom of the form.

D. If subcontractor was listed at bid time per the Fair Practices Act, check yes, otherwise check no.

E. If subcontractor is a certified DBE contractor, check yes, otherwise check no.

F. and G. When a portion of an item is subcontracted, describe the portion and show the percentage of the bid item and value.

G. When an entire item is subcontracted, show the full bid item value.

THIS FORM IS NOT TO BE USED FOR SUBSTITUTIONS OF SUBCONTRACTORS AND UDBE, DVBE OR SMALL BUSINESS ENTITIES.

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder REDGWICK CONSTRUCTION CO., proposed subcontractor SEE SUB LIST, hereby certifies that he has X, has not _____, participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

PUBLIC CONTRACT CODE

Public Contract Code Section 10285.1 Statement

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder has _____, has not X been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Note: The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

Public Contract Code Section 10162 Questionnaire

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes _____ No X

If the answer is yes, explain the circumstances in the following space:

INVITATION FOR BIDS # PW21-03
Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
TR-18-06, CML-5213(072)

Public Contract Code 10232 Statement

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

Note: The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.
Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

INVITATION FOR BIDS # PW21-03
Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
TR-18-06, CML-5213(072)

Noncollusion Affidavit
(Title 23 United States Code Section 112 and
Public Contract Code Section 7106)

To the CITY of SUNNYVALE
DEPARTMENT OF PUBLIC WORKS.

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Note: The above Noncollusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit.
Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

N/A

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

INVITATION FOR BIDS # PW21-03
Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
TR-18-06, CML-5213(072)

NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.


This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

INVITATION FOR BIDS # PW21-03
Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
TR-18-06, CML-5213(072)

DISCLOSURE OF LOBBYING ACTIVITIES

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known Congressional District, if known		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known
6. Federal Department/Agency:		7. Federal Program Name/Description: CFDA Number, if applicable _____
8. Federal Action Number, if known:		9. Award Amount, if known:
10. a. Name and Address of Lobby Entity (If individual, last name, first name, MI) (attach Continuation Sheet(s) if necessary)		b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI) (attach Continuation Sheet(s) if necessary)
11. Amount of Payment (check all that apply) \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	13. Type of Payment (check all that apply) <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other, specify _____	
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11: (attach Continuation Sheet(s) if necessary)		
15. Continuation Sheet(s) attached: Yes <input type="checkbox"/> No <input type="checkbox"/>		
16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature:  Print Name: Travis Miller Title: Vice President Telephone No.: 510-792-1727 Date: 3/10/21

Federal Use Only:

Authorized for Local Reproduction
Standard Form - LLL

INVITATION FOR BIDS # PW21-03
Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
TR-18-06, CML-5213(072)

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of covered Federal action or a material change to previous filing pursuant to title 31 U.S.C. section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered Federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influenced the covered Federal action.
(b) Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with Federal officials. Identify the Federal

INVITATION FOR BIDS # PW21-03
 Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
 TR-18-06, CML-5213(072)

15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503

SF-LLL-Instructions Rev. 06-04-90«ENDIF»

Accompanying this proposal is

Bidder's Bond

(NOTICE: INSERT THE WORDS "CASH(\$ _____)," "CASHIER'S CHECK," "CERTIFIED CHECK," OR "BIDDER'S BOND," AS THE CASE MAY BE.)

in amount equal to at least ten percent of the total of the bid.

The names of all persons interested in the foregoing proposal as principals are as follows:

IMPORTANT NOTICE: If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a copartnership, state true name of firm, also names of all individual copartners composing firm; if bidder or other interested person is an individual, state first and last names in full.

Bob Rahibi - President, secretary, treasurer.
Travis Miller - Vice President

Licensed in conformance with an act providing for the registration of Contractors,
 License No. 140057 Classification(s) A

ADDENDA

This Proposal is submitted with respect to the changes to the contract included in addenda number/s

1

(Fill in addenda numbers if addenda have been received and insert, in this Proposal, any Engineer's Estimate sheets that were received as part of the addenda.)

By my signature on this proposal I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 10162, 10232 and 10285.1 are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this proposal I further certify, under penalty of perjury under the laws of the State of California and the United States of America, that the Noncollusion Affidavit required by Title 23 United States Code, Section 112 and Public Contract Code Section 7106; and the Title 49 Code of Federal Regulations, Part 29 Debarment and Suspension Certification are true and correct.

Date: 3/10/21



SIGN HERE 

Travis Miller
Vice President

Business Address Redgwick Construction Co. Signature and Title of Bidder
21 Hegenberger Ct.
 Place of Business Oakland, CA 94621
 Place of Residence _____

LOCAL ASSISTANCE PROCEDURES MANUAL
EXHIBIT 15-G CONSTRUCTION CONTRACT DBE COMMITMENT

1. Local Agency: City of Sunnyvale 2. Contract DBE Goal: 40 %
3. Project Description: Homestead Road at Homestead High School Pedestrian and Bicycle Improvements
4. Project Location: Homestead Road and Mary Avenue
5. Bidder's Name: Redgwick Construction 6. Prime Certified DBE: ☐ 7. Bid Amount: \$1,091,866
8. Total Dollar Amount for **ALL** Subcontractors: \$515,576 9. Total Number of **ALL** Subcontractors: 4

10. Bid Item Number	11. Description of Work, Service, or Materials Supplied	12. DBE Certification Number	13. DBE Contact Information (Must be certified on the date bids are opened)	14. DBE Dollar Amount
35	Striping & Signage	2003	Super Seal & Stripe Fillmore, CA. 808.524.7345	47,700.00
21-22, 30 24-28, 32	Concrete	40008	JJR Construction, Inc San Mateo, CA. 650.343.6109	102,367.40
16,18,34 33A,33B	Electrical	1035003	Columbia Electric San Leandro, CA. 510.410.9505	\$334,576
Local Agency to Complete this Section upon Execution of Award			15. TOTAL CLAIMED DBE PARTICIPATION \$ 404,503 44 %	
21. Local Agency Contract Number: _____ 22. Federal-Aid Project Number: _____ 23. Bid Opening Date: _____ 24. Contract Award Date: _____ 25. Award Amount: _____ Local Agency certifies that all DBE certifications are valid and information on this form is complete and accurate.				
26. Local Agency Representative's Signature		27. Date	16. Preparer's Signature	17. Date
28. Local Agency Representative's Name		29. Phone	18. Preparer's Name	19. Phone
30. Local Agency Representative's Title			20. Preparer's Title	

DISTRIBUTION: 1. Original – Local Agency
2. Copy – Caltrans District Local Assistance Engineer (DLAE). Failure to submit to DLAE within 30 days of contract execution may result in de-obligation of federal funds on contract.
3. Include additional copy with award package.

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

INSTRUCTIONS – CONSTRUCTION CONTRACT DBE COMMITMENT**CONTRACTOR SECTION**

1. **Local Agency** - Enter the name of the local agency that is administering the contract.
2. **Contract DBE Goal** - Enter the contract DBE goal percentage as it appears on the project advertisement.
3. **Project Location** - Enter the project location(s) as it appears on the project advertisement.
4. **Project Description** - Enter the project description as it appears on the project advertisement (Bridge Rehab, Seismic Rehab, Overlay, Widening, etc).
5. **Bidder's Name** - Enter the contractor's firm name.
6. **Prime Certified DBE** - Check box if prime contractor is a certified DBE.
7. **Bid Amount** - Enter the total contract bid dollar amount for the prime contractor.
8. **Total Dollar Amount for ALL Subcontractors** - Enter the total dollar amount for all subcontracted contractors. SUM = (DBEs + all Non-DBEs). Do not include the prime contractor information in this count.
9. **Total number of ALL subcontractors** - Enter the total number of all subcontracted contractors. SUM = (DBEs + all Non-DBEs). Do not include the prime contractor information in this count.
10. **Bid Item Number** - Enter bid item number for work, services, or materials supplied to be provided.
11. **Description of Work, Services, or Materials Supplied** - Enter description of work, services, or materials to be provided. Indicate all work to be performed by DBEs including work performed by the prime contractor's own forces, if the prime is a DBE. If 100% of the item is not to be performed or furnished by the DBE, describe the exact portion to be performed or furnished by the DBE. See LAPM Chapter 9 to determine how to count the participation of DBE firms.
12. **DBE Certification Number** - Enter the DBE's Certification Identification Number. All DBEs must be certified on the date bids are opened.
13. **DBE Contact Information** - Enter the name, address, and phone number of all DBE subcontracted contractors. Also, enter the prime contractor's name and phone number, if the prime is a DBE.
14. **DBE Dollar Amount** - Enter the subcontracted dollar amount of the work to be performed or service to be provided. Include the prime contractor if the prime is a DBE. See LAPM Chapter 9 for how to count full/partial participation.
15. **Total Claimed DBE Participation - \$:** Enter the total dollar amounts entered in the "DBE Dollar Amount" column. **%:** Enter the total DBE participation claimed ("Total Claimed DBE Participation Dollars" divided by item "Bid Amount"). If the total % claimed is less than item "Contract DBE Goal," an adequately documented Good Faith Effort (GFE) is required (see Exhibit 15-H DBE Information - Good Faith Efforts of the LAPM).
16. **Preparer's Signature** - The person completing the DBE commitment form on behalf of the contractor's firm must sign their name.
17. **Date** - Enter the date the DBE commitment form is signed by the contractor's preparer.
18. **Preparer's Name** - Enter the name of the person preparing and signing the contractor's DBE commitment form.
19. **Phone** - Enter the area code and phone number of the person signing the contractor's DBE commitment form.
20. **Preparer's Title** - Enter the position/title of the person signing the contractor's DBE commitment form.

LOCAL AGENCY SECTION

21. **Local Agency Contract Number** - Enter the Local Agency contract number or identifier.
22. **Federal-Aid Project Number** - Enter the Federal-Aid Project Number(s).
23. **Bid Opening Date** - Enter the date contract bids were opened.
24. **Contract Award Date** - Enter the date the contract was executed.
25. **Award Amount** - Enter the contract award amount as stated in the executed contract.
26. **Local Agency Representative's Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Contractor Section of this form is complete and accurate.
27. **Date** - Enter the date the DBE commitment form is signed by the Local Agency Representative.
28. **Local Agency Representative's Name** - Enter the name of the Local Agency Representative certifying the contractor's DBE commitment form.
29. **Phone** - Enter the area code and phone number of the person signing the contractor's DBE commitment form.
30. **Local Agency Representative Title** - Enter the position/title of the Local Agency Representative certifying the contractor's DBE commitment form.



State of California

Department of Industrial Relations

Contractor Information

Legal Entity Name

REDGWICK CONSTRUCTION COMPANY

Legal Entity Type

Corporation

Status

Active

Registration Number

1000008863

Registration effective date

07/01/19

Registration expiration date

06/30/22

Mailing Address

21 HEGENBERGER COURT OAKLAND 94621 CA United States of America

Physical Address

21 HEGENBERGER COURT OAKLAND 94621 CA United States of America

Email Address

samf@redgwick.com

Trade Name/DBA

License Number (s)

CSLB:140057

Business Information

REDGWICK CONSTRUCTION CO
21 HEGENBERGER
OAKLAND, CA 94621
Business Phone Number:(510) 792-1727

Entity Corporation
Issue Date 08/03/1953
Expire Date 05/31/2021

License Status

This license is current and active.

All information below should be reviewed.

Classifications

A - GENERAL ENGINEERING CONTRACTOR

"General Decision Number: CA20210018 02/19/2021

Superseded General Decision Number: CA20200018

State: California

Construction Types: Building, Heavy (Heavy and Dredging) and
Highway

Counties: Alameda, Calaveras, Contra Costa, Fresno, Kings,
Madera, Mariposa, Merced, Monterey, San Benito, San Francisco,
San Joaquin, San Mateo, Santa Clara, Santa Cruz, Stanislaus and
Tuolumne Counties in California.

BUILDING CONSTRUCTION PROJECTS; DREDGING PROJECTS (does not
include hopper dredge work); HEAVY CONSTRUCTION PROJECTS (does
not include water well drilling); HIGHWAY CONSTRUCTION PROJECTS

Note: Under Executive Order (EO) 13658, an hourly minimum wage
of \$10.95 for calendar year 2021 applies to all contracts
subject to the Davis-Bacon Act for which the contract is
awarded (and any solicitation was issued) on or after January
1, 2015. If this contract is covered by the EO, the contractor
must pay all workers in any classification listed on this wage
determination at least \$10.95 per hour (or the applicable wage
rate listed on this wage determination, if it is higher) for
all hours spent performing on the contract in calendar year

2021. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number Publication Date

0	01/01/2021
1	01/08/2021
2	01/15/2021
3	01/22/2021
4	02/05/2021
5	02/19/2021

ASBE0016-004 01/01/2019

AREA 1: CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, STANISLAUS &

TOULMNE COUNTIES

AREA 2: ALAMEDA, CONTRA COSTA, SAN FRANSICO, SAN MATEO & SANTA
CLARA COUNTIES

	Rates	Fringes
Asbestos Removal worker/hazardous material handler (Includes preparation, wetting, stripping, removal, scrapping, vacuuming, bagging and disposing of all insulation materials from mechanical systems, whether they contain asbestos or not)		
Area 1.....	\$ 28.20	9.27
Area 2.....	\$ 36.53	9.27

ASBE0016-008 01/01/2020

AREA 1: ALAMEDA, CONTRA COSTA, MONTEREY, SAN BENITO, SAN
FRANSICO, SAN MATEO, SANTA CLARA, & SANTA CRUZ

AREA 2: CALAVERAS, COLUSA, FRESNO, KINGS, MADERA, MARIPOSA,
MERCED, SAN JOAQUIN, STANISLAU, & TUOLUMNE

Rates Fringes

Asbestos Workers/Insulator

(Includes the application of

all insulating materials,

Protective Coverings,

Coatings, and Finishes to all

types of mechanical systems)

Area 1.....\$ 71.16 23.39

Area 2.....\$ 54.26 23.39

BOIL0549-001 10/01/2016

AREA 1: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO & SANTA
CLARA COUNTIES

AREA 2: REMAINING COUNTIES

Rates Fringes

BOILERMAKER

Area 1.....\$ 43.28 37.91

Area 2.....\$ 39.68 35.71

BRCA0003-001 08/01/2020

Rates Fringes

MARBLE FINISHER.....\$ 36.53 17.08

BRCA0003-003 08/01/2020

Rates Fringes

MARBLE MASON.....\$ 51.30 28.47

BRCA0003-005 05/01/2020

Rates Fringes

BRICKLAYER

(1) Fresno, Kings,

Madera, Mariposa, Merced....\$ 43.68 22.19

(7) San Francisco, San

Mateo.....\$ 47.65 26.77

(8) Alameda, Contra

Costa, San Benito, Santa

Clara.....\$ 49.42 22.70

(9) Calaveras, San

Joaquin, Stanislaus,

Toulumne.....\$ 45.12 21.55

(16) Monterey, Santa Cruz...\$ 45.88 25.02

BRCA0003-008 07/01/2019

Rates Fringes

TERRAZZO FINISHER.....	\$ 37.58	17.33
TERRAZZO WORKER/SETTER.....	\$ 48.53	26.84

BRCA0003-011 04/01/2019

AREA 1: Alameda, Contra Costa, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz

AREA 2: Calaveras, San Joaquin, Stanislaus, Tuolumne

AREA 3: Fresno, Kings, Madera, Mariposa, Merced

Rates	Fringes
-------	---------

TILE FINISHER

Area 1.....	\$ 29.94	16.38
Area 2.....	\$ 25.60	14.30
Area 3.....	\$ 26.58	15.65

Tile Layer

Area 1.....	\$ 49.90	19.16
Area 2.....	\$ 42.67	16.81
Area 3.....	\$ 40.27	18.58

CARP0022-001 07/01/2020

San Francisco County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....\$ 52.80 30.82

Journeyman Carpenter.....\$ 52.65 30.82

Millwright.....\$ 52.75 32.41

CARP0034-001 07/01/2020

Rates Fringes

Diver

Assistant Tender, ROV

Tender/Technician.....\$ 51.90 34.02

Diver standby.....\$ 58.09 34.02

Diver Tender.....\$ 57.09 34.02

Diver wet.....\$ 101.42 34.02

Manifold Operator (mixed

gas).....\$ 62.09 34.02

Manifold Operator (Standby).\$ 57.09 34.02

DEPTH PAY (Surface Diving):

050 to 100 ft \$2.00 per foot

101 to 150 ft \$3.00 per foot

151 to 220 ft \$4.00 per foot

221 ft.-deeper \$5.00 per foot

SATURATION DIVING:

The standby rate shall apply until saturation starts. The saturation diving rate applies when divers are under pressure continuously until work task and decompression are complete. The diver rate shall be paid for all saturation hours.

DIVING IN ENCLOSURES:

Where it is necessary for Divers to enter pipes or tunnels, or other enclosures where there is no vertical ascent, the following premium shall be paid: Distance traveled from entrance 26 feet to 300 feet: \$1.00 per foot. When it is necessary for a diver to enter any pipe, tunnel or other enclosure less than 48''' in height, the premium will be \$1.00 per foot.

WORK IN COMBINATION OF CLASSIFICATIONS:

Employees working in any combination of classifications within the diving crew (except dive supervisor) in a shift are paid in the classification with the highest rate for that shift.

Rates Fringes

Piledriver.....\$ 51.90 34.02

CARP0035-007 07/01/2020

AREA 1: Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara counties

AREA 2: Monterey, San Benito, Santa Cruz Counties

AREA 3: Calaveras, Fresno, Kings, Madera, Mariposa, Merced, San Joaquin, Stanislaus, Tuolumne Counties

Rates Fringes

Modular Furniture Installer

Area 1

Installer.....\$ 28.76 22.53

Lead Installer.....\$ 32.21 23.03

Master Installer.....\$ 36.43 23.03

Area 2

Installer.....\$ 26.11 22.53

Lead Installer.....\$ 29.08 23.03

Master Installer.....\$ 32.71 23.03

Area 3

Installer.....\$ 25.16 22.53

Lead Installer.....\$ 27.96 23.03

Master Installer.....\$ 31.38 23.03

CARP0035-008 08/01/2020

AREA 1: Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara counties

AREA 2: Monterey, San Benito, Santa Cruz Counties

AREA 3: San Joaquin

AREA 4: Calaveras, Fresno, Kings, Madera, Mariposa, Merced, Stanislaus, Tuolumne Counties

Rates Fringes

Drywall Installers/Lathers:

Area 1.....\$ 52.65 31.26

Area 2.....\$ 46.77 31.26

Area 3.....\$ 47.27 31.26

Area 4.....\$ 45.92 31.26

Drywall Stocker/Scraper

Area 1.....\$ 26.33 18.22

Area 2.....\$ 23.39 18.22

Area 3.....\$ 23.64 18.22

Area 4.....\$ 22.97 18.22

CARP0152-001 07/01/2020

Contra Costa County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....\$ 52.80 30.82

Journeyman Carpenter.....\$ 52.65 30.82

Millwright.....\$ 52.75 32.41

CARP0152-002 07/01/2020

San Joaquin County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....	\$ 46.92	30.82
Journeyman Carpenter.....	\$ 46.77	30.82
Millwright.....	\$ 49.27	32.41

CARP0152-004 07/01/2020

Calaveras, Mariposa, Merced, Stanislaus and Tuolumne Counties

Rates	Fringes
-------	---------

Carpenters

Bridge Builder/Highway		
Carpenter.....	\$ 52.65	30.82
Hardwood Floorlayer,		
Shingler, Power Saw		
Operator, Steel Scaffold &		
Steel Shoring Erector, Saw		
Filer.....	\$ 45.57	30.82
Journeyman Carpenter.....	\$ 45.42	30.82
Millwright.....	\$ 47.92	32.41

CARP0217-001 07/01/2020

San Mateo County

Rates	Fringes
-------	---------

Carpenters

Bridge Builder/Highway		
------------------------	--	--

Carpenter.....	\$ 52.65	30.82
Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer.....	\$ 52.80	30.82
Journeyman Carpenter.....	\$ 52.65	30.82
Millwright.....	\$ 52.75	32.41

CARP0405-001 07/01/2020

Santa Clara County

Rates	Fringes
-------	---------

Carpenters

Bridge Builder/Highway Carpenter.....	\$ 52.65	30.82
Hardwood Floorlayer, Shingler, Power Saw Operator, Steel Scaffold & Steel Shoring Erector, Saw Filer.....	\$ 52.80	30.82
Journeyman Carpenter.....	\$ 52.65	30.82
Millwright.....	\$ 52.75	32.41

CARP0405-002 07/01/2020

San Benito County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....\$ 46.92 30.82

Journeyman Carpenter.....\$ 46.77 30.82

Millwright.....\$ 49.27 32.41

CARP0505-001 07/01/2020

Santa Cruz County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....\$ 46.92 30.82

Journeyman Carpenter.....\$ 46.77 30.82

Millwright.....\$ 49.27 32.41

CARP0605-001 07/01/2020

Monterey County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....\$ 46.92 30.82

Journeyman Carpenter.....\$ 46.77 30.82

Millwright.....\$ 49.27 32.41

CARP0701-001 07/01/2020

Fresno and Madera Counties

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw
Operator, Steel Scaffold &
Steel Shoring Erector, Saw
Filer.....\$ 45.57 30.82
Journeyman Carpenter.....\$ 45.42 30.82
Millwright.....\$ 47.92 32.41

CARP0713-001 07/01/2020

Alameda County

Rates Fringes

Carpenters

Bridge Builder/Highway
Carpenter.....\$ 52.65 30.82
Hardwood Floorlayer,
Shingler, Power Saw
Operator, Steel Scaffold &
Steel Shoring Erector, Saw
Filer.....\$ 52.80 30.82
Journeyman Carpenter.....\$ 52.65 30.82
Millwright.....\$ 52.75 32.41

CARP1109-001 07/01/2020

Kings County

Rates Fringes

Carpenters

Bridge Builder/Highway

Carpenter.....\$ 52.65 30.82

Hardwood Floorlayer,

Shingler, Power Saw

Operator, Steel Scaffold &

Steel Shoring Erector, Saw

Filer.....\$ 45.57 30.82

Journeyman Carpenter.....\$ 45.42 30.82

Millwright.....\$ 47.92 32.41

ELEC0006-004 12/01/2020

SAN FRANCISCO COUNTY

Rates Fringes

Sound & Communications

Installer.....\$ 46.00 3%+21.65

Technician.....\$ 52.90 3%+21.65

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when

performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0006-007 06/01/2020

SAN FRANCISCO COUNTY

	Rates	Fringes
ELECTRICIAN.....	\$ 78.00	3%+35.96

ELEC0100-002 09/01/2020

FRESNO, KINGS, AND MADERA COUNTIES

	Rates	Fringes
--	-------	---------

ELECTRICIAN.....\$ 40.00 24.85

ELEC0100-005 12/01/2019

FRESNO, KINGS, MADERA

Rates Fringes

Communications System

Installer.....\$ 35.25 20.86

Technician.....\$ 40.54 21.02

SCOPE OF WORK

Includes the installation testing, service and maintenance, of the following systems which utilize the transmission and/or transference of voice, sound, vision and digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background-foreground music, intercom and telephone interconnect, inventory control systems, microwave transmission, multi-media, multiplex, nurse call system, radio page, school intercom and sound, burglar alarms, and low voltage master clock systems.

A. SOUND AND VOICE TRANSMISSION/TRANSFERENCE SYSTEMS

Background foreground music, Intercom and telephone interconnect systems, Telephone systems Nurse call systems, Radio page systems, School intercom and sound systems,

Burglar alarm systems, Low voltage, master clock systems,
Multi-media/multiplex systems, Sound and musical
entertainment systems, RF systems, Antennas and Wave Guide,

B. FIRE ALARM SYSTEMS Installation, wire pulling and testing

C. TELEVISION AND VIDEO SYSTEMS Television monitoring and
surveillance systems Video security systems, Video
entertainment systems, Video educational systems, Microwave
transmission systems, CATV and CCTV

D. SECURITY SYSTEMS Perimeter security systems Vibration
sensor systems Card access systems Access control systems,
Sonar/infrared monitoring equipment

E. COMMUNICATIONS SYSTEMS THAT TRANSMIT OR RECEIVE
INFORMATION AND/OR CONTROL SYSTEMS THAT ARE INTRINSIC TO
THE ABOVE LISTED SYSTEMS SCADA (Supervisory Control and
Data Acquisition) PCM (Pulse Code Modulation) Inventory
Control Systems, Digital Data Systems Broadband and
Baseband and Carriers Point of Sale Systems, VSAT Data
Systems Data Communication Systems RF and Remote Control
Systems, Fiber Optic Data Systems

WORK EXCLUDED Raceway systems are not covered (excluding
Ladder-Rack for the purpose of the above listed systems).
Chases and/or nipples (not to exceed 10 feet) may be
installed on open wiring systems. Energy management
systems. SCADA (Supervisory Control and Data Acquisition)

when not intrinsic to the above listed systems (in the scope). Fire alarm systems when installed in raceways (including wire and cable pulling) shall be performed at the electrician wage rate, when either of the following two (2) conditions apply:

1. The project involves new or major remodel building trades construction.
2. The conductors for the fire alarm system are installed in conduit.

ELEC0234-001 12/28/2020

MONTEREY, SAN BENITO AND SANTA CRUZ COUNTIES

Rates Fringes

ELECTRICIAN

Zone A.....	\$ 53.41	27.95
Zone B.....	\$ 58.75	28.11

Zone A: All of Santa Cruz, Monterey, and San Benito Counties within 25 air miles of Highway 1 and Dolan Road in Moss Landing, and an area extending 5 miles east and west of Highway 101 South to the San Luis Obispo County Line

Zone B: Any area outside of Zone A

ELEC0234-003 12/01/2020

MONTEREY, SAN BENITO, AND SANTA CRUZ COUNTIES

	Rates	Fringes
Sound & Communications		
Installer.....	\$ 45.50	22.52
Technician.....	\$ 52.33	22.72

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are

installed in the conduit, shall be performed by the inside electrician.

ELEC0302-001 02/25/2019

CONTRA COSTA COUNTY

	Rates	Fringes
CABLE SPLICER.....	\$ 60.48	26.06
ELECTRICIAN.....	\$ 53.76	25.86

ELEC0302-003 12/01/2020

CONTRA COSTA COUNTY

	Rates	Fringes
Sound & Communications		
Installer.....	\$ 42.11	22.52
Technician.....	\$ 44.83	22.72

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed

in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0332-001 06/01/2020

SANTA CLARA COUNTY

	Rates	Fringes
CABLE SPLICER.....	\$ 82.25	40.66
ELECTRICIAN.....	\$ 71.52	40.34

FOOTNOTES: Work under compressed air or where gas masks are required, or work on ladders, scaffolds, stacks, ""Bosun's chairs, "" or other structures and where the workers are not

protected by permanent guard rails at a distance of 40 to 60 ft. from the ground or supporting structures: to be paid one and one-half times the straight-time rate of pay.

Work on structures of 60 ft. or over (as described above): to be paid twice the straight-time rate of pay.

ELEC0332-003 12/01/2020

SANTA CLARA COUNTY

Rates	Fringes
-------	---------

Sound & Communications

Installer.....	\$ 45.50	22.515
Technician.....	\$ 52.33	22.72

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75'

above the lowest floor level having building access);
excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways
(including wire and cable pulling), on projects which
involve new or major remodel building construction, for
which the conductors for the fire alarm system are
installed in the conduit, shall be performed by the inside
electrician.

ELEC0595-001 06/01/2020

ALAMEDA COUNTY

	Rates	Fringes
CABLE SPLICER.....	\$ 69.00	3%+38.52
ELECTRICIAN.....	\$ 60.00	3%+38.52

ELEC0595-002 06/01/2020

CALAVERAS AND SAN JOAQUIN COUNTIES

	Rates	Fringes
CABLE SPLICER.....	\$ 48.00	7.75%+25.33
ELECTRICIAN		
(1) Tunnel work.....	\$ 42.00	7.75%+25.33

(2) All other work.....\$ 40.00 7.75%+25.33

ELEC0595-006 12/01/2020

ALAMEDA COUNTY

Rates Fringes

Sound & Communications

Installer.....\$ 45.50 3%+21.15

Technician.....\$ 52.33 3%+21.15

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which

involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0595-008 12/01/2020

CALAVERAS AND SAN JOAQUIN COUNTIES

Rates	Fringes
-------	---------

Communications System

Installer.....	\$ 36.83	3%+21.15
Technician.....	\$ 42.35	3%+21.15

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access);

excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0617-001 06/01/2020

SAN MATEO COUNTY

	Rates	Fringes
ELECTRICIAN.....	\$ 66.00	39.77

ELEC0617-003 12/01/2020

SAN MATEO COUNTY

	Rates	Fringes
Sound & Communications		
Installer.....	\$ 45.50	22.52
Technician.....	\$ 52.33	22.72

SCOPE OF WORK: Including any data system whose only function

is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways (including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC0684-001 06/01/2020

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES

	Rates	Fringes
ELECTRICIAN.....	\$ 41.00	3%+24.58

CABLE SPLICER = 110% of Journeyman Electrician

ELEC0684-004 12/01/2019

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES

	Rates	Fringes
--	-------	---------

Communications System

Installer.....	\$ 35.25	20.86
Technician.....	\$ 40.54	21.02

SCOPE OF WORK: Including any data system whose only function is to transmit or receive information; excluding all other data systems or multiple systems which include control function or power supply; inclusion or exclusion of terminations and testings of conductors determined by their function; excluding fire alarm work when installed in raceways (including wire and cable pulling) and when performed on new or major remodel building projects or jobs for which the conductors for the fire alarm system are installed in conduit; excluding installation of raceway systems, line voltage work, industrial work, life-safety systems (all buildings having floors located more than 75' above the lowest floor level having building access); excluding energy management systems.

FOOTNOTE: Fire alarm work when installed in raceways

(including wire and cable pulling), on projects which involve new or major remodel building construction, for which the conductors for the fire alarm system are installed in the conduit, shall be performed by the inside electrician.

ELEC1245-001 06/01/2020

Rates Fringes

LINE CONSTRUCTION

(1) Lineman; Cable splicer..\$ 59.14 20.78

(2) Equipment specialist

(operates crawler

tractors, commercial motor

vehicles, backhoes,

trenchers, cranes (50 tons

and below), overhead &

underground distribution

line equipment).....\$ 47.24 19.59

(3) Groundman.....\$ 36.12 19.19

(4) Powderman.....\$ 51.87 18.79

HOLIDAYS: New Year's Day, M.L. King Day, Memorial Day,
Independence Day, Labor Day, Veterans Day, Thanksgiving Day
and day after Thanksgiving, Christmas Day

ELEV0008-001 01/01/2021

Rates Fringes

ELEVATOR MECHANIC.....\$ 72.10 35.825+a+b

FOOTNOTE:

- a. PAID VACATION: Employer contributes 8% of regular hourly rate as vacation pay credit for employees with more than 5 years of service, and 6% for 6 months to 5 years of service.
- b. PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

ENGI0003-001 06/29/2020

""AREA 1"" WAGE RATES ARE LISTED BELOW

""AREA 2"" RECEIVES AN ADDITIONAL \$2.00 PER HOUR ABOVE AREA 1 RATES.

SEE AREA DEFINITIONS BELOW

Rates Fringes

OPERATOR: Power Equipment

(AREA 1:)

GROUP 1.....	\$ 51.42	31.15
GROUP 2.....	\$ 49.89	31.15
GROUP 3.....	\$ 48.41	31.15
GROUP 4.....	\$ 47.03	31.15
GROUP 5.....	\$ 45.76	31.15
GROUP 6.....	\$ 44.44	31.15
GROUP 7.....	\$ 43.30	31.15
GROUP 8.....	\$ 42.16	31.15
GROUP 8-A.....	\$ 39.95	31.15

OPERATOR: Power Equipment

(Cranes and Attachments -

AREA 1:)

GROUP 1

Cranes.....	\$ 52.30	31.15
Oiler.....	\$ 43.79	31.15
Truck crane oiler.....	\$ 46.08	31.15

GROUP 2

Cranes.....	\$ 50.54	31.15
Oiler.....	\$ 42.83	31.15
Truck crane oiler.....	\$ 45.07	31.15

GROUP 3

Cranes.....	\$ 48.80	31.15
Hydraulic.....	\$ 44.44	31.15
Oiler.....	\$ 42.55	31.15
Truck crane oiler.....	\$ 44.83	31.15

GROUP 4

Cranes.....	\$ 45.76	31.15
-------------	----------	-------

OPERATOR: Power Equipment

(Piledriving - AREA 1:)

GROUP 1

Lifting devices.....	\$ 52.64	31.15
Oiler.....	\$ 43.38	31.15
Truck Crane Oiler.....	\$ 45.66	31.15

GROUP 2

Lifting devices.....	\$ 50.82	31.15
Oiler.....	\$ 43.11	31.15
Truck Crane Oiler.....	\$ 45.41	31.15

GROUP 3

Lifting devices.....	\$ 49.14	31.15
Oiler.....	\$ 42.89	31.15
Truck Crane Oiler.....	\$ 45.12	31.15

GROUP 4

Lifting devices.....	\$ 47.37	31.15
----------------------	----------	-------

GROUP 5

Lifting devices.....	\$ 44.73	31.15
----------------------	----------	-------

GROUP 6

Lifting devices.....	\$ 42.50	31.15
----------------------	----------	-------

OPERATOR: Power Equipment

(Steel Erection - AREA 1:)

GROUP 1

Cranes.....	\$ 53.27	31.15
Oiler.....	\$ 43.72	31.15
Truck Crane Oiler.....	\$ 45.95	31.15

GROUP 2

Cranes.....	\$ 51.50	31.15
Oiler.....	\$ 43.45	31.15
Truck Crane Oiler.....	\$ 45.73	31.15

GROUP 3

Cranes.....	\$ 50.02	31.15
Hydraulic.....	\$ 45.07	31.15
Oiler.....	\$ 43.23	31.15
Truck Crane Oiler.....	\$ 45.46	31.15

GROUP 4

Cranes.....	\$ 48.00	31.15
-------------	----------	-------

GROUP 5

Cranes.....	\$ 46.70	31.15
-------------	----------	-------

OPERATOR: Power Equipment

(Tunnel and Underground Work

- AREA 1:)

SHAFTS, STOPES, RAISES:

GROUP 1.....	\$ 47.52	31.15
GROUP 1-A.....	\$ 49.99	31.15
GROUP 2.....	\$ 46.26	31.15
GROUP 3.....	\$ 44.93	31.15
GROUP 4.....	\$ 43.79	31.15
GROUP 5.....	\$ 42.65	31.15

UNDERGROUND:

GROUP 1.....	\$ 47.42	31.15
GROUP 1-A.....	\$ 49.89	31.15
GROUP 2.....	\$ 46.16	31.15
GROUP 3.....	\$ 44.83	31.15
GROUP 4.....	\$ 43.69	31.15
GROUP 5.....	\$ 42.55	31.15

FOOTNOTE: Work suspended by ropes or cables, or work on a

Yo-Yo Cat: \$.60 per hour additional.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Operator of helicopter (when used in erection work);
Hydraulic excavator, 7 cu. yds. and over; Power shovels,
over 7 cu. yds.

GROUP 2: Highline cableway; Hydraulic excavator, 3-1/2 cu.
yds. up to 7 cu. yds.; Licensed construction work boat
operator, on site; Power blade operator (finish); Power
shovels, over 1 cu. yd. up to and including 7 cu. yds.
m.r.c.

GROUP 3: Asphalt milling machine; Cable backhoe; Combination
backhoe and loader over 3/4 cu. yds.; Continuous flight tie
back machine assistant to engineer or mechanic; Crane
mounted continuous flight tie back machine, tonnage to
apply; Crane mounted drill attachment, tonnage to apply;
Dozer, slope brd; Gradall; Hydraulic excavator, up to 3 1/2
cu. yds.; Loader 4 cu. yds. and over; Long reach excavator;
Multiple engine scraper (when used as push pull); Power
shovels, up to and including 1 cu. yd.; Pre-stress wire
wrapping machine; Side boom cat, 572 or larger; Track
loader 4 cu. yds. and over; Wheel excavator (up to and
including 750 cu. yds. per hour)

GROUP 4: Asphalt plant engineer/box person; Chicago boom;
Combination backhoe and loader up to and including 3/4 cu.
yd.; Concrete batch plant (wet or dry); Dozer and/or push

cat; Pull- type elevating loader; Gradesetter, grade checker (GPS, mechanical or otherwise); Grooving and grinding machine; Heading shield operator; Heavy-duty drilling equipment, Hughes, LDH, Watson 3000 or similar; Heavy-duty repairperson and/or welder; Lime spreader; Loader under 4 cu. yds.; Lubrication and service engineer (mobile and grease rack); Mechanical finishers or spreader machine (asphalt, Barber-Greene and similar); Miller Formless M-9000 slope paver or similar; Portable crushing and screening plants; Power blade support; Roller operator, asphalt; Rubber-tired scraper, self-loading (paddle-wheels, etc.); Rubber- tired earthmoving equipment (scrapers); Slip form paver (concrete); Small tractor with drag; Soil stabilizer (P & H or equal); Spider plow and spider puller; Tubex pile rig; Unlicensed constuction work boat operator, on site; Timber skidder; Track loader up to 4 yds.; Tractor-drawn scraper; Tractor, compressor drill combination; Welder; Woods-Mixer (and other similar Pugmill equipment)

GROUP 5: Cast-in-place pipe laying machine; Combination slusher and motor operator; Concrete conveyor or concrete pump, truck or equipment mounted; Concrete conveyor, building site; Concrete pump or pumpcrete gun; Drilling equipment, Watson 2000, Texoma 700 or similar; Drilling and boring machinery, horizontal (not to apply to waterliners, wagon drills or jackhammers); Concrete mixer/all; Person and/or material hoist; Mechanical finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types);

Mechanical burm, curb and/or curb and gutter machine, concrete or asphalt); Mine or shaft hoist; Portable crusher; Power jumbo operator (setting slip-forms, etc., in tunnels); Screed (automatic or manual); Self-propelled compactor with dozer; Tractor with boom D6 or smaller; Trenching machine, maximum digging capacity over 5 ft. depth; Vermeer T-600B rock cutter or similar

GROUP 6: Armor-Coater (or similar); Ballast jack tamper; Boom- type backfilling machine; Assistant plant engineer; Bridge and/or gantry crane; Chemical grouting machine, truck-mounted; Chip spreading machine operator; Concrete saw (self-propelled unit on streets, highways, airports and canals); Deck engineer; Drilling equipment Texoma 600, Hughes 200 Series or similar up to and including 30 ft. m.r.c.; Drill doctor; Helicopter radio operator; Hydro-hammer or similar; Line master; Skidsteer loader, Bobcat larger than 743 series or similar (with attachments); Locomotive; Lull hi-lift or similar; Oiler, truck mounted equipment; Pavement breaker, truck-mounted, with compressor combination; Paving fabric installation and/or laying machine; Pipe bending machine (pipelines only); Pipe wrapping machine (tractor propelled and supported); Screed (except asphaltic concrete paving); Self- propelled pipeline wrapping machine; Tractor; Self-loading chipper; Concrete barrier moving machine

GROUP 7: Ballast regulator; Boom truck or dual-purpose A-frame truck, non-rotating - under 15 tons; Cary lift or

similar; Combination slurry mixer and/or cleaner; Drilling equipment, 20 ft. and under m.r.c.; Firetender (hot plant); Grouting machine operator; Highline cableway signalperson; Stationary belt loader (Kolman or similar); Lift slab machine (Vagtborg and similar types); Maginnes internal full slab vibrator; Material hoist (1 drum); Mechanical trench shield; Pavement breaker with or without compressor combination); Pipe cleaning machine (tractor propelled and supported); Post driver; Roller (except asphalt); Chip Seal; Self-propelled automatically applied concrete curing machine (on streets, highways, airports and canals); Self-propelled compactor (without dozer); Signalperson; Slip-form pumps (lifting device for concrete forms); Tie spacer; Tower mobile; Trenching machine, maximum digging capacity up to and including 5 ft. depth; Truck- type loader

GROUP 8: Bit sharpener; Boiler tender; Box operator; Brakeperson; Combination mixer and compressor (shotcrete/gunite); Compressor operator; Deckhand; Fire tender; Forklift (under 20 ft.); Generator; Gunite/shotcrete equipment operator; Hydraulic monitor; Ken seal machine (or similar); Mixermobile; Oiler; Pump operator; Refrigeration plant; Reservoir-debris tug (self-propelled floating); Ross Carrier (construction site); Rotomist operator; Self-propelled tape machine; Shuttlecar; Self-propelled power sweeper operator (includes vacuum sweeper); Slusher operator; Surface heater; Switchperson; Tar pot firetender; Tugger hoist, single drum; Vacuum cooling plant; Welding machine (powered other than by

electricity)

GROUP 8-A: Elevator operator; Skidsteer loader-Bobcat 743 series or smaller, and similar (without attachments); Mini excavator under 25 H.P. (backhoe-trencher); Tub grinder wood chipper

ALL CRANES AND ATTACHMENTS

GROUP 1: Clamshell and dragline over 7 cu. yds.; Crane, over 100 tons; Derrick, over 100 tons; Derrick barge pedestal-mounted, over 100 tons; Self-propelled boom-type lifting device, over 100 tons

GROUP 2: Clamshell and dragline over 1 cu. yd. up to and including 7 cu. yds.; Crane, over 45 tons up to and including 100 tons; Derrick barge, 100 tons and under; Self-propelled boom-type lifting device, over 45 tons; Tower crane

GROUP 3: Clamshell and dragline up to and including 1 cu. yd.; Cranes 45 tons and under; Self-propelled boom-type lifting device 45 tons and under;

GROUP 4: Boom Truck or dual purpose A-frame truck, non-rotating over 15 tons; Truck-mounted rotating telescopic boom type lifting device, Manitex or similar

(boom truck) over 15 tons; Truck-mounted rotating
telescopic boom type lifting device, Manitex or similar
(boom truck) - under 15 tons;

PILEDRIVERS

GROUP 1: Derrick barge pedestal mounted over 100 tons;
Clamshell over 7 cu. yds.; Self-propelled boom-type lifting
device over 100 tons; Truck crane or crawler, land or barge
mounted over 100 tons

GROUP 2: Derrick barge pedestal mounted 45 tons to and
including 100 tons; Clamshell up to and including 7 cu.
yds.; Self-propelled boom-type lifting device over 45 tons;
Truck crane or crawler, land or barge mounted, over 45 tons
up to and including 100 tons; Fundex F-12 hydraulic pile rig

GROUP 3: Derrick barge pedestal mounted under 45 tons; Self-
propelled boom-type lifting device 45 tons and under;
Skid/scow piledriver, any tonnage; Truck crane or crawler,
land or barge mounted 45 tons and under

GROUP 4: Assistant operator in lieu of assistant to engineer;
Forklift, 10 tons and over; Heavy-duty repairperson/welder

GROUP 5: Deck engineer

GROUP 6: Deckhand; Fire tender

STEEL ERECTORS

GROUP 1: Crane over 100 tons; Derrick over 100 tons; Self-propelled boom-type lifting device over 100 tons

GROUP 2: Crane over 45 tons to 100 tons; Derrick under 100 tons; Self-propelled boom-type lifting device over 45 tons to 100 tons; Tower crane

GROUP 3: Crane, 45 tons and under; Self-propelled boom-type lifting device, 45 tons and under

GROUP 4: Chicago boom; Forklift, 10 tons and over; Heavy-duty repair person/welder

GROUP 5: Boom cat

--

TUNNEL AND UNDERGROUND WORK

GROUP 1-A: Tunnel bore machine operator, 20' diameter or more

GROUP 1: Heading shield operator; Heavy-duty repairperson;
Mucking machine (rubber tired, rail or track type); Raised
bore operator (tunnels); Tunnel mole bore operator

GROUP 2: Combination slusher and motor operator; Concrete
pump or pumpcrete gun; Power jumbo operator

GROUP 3: Drill doctor; Mine or shaft hoist

GROUP 4: Combination slurry mixer cleaner; Grouting Machine
operator; Motorman

GROUP 5: Bit Sharpener; Brakeman; Combination mixer and
compressor (gunite); Compressor operator; Oiler; Pump
operator; Slusher operator

AREA DESCRIPTIONS:

POWER EQUIPMENT OPERATORS, CRANES AND ATTACHMENTS, TUNNEL AND
UNDERGROUND [These areas do not apply to Piledrivers and
Steel Erectors]

AREA 1: ALAMEDA, CALAVERAS, CONTRA COSTA, FRESNO, KINGS,
MADERA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN
FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ,
STANISLAUS, TUOLUMNE

AREA 2 -NOTED BELOW

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS
NOTED BELOW:

CALAVERAS COUNTY:

Area 1: Remainder

Area 2: Eastern Part

FRESNO COUNTY:

Area 1: Remainder

Area 2: Eastern Part

MADERA COUNTY:

Area 1: Remainder

Area 2: Eastern Part

MARIPOSA COUNTY:

Area 1: Remainder

Area 2: Eastern Part

MONTEREY COUNTY:

Area 1: Remainder

Area 2: Southwestern part

TUOLUMNE COUNTY:

Area 1: Remainder

Area 2: Eastern Part

Rates Fringes

Dredging: (DREDGING:

CLAMSHELL & DIPPER DREDGING;

HYDRAULIC SUCTION DREDGING:)

AREA 1:

(1) Leverman.....\$ 49.88 34.35

(2) Dredge Dozer; Heavy

duty repairman.....\$ 44.92 34.35

(3) Booster Pump

Operator; Deck

Engineer; Deck mate;

Dredge Tender; Winch

Operator.....\$ 43.80 34.35

(4) Bargeman; Deckhand;

Fireman; Leveehand; Oiler..\$ 40.50 34.35

AREA 2:

(1) Leverman.....\$ 51.88 34.35

(2) Dredge Dozer; Heavy

duty repairman.....\$ 46.92 34.35

(3) Booster Pump

Operator; Deck

Engineer; Deck mate;

Dredge Tender; Winch

Operator.....\$ 45.80 34.35

(4) Bargeman; Deckhand;

Fireman; Leveehand; Oiler..\$ 42.50 34.35

AREA DESCRIPTIONS

AREA 1: ALAMEDA, BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED,
NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN,
SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS,
SUTTER, YOLO, AND YUBA COUNTIES

AREA 2: MODOC COUNTY

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2
AS NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part

Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Remainder

Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part

Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part

Area 2: Remainder

FRESNO COUNTY:

Area 1: Remainder

Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part

Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border
with Shasta County

Area 2: Remainder

MADERA COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Except Eastern part

Area 2: Eastern part

MONTERREY COUNTY

Area 1: Except Southwestern part

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Remainder

TEHAMA COUNTY:

Area 1: All but the Western border with Mendocino & Trinity
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeastern border with
Shasta County

Area 2: Remainder

TUOLUMNE COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

ENGI0003-019 06/29/2020

SEE AREA DESCRIPTIONS BELOW

Rates Fringes

OPERATOR: Power Equipment

(LANDSCAPE WORK ONLY)

GROUP 1

AREA 1.....\$ 39.95 30.28

AREA 2.....\$ 41.95 30.28

GROUP 2

AREA 1.....\$ 36.35 30.28

AREA 2.....\$ 38.35 30.28

GROUP 3

AREA 1.....\$ 31.74 30.28

AREA 2.....\$ 33.74 30.28

GROUP DESCRIPTIONS:

GROUP 1: Landscape Finish Grade Operator: All finish grade work regardless of equipment used, and all equipment with a rating more than 65 HP.

GROUP 2: Landscape Operator up to 65 HP: All equipment with a manufacturer's rating of 65 HP or less except equipment covered by Group 1 or Group 3. The following equipment shall be included except when used for finish work as long as manufacturer's rating is 65 HP or less: A-Frame and Winch Truck, Backhoe, Forklift, Hydragraphic Seeder Machine, Roller, Rubber-Tired and Track Earthmoving Equipment, Skiploader, Straw Blowers, and Trencher 31 HP up to 65 HP.

GROUP 3: Landscae Utility Operator: Small Rubber-Tired Tractor, Trencher Under 31 HP.

AREA DESCRIPTIONS:

AREA 1: ALAMEDA, BUTTE, CONTRA COSTA, KINGS, MARIN, MERCED, NAPA, SACRAMENTO, SAN BENITO, SAN FRANCISCO, SAN JOAQUIN, SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, STANISLAUS, SUTTER, YOLO, AND YUBA COUNTIES

AREA 2 - MODOC COUNTY

THE REMAINING COUNTIES ARE SPLIT BETWEEN AREA 1 AND AREA 2 AS NOTED BELOW:

ALPINE COUNTY:

Area 1: Northernmost part

Area 2: Remainder

CALAVERAS COUNTY:

Area 1: Except Eastern part

Area 2: Eastern part

COLUSA COUNTY:

Area 1: Eastern part

Area 2: Remainder

DEL NORTE COUNTY:

Area 1: Extreme Southwestern corner

Area 2: Remainder

ELDORADO COUNTY:

Area 1: North Central part

Area 2: Remainder

FRESNO COUNTY

Area 1: Except Eastern part

Area 2: Eastern part

GLENN COUNTY:

Area 1: Eastern part

Area 2: Remainder

HUMBOLDT COUNTY:

Area 1: Except Eastern and Southwestern parts

Area 2: Remainder

LAKE COUNTY:

Area 1: Southern part

Area 2: Remainder

LASSEN COUNTY:

Area 1: Western part along the Southern portion of border
with Shasta County

Area 2: Remainder

MADERA COUNTY

Area 1: Remainder

Area 2: Eastern part

MARIPOSA COUNTY

Area 1: Remainder

Area 2: Eastern part

MENDOCINO COUNTY:

Area 1: Central and Southeastern parts

Area 2: Remainder

MONTEREY COUNTY

Area 1: Remainder

Area 2: Southwestern part

NEVADA COUNTY:

Area 1: All but the Northern portion along the border of
Sierra County

Area 2: Remainder

PLACER COUNTY:

Area 1: All but the Central portion

Area 2: Remainder

PLUMAS COUNTY:

Area 1: Western portion

Area 2: Remainder

SHASTA COUNTY:

Area 1: All but the Northeastern corner

Area 2: Remainder

SIERRA COUNTY:

Area 1: Western part

Area 2: Remainder

SISKIYOU COUNTY:

Area 1: Central part

Area 2: Remainder

SONOMA COUNTY:

Area 1: All but the Northwestern corner

Area 2: Reaminder

TEHAMA COUNTY:

Area 1: All but the Western border with mendocino & Trinity
Counties

Area 2: Remainder

TRINITY COUNTY:

Area 1: East Central part and the Northeaster border with
Shasta County

Area 2: Remainder

TULARE COUNTY;

Area 1: Remainder

Area 2: Eastern part

TUOLUMNE COUNTY:

Area 1: Remainder

Area 2: Eastern Part

IRON0377-001 07/01/2020

ALAMEDA, CONTRA COSTA, SAN MATEO, SANTA CLARA & SAN FRANCISCO
COUNTIES

Rates Fringes

Ironworkers:

Fence Erector.....\$ 34.58	24.81
----------------------------	-------

Ornamental, Reinforcing
and Structural.....\$ 42.50 33.45

PREMIUM PAY:

\$6.00 additional per hour at the following locations:

China Lake Naval Test Station, Chocolate Mountains Naval
Reserve-Niland,
Edwards AFB, Fort Irwin Military Station, Fort Irwin Training
Center-Goldstone, San Clemente Island, San Nicholas Island,
Susanville Federal Prison, 29 Palms - Marine Corps, U.S. Marine
Base - Barstow, U.S. Naval Air Facility - Sealey, Vandenberg AFB

\$4.00 additional per hour at the following locations:

Army Defense Language Institute - Monterey, Fallon Air Base,
Naval Post Graduate School - Monterey, Yermo Marine Corps
Logistics Center

\$2.00 additional per hour at the following locations:

Port Hueneme, Port Mugu, U.S. Coast Guard Station - Two Rock

IRON0433-005 07/01/2020

REMAINING COUNTIES

Rates Fringes

IRONWORKER

Fence Erector.....	\$ 34.58	24.81
Ornamental, Reinforcing and Structural.....	\$ 41.00	33.45

PREMIUM PAY:

\$6.00 additional per hour at the following locations:

China Lake Naval Test Station, Chocolate Mountains Naval
Reserve-Niland,
Edwards AFB, Fort Irwin Military Station, Fort Irwin Training
Center-Goldstone, San Clemente Island, San Nicholas Island,
Susanville Federal Prison, 29 Palms - Marine Corps, U.S. Marine
Base - Barstow, U.S. Naval Air Facility - Sealey, Vandenberg AFB

\$4.00 additional per hour at the following locations:

Army Defense Language Institute - Monterey, Fallon Air Base,
Naval Post Graduate School - Monterey, Yermo Marine Corps
Logistics Center

\$2.00 additional per hour at the following locations:

Port Hueneme, Port Mugu, U.S. Coast Guard Station - Two Rock

LABO0067-002 06/29/2020

AREA ""A"" - ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO AND
SANTA CLARA COUNTIES

AREA ""B"" - CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA,
MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, STANISLAUS, AND
TUOLUMNE COUNTIES

	Rates	Fringes
Asbestos Removal Laborer		
All Counties.....	\$ 25.05	12.00
LABORER (Lead Removal)		
Area A.....	\$ 33.07	25.30
Area B.....	\$ 32.07	25.30

ASBESTOS REMOVAL-SCOPE OF WORK: Site mobilization; initial site clean-up; site preparation; removal of asbestos-containing materials from walls and ceilings; or from pipes, boilers and mechanical systems only if they are being scrapped; encapsulation, enclosure and disposal of asbestos-containing materials by hand or with equipment or machinery; scaffolding; fabrication of temporary wooden barriers; and assembly of decontamination stations.

LABO0073-002 06/25/2018

CALAVERAS AND SAN JOAQUIN COUNTIES

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 29.54	23.65
Traffic Control Person I....	\$ 29.84	23.65
Traffic Control Person II...	\$ 27.34	23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LABO0073-003 07/01/2020

SAN JOAQUIN COUNTY

	Rates	Fringes
LABORER		
Mason Tender-Brick.....	\$ 32.84	23.71

LABO0073-005 06/25/2018

Rates Fringes

Tunnel and Shaft Laborers:

GROUP 1.....	\$ 37.82	24.11
GROUP 2.....	\$ 37.59	24.11
GROUP 3.....	\$ 37.34	24.11
GROUP 4.....	\$ 36.89	24.11
GROUP 5.....	\$ 36.35	24.11
Shotcrete Specialist.....	\$ 38.34	24.11

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Guniting and shotcrete
nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickermen - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Guniting & shotcrete gunman & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and
bottom man on shaft and raise work; Nipper; Nozzleman on
slick line; Sandblaster - potman, Robotic Shotcrete Placer,
Segment Erector, Tunnel Muck Hauler, Steel Form raiser and

setter; Timberman, retimberman (wood or steel or substitute materials therefore); Tugger (for tunnel laborer work); Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang - muckers, trackmen; Concrete crew - includes rodding and spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO0073-007 06/25/2018

CALAVERAS AND SAN JOAQUIN COUNTIES

Rates Fringes

LABORER (CONSTRUCTION CRAFT
LABORERS)

Construction Specialist

Group.....	\$ 30.49	23.20
GROUP 1.....	\$ 29.79	23.20
GROUP 1-a.....	\$ 30.01	23.20
GROUP 1-c.....	\$ 29.84	23.20
GROUP 1-e.....	\$ 30.34	23.20
GROUP 1-f.....	\$ 30.37	23.20
GROUP 2.....	\$ 29.64	23.20
GROUP 3.....	\$ 29.54	23.20
GROUP 4.....	\$ 23.23	23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS)

(1) New Construction.....\$ 29.54	23.20
(2) Establishment Warranty Period.....\$ 23.23	23.20

LABORER (GUNITE)

GROUP 1.....\$ 29.75	22.31
GROUP 2.....\$ 29.25	22.31
GROUP 3.....\$ 28.66	22.31
GROUP 4.....\$ 28.54	22.31

LABORER (WRECKING)

GROUP 1.....\$ 29.79	23.20
GROUP 2.....\$ 29.64	23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging
scaffolds, belts shall receive \$0.25 per hour above the
applicable wage rate. This shall not apply to workers
entitled to receive the wage rate set forth in Group 1-a
below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;

Chainsaw; Laser beam in connection with laborers' work;
Cast-in- place manhole form setter; Pressure pipelayer;
Davis trencher - 300 or similar type (and all small
trenchers); Blaster; Diamond driller; Multiple unit drill;
Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker
and similar type tampers; Buggymobile; Caulker, bander,
pipewrapper, conduit layer, plastic pipelayer; Certified
hazardous waste worker including Leade Abatement;
Compactors of all types; Concrete and magnesite mixer, 1/2
yd. and under; Concrete pan work; Concrete sander; Concrete
saw; Cribber and/or shoring; Cut granite curb setter;
Dri-pak-it machine; Faller, logloader and buckler; Form
raiser, slip forms; Green cutter; Headerboard, Hubsetter,
aligner, by any method; High pressure blow pipe (1-1/2" or
over, 100 lbs. pressure/over); Hydro seeder and similar
type; Jackhammer operator; Jacking of pipe over 12 inches;
Jackson and similar type compactor; Kettle tender, pot and
worker applying asphalt, lay-kold, creosote, lime, caustic
and similar type materials (applying means applying,
dipping or handling of such materials); Lagging, sheeting,
whaling, bracing, trenchjacking, lagging hammer; Magnesite,
epoxyresin, fiberglass, mastic worker (wet or dry); No
joint pipe and stripping of same, including repair of
voids; Pavement breaker and spader, including tool grinder;
Perma curb; Pipelayer (including grade checking in
connection with pipelaying); Precast-manhole setter;
Pressure pipe tester; Post hole digger, air, gas and

electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. ""Sewer cleaner"" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender,

chuck tender, nipper; Guinea chaser (stake), grout crew;
High pressure nozzle, adductor; Hydraulic monitor (over 100
lbs. pressure); Loading and unloading, carrying and hauling
of all rods and materials for use in reinforcing concrete
construction; Pittsburgh chipper and similar type brush
shredders; Sloper; Single foot, hand-held, pneumatic
tamper; All pneumatic, air, gas and electric tools not
listed in Groups 1 through 1-f; Jacking of pipe - under 12
inches

GROUP 3: Construction laborers, including bridge and general
laborer; Dump, load spotter; Flag person; Fire watcher;
Fence erector; Guardrail erector; Gardener, horticultural
and landscape laborer; Jetting; Limber, brush loader and
piler; Pavement marker (button setter); Maintenance, repair
track and road beds; Streetcar and railroad construction
track laborer; Temporary air and water lines, Victaulic or
similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building
including but not limited to: street cleaner; cleaning and
washing windows; brick cleaner (jobsite only); material
cleaner (jobsite only). The classification "material
cleaner" is to be utilized under the following conditions:

A: at demolition site for the salvage of the material.

B: at the conclusion of a job where the material is to be
salvaged and stocked to be reused on another job.

C: for the cleaning of salvage material at the jobsite or
temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LABO0073-009 07/01/2018

CALAVERAS AND SAN JOAQUIN COUNTIES

	Rates	Fringes
LABORER (Plaster Tender).....	\$ 32.02	23.00

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO0261-003 06/25/2018

SAN FRANCISCO AND SAN MATEO COUNTIES

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 20.54	23.65
Traffic Control Person I....	\$ 30.84	23.65
Traffic Control Person II...	\$ 28.34	23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LABO0261-005 06/25/2018

SAN FRANCISCO AND SAN MATEO COUNTIES

	Rates	Fringes
Tunnel and Shaft Laborers:		
GROUP 1.....	\$ 37.82	24.11
GROUP 2.....	\$ 37.59	24.11
GROUP 3.....	\$ 37.34	24.11
GROUP 4.....	\$ 36.89	24.11
GROUP 5.....	\$ 36.35	24.11
Shotcrete Specialist.....	\$ 38.34	24.11

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Guniting and shotcrete
nozzleman

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickermen - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Guniting & shotcrete gunman & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and
bottom man on shaft and raise work; Nipper; Nozzleman on
slick line; Sandblaster - potman, Robotic Shotcrete Placer,

Segment Erector, Tunnel Muck Hauler, Steel Form raiser and
setter; Timberman, retimberman (wood or steel or substitute
materials therefore); Tugger (for tunnel laborer work);
Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -
muckers, trackmen; Concrete crew - includes rodding and
spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO0261-009 06/25/2018

SAN FRANCISCO, AND SAN MATEO COUNTIES

Rates Fringes

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA A:)

Construction Specialist

Group.....	\$ 31.49	23.20
GROUP 1.....	\$ 30.79	23.20
GROUP 1-a.....	\$ 31.01	23.20
GROUP 1-c.....	\$ 30.84	23.20
GROUP 1-e.....	\$ 31.34	23.20
GROUP 1-f.....	\$ 31.37	23.20
GROUP 2.....	\$ 30.64	23.20
GROUP 3.....	\$ 30.54	23.20

GROUP 4.....\$ 24.23 23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS - AREA A:)

(1) New Construction.....\$ 30.54 23.20

(2) Establishment Warranty

Period.....\$ 24.23 23.20

LABORER (WRECKING - AREA A:)

GROUP 1.....\$ 30.79 23.20

GROUP 2.....\$ 30.64 23.20

Laborers: (GUNITE - AREA A:)

GROUP 1.....\$ 30.75 22.31

GROUP 2.....\$ 30.25 22.31

GROUP 3.....\$ 29.66 22.31

GROUP 4.....\$ 29.54 22.31

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging
scaffolds, belts shall receive \$0.25 per hour above the
applicable wage rate. This shall not apply to workers
entitled to receive the wage rate set forth in Group 1-a
below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;
Chainsaw; Laser beam in connection with laborers' work;
Cast-in- place manhole form setter; Pressure pipelayer;
Davis trencher - 300 or similar type (and all small
trenchers); Blaster; Diamond driller; Multiple unit drill;
Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker
and similar type tampers; Buggymobile; Caulker, bander,
pipewrapper, conduit layer, plastic pipelayer; Certified
hazardous waste worker including Leade Abatement;
Compactors of all types; Concrete and magnesite mixer, 1/2
yd. and under; Concrete pan work; Concrete sander; Concrete
saw; Cribber and/or shoring; Cut granite curb setter;
Dri-pak-it machine; Faller, logloader and buckler; Form
raiser, slip forms; Green cutter; Headerboard, Hubsetter,
aligner, by any method; High pressure blow pipe (1-1/2" or
over, 100 lbs. pressure/over); Hydro seeder and similar
type; Jackhammer operator; Jacking of pipe over 12 inches;
Jackson and similar type compactor; Kettle tender, pot and
worker applying asphalt, lay-kold, creosote, lime, caustic
and similar type materials (applying means applying,
dipping or handling of such materials); Lagging, sheeting,
whaling, bracing, trenchjacking, lagging hammer; Magnesite,
epoxyresin, fiberglass, mastic worker (wet or dry); No
joint pipe and stripping of same, including repair of
voids; Pavement breaker and spader, including tool grinder;
Perma curb; Pipelayer (including grade checking in
connection with pipelaying); Precast-manhole setter;

Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. "Sewer cleaner" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage

rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and

grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or

temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LABO0261-011 05/01/2018

SAN FRANCISCO AND SAN MATEO COUNTIES:

	Rates	Fringes
MASON TENDER, BRICK.....	\$ 35.37	20.70

FOOTNOTES: Underground work such as sewers, manholes, catch
basins, sewer pipes, telephone conduits, tunnels and cut
trenches: \$5.00 per day additional. Work in live sewage:
\$2.50 per day additional.

LABO0261-014 07/01/2017

SAN FRANCISCO AND SAN MATEO COUNTIES:

	Rates	Fringes
PLASTER TENDER.....	\$ 34.70	23.11

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO0270-003 06/25/2018

AREA A: SANTA CLARA

AREA B: MONTEREY, SAN BENITO AND SANTA CRUZ COUNTIES

Rates Fringes

LABORER (TRAFFIC CONTROL/LANE
CLOSURE)

Escort Driver, Flag Person

Area A.....\$ 30.54 23.65

Area B.....\$ 29.54 23.65

Traffic Control Person I

Area A.....\$ 30.84 23.65

Area B.....\$ 29.84 23.65

Traffic Control Person II

Area A.....\$ 28.34 23.65

Area B.....\$ 27.34 23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash
cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of
temporary/permanent signs, markers, delineators and crash
cushions.

LABO0270-004 06/25/2018

MONTEREY, SAN BENITO, SANTA CLARA, AND SANTA CRUZ COUNTIES

Rates Fringes

Tunnel and Shaft Laborers:

GROUP 1.....	\$ 37.82	24.11
GROUP 2.....	\$ 37.59	24.11
GROUP 3.....	\$ 37.34	24.11
GROUP 4.....	\$ 36.89	24.11
GROUP 5.....	\$ 36.35	24.11
Shotcrete Specialist.....	\$ 38.34	24.11

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Guniting and shotcrete
nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickers - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Guniting & shotcrete gunner & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and
bottom man on shaft and raise work; Nipper; Nozzleman on
slick line; Sandblaster - potman, Robotic Shotcrete Placer,
Segment Erector, Tunnel Muck Hauler, Steel Form raiser and
setter; Timberman, retimberman (wood or steel or substitute
materials therefore); Tugger (for tunnel laborer work);
Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -
muckers, trackmen; Concrete crew - includes rodding and
spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO0270-005 07/01/2020

MONTEREY AND SAN BENITO COUNTIES

	Rates	Fringes
--	-------	---------

LABORER

Mason Tender-Brick.....	\$ 32.84	23.71
-------------------------	----------	-------

LABO0270-007 06/25/2018

MONTEREY, SAN BENITO, AND SANTA CRUZ, COUNTIES

	Rates	Fringes
--	-------	---------

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA B)

Construction Specialist

Group.....	\$ 30.40	23.20
------------	----------	-------

GROUP 1.....	\$ 29.79	23.20
--------------	----------	-------

GROUP 1-a.....	\$ 30.01	23.20
----------------	----------	-------

GROUP 1-c.....	\$ 29.84	23.20
----------------	----------	-------

GROUP 1-e.....	\$ 30.34	23.20
GROUP 1-f.....	\$ 30.37	23.20
GROUP 2.....	\$ 29.64	23.20
GROUP 3.....	\$ 29.54	23.20
GROUP 4.....	\$ 23.23	23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS - AREA B)

(1) New Construction.....	\$ 29.54	23.20
(2) Establishment Warranty Period.....	\$ 23.23	23.20

LABORER (GUNITE - AREA B)

GROUP 1.....	\$ 29.75	22.31
GROUP 2.....	\$ 29.25	22.31
GROUP 3.....	\$ 28.66	22.31
GROUP 4.....	\$ 28.54	22.31

LABORER (WRECKING - AREA B)

GROUP 1.....	\$ 29.79	23.20
GROUP 2.....	\$ 29.64	23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging
scaffolds, belts shall receive \$0.25 per hour above the
applicable wage rate. This shall not apply to workers
entitled to receive the wage rate set forth in Group 1-a
below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;
Chainsaw; Laser beam in connection with laborers' work;
Cast-in- place manhole form setter; Pressure pipelayer;
Davis trencher - 300 or similar type (and all small
trenchers); Blaster; Diamond driller; Multiple unit drill;
Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker
and similar type tampers; Buggymobile; Caulker, bander,
pipewrapper, conduit layer, plastic pipelayer; Certified
hazardous waste worker including Leade Abatement;
Compactors of all types; Concrete and magnesite mixer, 1/2
yd. and under; Concrete pan work; Concrete sander; Concrete
saw; Cribber and/or shoring; Cut granite curb setter;
Dri-pak-it machine; Faller, logloader and buckler; Form
raiser, slip forms; Green cutter; Headerboard, Hubsetter,
aligner, by any method; High pressure blow pipe (1-1/2" or
over, 100 lbs. pressure/over); Hydro seeder and similar
type; Jackhammer operator; Jacking of pipe over 12 inches;
Jackson and similar type compactor; Kettle tender, pot and
worker applying asphalt, lay-kold, creosote, lime, caustic
and similar type materials (applying means applying,
dipping or handling of such materials); Lagging, sheeting,
whaling, bracing, trenchjacking, lagging hammer; Magnesite,
epoxyresin, fiberglass, mastic worker (wet or dry); No

joint pipe and stripping of same, including repair of
voids; Pavement breaker and spader, including tool grinder;
Perma curb; Pipelayer (including grade checking in
connection with pipelaying); Precast-manhole setter;
Pressure pipe tester; Post hole digger, air, gas and
electric; Power broom sweeper; Power tampers of all types
(except as shown in Group 2); Ram set gun and stud gun;
Riprap stonepaver and rock-slinger, including placing of
sacked concrete and/or sand (wet or dry) and gabions and
similar type; Rotary scarifier or multiple head concrete
chipping scarifier; Roto and Ditch Witch; Rototiller;
Sandblaster, pot, gun, nozzle operators; Signalling and
rigging; Tank cleaner; Tree climber; Turbo blaster;
Vibrascreed, bull float in connection with laborers' work;
Vibrator; Hazardous waste worker (lead removal); Asbestos
and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143
and similar type drills; Track driller; Jack leg driller;
Wagon driller; Mechanical drillers, all types regardless of
type or method of power; Mechanical pipe layers, all types
regardless of type or method of power; Blaster and powder;
All work of loading, placing and blasting of all powder and
explosives of whatever type regardless of method used for
such loading and placing; High scalers (including drilling
of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above
Group 1 wage rates. ""Sewer cleaner"" means any worker who

handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification "material cleaner" is to be utilized under the following conditions:

A: at demolition site for the salvage of the material.

B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.

C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of "form stripping, cleaning and oiling and moving to the next point of erection".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LABO0270-010 06/25/2018

SANTA CLARA COUNTY

Rates Fringes

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA A:)

Construction Specialist

Group.....	\$ 31.49	23.20
GROUP 1.....	\$ 30.79	23.20
GROUP 1-a.....	\$ 31.01	23.20
GROUP 1-c.....	\$ 30.84	23.20
GROUP 1-e.....	\$ 31.34	23.20
GROUP 1-f.....	\$ 30.37	23.20
GROUP 2.....	\$ 30.64	23.20
GROUP 3.....	\$ 30.54	23.20
GROUP 4.....	\$ 24.23	23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,

HORTICULTURAL & LANDSCAPE

LABORERS - AREA A:)

(1) New Construction.....	\$ 30.54	23.20
(2) Establishment Warranty		
Period.....	\$ 24.23	23.20

LABORER (GUNITE - AREA A:)

GROUP 1.....	\$ 30.75	22.31
GROUP 2.....	\$ 30.25	22.31
GROUP 3.....	\$ 29.66	22.31
GROUP 4.....	\$ 29.54	22.31

LABORER (WRECKING - AREA A:)

GROUP 1.....	\$ 30.79	23.20
GROUP 2.....	\$ 30.64	23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;
Chainsaw; Laser beam in connection with laborers' work;
Cast-in- place manhole form setter; Pressure pipelayer;
Davis trencher - 300 or similar type (and all small
trenchers); Blaster; Diamond driller; Multiple unit drill;
Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker

and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and buckler; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and

rigging; Tank cleaner; Tree climber; Turbo blaster;
Vibrascreed, bull float in connection with laborers' work;
Vibrator; Hazardous waste worker (lead removal); Asbestos
and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143
and similar type drills; Track driller; Jack leg driller;
Wagon driller; Mechanical drillers, all types regardless of
type or method of power; Mechanical pipe layers, all types
regardless of type or method of power; Blaster and powder;
All work of loading, placing and blasting of all powder and
explosives of whatever type regardless of method used for
such loading and placing; High scalers (including drilling
of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above
Group 1 wage rates. ""Sewer cleaner"" means any worker who
handles or comes in contact with raw sewage in small
diameter sewers. Those who work inside recently active,
large diameter sewers, and all recently active sewer
manholes shall receive \$5.00 per day above Group 1 wage
rates.

GROUP 1-c: Burning and welding in connection with laborers'
work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All
employees performing work covered herein shall receive \$
.25 per hour above their regular rate for all work

performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not

listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification ""material cleaner"" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash,
windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building
materials)

LABO0270-011 07/01/2017

MONTEREY, SAN BENITO, SANTA CRUZ, SANTA CLARA COUNTIES

	Rates	Fringes
LABORER (Plaster Tender).....	\$ 34.70	21.22

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO0294-001 07/01/2020

FRESNO, KINGS AND MADERA COUNTIES

	Rates	Fringes
LABORER (Brick)		
Mason Tender-Brick.....	\$ 32.84	23.71

LABO0294-002 06/25/2018

FRESNO, KINGS, AND MADERA COUNTIES

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 29.54	23.65
Traffic Control Person I....	\$ 29.84	23.65
Traffic Control Person II...	\$ 27.34	23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LABO0294-005 06/25/2018

FRESNO, KINGS, AND MADERA COUNTIES

	Rates	Fringes
--	-------	---------

Tunnel and Shaft Laborers:

GROUP 1.....	\$ 37.82	24.11
GROUP 2.....	\$ 37.59	24.11
GROUP 3.....	\$ 37.34	24.11
GROUP 4.....	\$ 36.89	24.11
GROUP 5.....	\$ 36.35	24.11
Shotcrete Specialist.....	\$ 38.34	24.11

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete
nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickermen - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Gunite & shotcrete gunman & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and

bottom man on shaft and raise work; Nipper; Nozzleman on
slick line; Sandblaster - potman, Robotic Shotcrete Placer,
Segment Erector, Tunnel Muck Hauler, Steel Form raiser and
setter; Timberman, retimberman (wood or steel or substitute
materials therefore); Tugger (for tunnel laborer work);
Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -
muckers, trackmen; Concrete crew - includes rodding and
spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO0294-008 06/25/2018

FRESNO, KINGS, AND MADERA COUNTIES

Rates Fringes

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA B:)

Construction Specialist

Group.....	\$ 30.49	23.20
GROUP 1.....	\$ 29.79	23.20
GROUP 1-a.....	\$ 30.01	23.20
GROUP 1-c.....	\$ 29.84	23.20
GROUP 1-e.....	\$ 30.34	23.20
GROUP 1-f.....	\$ 30.37	23.20

GROUP 2.....	\$ 29.64	23.20
GROUP 3.....	\$ 29.54	23.20
GROUP 4.....	\$ 23.23	23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,
HORTICULTURAL & LANDSCAPE
LABORERS - AREA B:)

(1) New Construction.....	\$ 29.54	23.20
(2) Establishment Warranty Period.....	\$ 23.23	23.20

LABORER (GUNITE - AREA B:)

GROUP 1.....	\$ 29.75	22.31
GROUP 2.....	\$ 29.25	22.31
GROUP 3.....	\$ 28.66	22.31
GROUP 4.....	\$ 28.54	22.31

LABORER (WRECKING - AREA B:)

GROUP 1.....	\$ 29.79	23.20
GROUP 2.....	\$ 29.64	23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging
scaffolds, belts shall receive \$0.25 per hour above the
applicable wage rate. This shall not apply to workers
entitled to receive the wage rate set forth in Group 1-a
below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;
Chainsaw; Laser beam in connection with laborers' work;
Cast-in- place manhole form setter; Pressure pipelayer;
Davis trencher - 300 or similar type (and all small
trenchers); Blaster; Diamond driller; Multiple unit drill;
Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker
and similar type tampers; Buggymobile; Caulker, bander,
pipewrapper, conduit layer, plastic pipelayer; Certified
hazardous waste worker including Leade Abatement;
Compactors of all types; Concrete and magnesite mixer, 1/2
yd. and under; Concrete pan work; Concrete sander; Concrete
saw; Cribber and/or shoring; Cut granite curb setter;
Dri-pak-it machine; Faller, logloader and buckler; Form
raiser, slip forms; Green cutter; Headerboard, Hubsetter,
aligner, by any method; High pressure blow pipe (1-1/2" or
over, 100 lbs. pressure/over); Hydro seeder and similar
type; Jackhammer operator; Jacking of pipe over 12 inches;
Jackson and similar type compactor; Kettle tender, pot and
worker applying asphalt, lay-kold, creosote, lime, caustic
and similar type materials (applying means applying,
dipping or handling of such materials); Lagging, sheeting,
whaling, bracing, trenchjacking, lagging hammer; Magnesite,
epoxyresin, fiberglass, mastic worker (wet or dry); No
joint pipe and stripping of same, including repair of
voids; Pavement breaker and spader, including tool grinder;

Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. ""Sewer cleaner"" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active,

large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry

cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification ""material cleaner"" is to be utilized under the following conditions:

A: at demolition site for the salvage of the material.

B: at the conclusion of a job where the material is to be

salvaged and stocked to be reused on another job.

C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

LABO0294-010 07/01/2018

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN
JOAQUIN, STANISLAUS & TUOLUMNE

	Rates	Fringes
Plasterer tender.....	\$ 32.02	23.00

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO0294-011 07/01/2017

FRESNO, KINGS, AND MADERA COUNTIES

	Rates	Fringes
LABORER (Plaster Tender).....	\$ 31.02	22.52

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO0304-002 06/25/2018

ALAMEDA COUNTY

	Rates	Fringes
--	-------	---------

LABORER (TRAFFIC CONTROL/LANE
CLOSURE)

Escort Driver, Flag Person..\$ 30.54	23.65
Traffic Control Person I....\$ 30.84	23.65
Traffic Control Person II...\$ 28.34	23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LABO0304-003 06/26/2017

ALAMEDA COUNTY

Rates Fringes

Tunnel and Shaft Laborers:

GROUP 1.....\$ 36.60	24.83
GROUP 2.....\$ 36.37	24.83
GROUP 3.....\$ 36.12	24.83
GROUP 4.....\$ 35.67	24.83
GROUP 5.....\$ 35.13	24.83
Shotcrete Specialist.....\$ 37.12	24.83

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Guniting and shotcrete
nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickers - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Guniting & shotcrete gunner & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and
bottom man on shaft and raise work; Nipper; Nozzleman on
slick line; Sandblaster - potman, Robotic Shotcrete Placer,
Segment Erector, Tunnel Muck Hauler, Steel Form raiser and
setter; Timberman, retimberman (wood or steel or substitute
materials therefore); Tugger (for tunnel laborer work);
Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -
muckers, trackmen; Concrete crew - includes rodding and
spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

ALAMEDA COUNTY

Rates Fringes

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA A:)

Construction Specialist

Group.....	\$ 31.49	23.20
GROUP 1.....	\$ 30.79	23.20
GROUP 1-a.....	\$ 31.01	23.20
GROUP 1-c.....	\$ 30.84	23.20
GROUP 1-e.....	\$ 31.34	23.20
GROUP 1-f.....	\$ 30.37	23.20
GROUP 2.....	\$ 30.64	23.20
GROUP 3.....	\$ 30.54	23.20
GROUP 4.....	\$ 24.23	23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,

HORTICULTURAL & LANDSCAPE

LABORERS - AREA A:)

(1) New Construction.....	\$ 30.54	23.20
(2) Establishment Warranty		
Period.....	\$ 24.23	23.20

LABORER (GUNITE - AREA A:)

GROUP 1.....	\$ 30.75	22.31
GROUP 2.....	\$ 30.25	22.31
GROUP 3.....	\$ 29.66	22.31
GROUP 4.....	\$ 29.54	22.31

LABORER (WRECKING - AREA A:)

GROUP 1.....	\$ 30.79	23.20
GROUP 2.....	\$ 30.64	23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in- place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter;

Dri-pak-it machine; Faller, logloader and buckler; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches; Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143

and similar type drills; Track driller; Jack leg driller;
Wagon driller; Mechanical drillers, all types regardless of
type or method of power; Mechanical pipe layers, all types
regardless of type or method of power; Blaster and powder;
All work of loading, placing and blasting of all powder and
explosives of whatever type regardless of method used for
such loading and placing; High scalers (including drilling
of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above
Group 1 wage rates. ""Sewer cleaner"" means any worker who
handles or comes in contact with raw sewage in small
diameter sewers. Those who work inside recently active,
large diameter sewers, and all recently active sewer
manholes shall receive \$5.00 per day above Group 1 wage
rates.

GROUP 1-c: Burning and welding in connection with laborers'
work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All
employees performing work covered herein shall receive \$
.25 per hour above their regular rate for all work
performed on underground structures not specifically
covered herein. This paragraph shall not be construed to
apply to work below ground level in open cut. It shall
apply to cut and cover work of subway construction after
the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural

and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification ""material cleaner"" is to be utilized under the following conditions:

- A: at demolition site for the salvage of the material.
- B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.
- C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash,
windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building
materials)

LABO0304-005 05/01/2018

ALAMEDA COUNTY

	Rates	Fringes
Brick Tender.....	\$ 35.37	20.70

FOOTNOTES: Work on jobs where heat-protective clothing is
required: \$2.00 per hour additional. Work at grinders: \$.25
per hour additional. Manhole work: \$2.00 per day additional.

LABO0304-008 07/01/2017

ALAMEDA AND CONTRA COSTA COUNTIES:

	Rates	Fringes
Plasterer tender.....	\$ 34.70	23.11

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO0324-002 06/25/2018

CONTRA COSTA COUNTY

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 30.54	23.65
Traffic Control Person I....	\$ 30.84	23.65
Traffic Control Person II...	\$ 28.34	23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LABO0324-006 06/25/2018

CONTRA COSTA COUNTY

	Rates	Fringes
Tunnel and Shaft Laborers:		
GROUP 1.....	\$ 37.82	24.11
GROUP 2.....	\$ 37.59	24.11
GROUP 3.....	\$ 37.34	24.11
GROUP 4.....	\$ 36.89	24.11
GROUP 5.....	\$ 36.35	24.11
Shotcrete Specialist.....	\$ 38.34	24.11

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Guniting and shotcrete
nozzleman

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickermen - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Guniting & shotcrete gunman & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and
bottom man on shaft and raise work; Nipper; Nozzleman on
slick line; Sandblaster - potman, Robotic Shotcrete Placer,

Segment Erector, Tunnel Muck Hauler, Steel Form raiser and
setter; Timberman, retimberman (wood or steel or substitute
materials therefore); Tugger (for tunnel laborer work);
Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -
muckers, trackmen; Concrete crew - includes rodding and
spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO0324-012 06/25/2018

CONTRA COSTA COUNTY

Rates Fringes

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA A:)

Construction Specialist

Group.....	\$ 31.49	23.20
GROUP 1.....	\$ 30.79	23.20
GROUP 1-a.....	\$ 31.01	23.20
GROUP 1-c.....	\$ 30.84	23.20
GROUP 1-e.....	\$ 31.34	23.20
GROUP 1-f.....	\$ 30.37	23.20
GROUP 1-g.....	\$ 30.99	23.20
GROUP 2.....	\$ 30.64	23.20

GROUP 3.....\$ 30.54 23.20

GROUP 4.....\$ 24.23 23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,

HORTICULURAL & LANDSCAPE

LABORERS - AREA A:)

(1) New Construction.....\$ 30.54 23.20

(2) Establishment Warranty

Period.....\$ 24.23 23.20

LABORER (GUNITE - AREA A:)

GROUP 1.....\$ 30.75 22.31

GROUP 2.....\$ 30.25 22.31

GROUP 3.....\$ 29.66 22.31

GROUP 4.....\$ 29.54 22.31

LABORER (WRECKING - AREA A:)

GROUP 1.....\$ 30.79 23.20

GROUP 2.....\$ 30.64 23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker;
Chainsaw; Laser beam in connection with laborers' work;
Cast-in- place manhole form setter; Pressure pipelayer;
Davis trencher - 300 or similar type (and all small
trenchers); Blaster; Diamond driller; Multiple unit drill;
Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker
and similar type tampers; Buggymobile; Caulker, bander,
pipewrapper, conduit layer, plastic pipelayer; Certified
hazardous waste worker including Leade Abatement;
Compactors of all types; Concrete and magnesite mixer, 1/2
yd. and under; Concrete pan work; Concrete sander; Concrete
saw; Cribber and/or shoring; Cut granite curb setter;
Dri-pak-it machine; Faller, logloader and buckler; Form
raiser, slip forms; Green cutter; Headerboard, Hubsetter,
aligner, by any method; High pressure blow pipe (1-1/2" or
over, 100 lbs. pressure/over); Hydro seeder and similar
type; Jackhammer operator; Jacking of pipe over 12 inches;
Jackson and similar type compactor; Kettle tender, pot and
worker applying asphalt, lay-kold, creosote, lime, caustic
and similar type materials (applying means applying,
dipping or handling of such materials); Lagging, sheeting,
whaling, bracing, trenchjacking, lagging hammer; Magnesite,
epoxyresin, fiberglass, mastic worker (wet or dry); No
joint pipe and stripping of same, including repair of
voids; Pavement breaker and spader, including tool grinder;
Perma curb; Pipelayer (including grade checking in

connection with pipelaying); Precast-manhole setter;
Pressure pipe tester; Post hole digger, air, gas and
electric; Power broom sweeper; Power tampers of all types
(except as shown in Group 2); Ram set gun and stud gun;
Riprap stonepaver and rock-slinger, including placing of
sacked concrete and/or sand (wet or dry) and gabions and
similar type; Rotary scarifier or multiple head concrete
chipping scarifier; Roto and Ditch Witch; Rototiller;
Sandblaster, pot, gun, nozzle operators; Signalling and
rigging; Tank cleaner; Tree climber; Turbo blaster;
Vibrascreed, bull float in connection with laborers' work;
Vibrator; Hazardous waste worker (lead removal); Asbestos
and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143
and similar type drills; Track driller; Jack leg driller;
Wagon driller; Mechanical drillers, all types regardless of
type or method of power; Mechanical pipe layers, all types
regardless of type or method of power; Blaster and powder;
All work of loading, placing and blasting of all powder and
explosives of whatever type regardless of method used for
such loading and placing; High scalers (including drilling
of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above
Group 1 wage rates. ""Sewer cleaner"" means any worker who
handles or comes in contact with raw sewage in small
diameter sewers. Those who work inside recently active,
large diameter sewers, and all recently active sewer

manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 1-g, CONTRA COSTA COUNTY: Pipelayer (including grade checking in connection with pipelaying); Caulker; Bander;

Pipewrapper; Conduit layer; Plastic pipe layer; Pressure pipe tester; No joint pipe and stripping of same, including repair of voids; Precast manhole setters, cast in place manhole form setters

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building

including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification ""material cleaner"" is to be utilized under the following conditions:

A: at demolition site for the salvage of the material.

B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.

C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Gunite laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash, windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building materials)

GROUP 1-g, CONTRA COSTA COUNTY: Pipelayer (including grade checking in connection with pipelaying); Caulker; Bander; Pipewrapper; Conduit layer; Plastic pipe layer; Pressure pipe tester; No joint pipe and stripping of same, including repair of voids; Precast manhole setters, cast in place manhole form setters

LABO0324-014 05/01/2018

CONTRA COSTA COUNTY:

	Rates	Fringes
Brick Tender.....	\$ 35.37	20.70

FOOTNOTES: Work on jobs where heat-protective clothing is required: \$2.00 per hour additional. Work at grinders: \$.25 per hour additional. Manhole work: \$2.00 per day additional.

LABO0324-018 07/01/2018

ALAMEDA AND CONTRA COSTA COUNTIES:

	Rates	Fringes
Plasterer tender.....	\$ 37.14	22.32

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO1130-002 06/25/2018

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE COUNTIES

	Rates	Fringes
LABORER (TRAFFIC CONTROL/LANE CLOSURE)		
Escort Driver, Flag Person..	\$ 29.54	23.65
Traffic Control Person I....	\$ 29.84	23.65
Traffic Control Person II...	\$ 27.34	23.65

TRAFFIC CONTROL PERSON I: Layout of traffic control, crash cushions, construction area and roadside signage.

TRAFFIC CONTROL PERSON II: Installation and removal of temporary/permanent signs, markers, delineators and crash cushions.

LABO1130-003 06/26/2017

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE COUNTIES

Rates Fringes

Tunnel and Shaft Laborers:

GROUP 1.....	\$ 36.60	24.83
GROUP 2.....	\$ 36.37	24.83
GROUP 3.....	\$ 36.12	24.83
GROUP 4.....	\$ 35.67	24.83
GROUP 5.....	\$ 35.13	24.83
Shotcrete Specialist.....	\$ 37.12	24.83

TUNNEL AND SHAFT CLASSIFICATIONS

GROUP 1: Diamond driller; Groundmen; Gunite and shotcrete
nozzlemen

GROUP 2: Rodmen; Shaft work & raise (below actual or
excavated ground level)

GROUP 3: Bit grinder; Blaster, driller, powdermen, heading;
Cherry pickermen - where car is lifted; Concrete finisher
in tunnel; Concrete screedman; Grout pumpman and potman;
Gunite & shotcrete gunman & potman; Headermen; High
pressure nozzleman; Miner - tunnel, including top and
bottom man on shaft and raise work; Nipper; Nozzleman on

slick line; Sandblaster - potman, Robotic Shotcrete Placer,
Segment Erector, Tunnel Muck Hauler, Steel Form raiser and
setter; Timberman, retimberman (wood or steel or substitute
materials therefore); Tugger (for tunnel laborer work);
Cable tender; Chuck tender; Powderman - primer house

GROUP 4: Vibrator operator, pavement breaker; Bull gang -
muckers, trackmen; Concrete crew - includes rodding and
spreading, Dumpmen (any method)

GROUP 5: Grout crew; Reboundman; Swamper/ Brakeman

LABO1130-005 07/01/2018

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES

Rates	Fringes
-------	---------

LABORER

Mason Tender-Brick.....	\$ 31.20	22.20
-------------------------	----------	-------

LABO1130-007 06/25/2018

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE , COUNTIES

Rates	Fringes
-------	---------

LABORER (CONSTRUCTION CRAFT

LABORERS - AREA B:)

Construction Specialist

Group.....	\$ 30.49	23.20
GROUP 1.....	\$ 29.79	23.20
GROUP 1-a.....	\$ 30.01	23.20
GROUP 1-c.....	\$ 29.84	23.20
GROUP 1-e.....	\$ 30.34	23.20
GROUP 1-f.....	\$ 29.37	23.20
GROUP 2.....	\$ 29.64	23.20
GROUP 3.....	\$ 29.54	23.20
GROUP 4.....	\$ 23.23	23.20

See groups 1-b and 1-d under laborer classifications.

LABORER (GARDENERS,

HORTICULTURAL & LANDSCAPE

LABORERS - AREA B:)

(1) New Construction.....\$ 29.54 23.20

(2) Establishment Warranty

Period.....\$ 23.23 23.20

LABORER (GUNITE - AREA B:)

GROUP 1.....	\$ 29.75	22.31
GROUP 2.....	\$ 29.25	22.31
GROUP 3.....	\$ 28.66	22.31
GROUP 4.....	\$ 28.54	22.31

LABORER (WRECKING - AREA B:)

GROUP 1.....	\$ 29.79	23.20
GROUP 2.....	\$ 29.64	23.20

FOOTNOTES:

Laborers working off or with or from bos'n chairs, swinging

scaffolds, belts shall receive \$0.25 per hour above the applicable wage rate. This shall not apply to workers entitled to receive the wage rate set forth in Group 1-a below.

LABORER CLASSIFICATIONS

CONSTRUCTION SPECIALIST GROUP: Asphalt ironer and raker; Chainsaw; Laser beam in connection with laborers' work; Cast-in- place manhole form setter; Pressure pipelayer; Davis trencher - 300 or similar type (and all small trenchers); Blaster; Diamond driller; Multiple unit drill; Hydraulic drill

GROUP 1: Asphalt spreader boxes (all types); Barko, Wacker and similar type tampers; Buggymobile; Caulker, bander, pipewrapper, conduit layer, plastic pipelayer; Certified hazardous waste worker including Leade Abatement; Compactors of all types; Concrete and magnesite mixer, 1/2 yd. and under; Concrete pan work; Concrete sander; Concrete saw; Cribber and/or shoring; Cut granite curb setter; Dri-pak-it machine; Faller, logloader and buckler; Form raiser, slip forms; Green cutter; Headerboard, Hubsetter, aligner, by any method; High pressure blow pipe (1-1/2" or over, 100 lbs. pressure/over); Hydro seeder and similar type; Jackhammer operator; Jacking of pipe over 12 inches;

Jackson and similar type compactor; Kettle tender, pot and worker applying asphalt, lay-kold, creosote, lime, caustic and similar type materials (applying means applying, dipping or handling of such materials); Lagging, sheeting, whaling, bracing, trenchjacking, lagging hammer; Magnesite, epoxyresin, fiberglass, mastic worker (wet or dry); No joint pipe and stripping of same, including repair of voids; Pavement breaker and spader, including tool grinder; Perma curb; Pipelayer (including grade checking in connection with pipelaying); Precast-manhole setter; Pressure pipe tester; Post hole digger, air, gas and electric; Power broom sweeper; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap stonepaver and rock-slinger, including placing of sacked concrete and/or sand (wet or dry) and gabions and similar type; Rotary scarifier or multiple head concrete chipping scarifier; Roto and Ditch Witch; Rototiller; Sandblaster, pot, gun, nozzle operators; Signalling and rigging; Tank cleaner; Tree climber; Turbo blaster; Vibrascreed, bull float in connection with laborers' work; Vibrator; Hazardous waste worker (lead removal); Asbestos and mold removal worker

GROUP 1-a: Joy drill model TWM-2A; Gardner-Denver model DH143 and similar type drills; Track driller; Jack leg driller; Wagon driller; Mechanical drillers, all types regardless of type or method of power; Mechanical pipe layers, all types regardless of type or method of power; Blaster and powder; All work of loading, placing and blasting of all powder and

explosives of whatever type regardless of method used for such loading and placing; High scalers (including drilling of same); Tree topper; Bit grinder

GROUP 1-b: Sewer cleaners shall receive \$4.00 per day above Group 1 wage rates. ""Sewer cleaner"" means any worker who handles or comes in contact with raw sewage in small diameter sewers. Those who work inside recently active, large diameter sewers, and all recently active sewer manholes shall receive \$5.00 per day above Group 1 wage rates.

GROUP 1-c: Burning and welding in connection with laborers' work; Synthetic thermoplastics and similar type welding

GROUP 1-d: Maintenance and repair track and road beds. All employees performing work covered herein shall receive \$.25 per hour above their regular rate for all work performed on underground structures not specifically covered herein. This paragraph shall not be construed to apply to work below ground level in open cut. It shall apply to cut and cover work of subway construction after the temporary cover has been placed.

GROUP 1-e: Work on and/or in bell hole footings and shafts thereof, and work on and in deep footings. (A deep footing is a hole 15 feet or more in depth.) In the event the depth of the footing is unknown at the commencement of excavation, and the final depth exceeds 15 feet, the deep

footing wage rate would apply to all employees for each and every day worked on or in the excavation of the footing from the date of inception.

GROUP 1-f: Wire winding machine in connection with guniting or shot crete

GROUP 2: Asphalt shoveler; Cement dumper and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chute; Concrete chipping and grinding; Concrete laborer (wet or dry); Driller tender, chuck tender, nipper; Guinea chaser (stake), grout crew; High pressure nozzle, adductor; Hydraulic monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh chipper and similar type brush shredders; Sloper; Single foot, hand-held, pneumatic tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1-f; Jacking of pipe - under 12 inches

GROUP 3: Construction laborers, including bridge and general laborer; Dump, load spotter; Flag person; Fire watcher; Fence erector; Guardrail erector; Gardener, horticultural and landscape laborer; Jetting; Limber, brush loader and piler; Pavement marker (button setter); Maintenance, repair track and road beds; Streetcar and railroad construction track laborer; Temporary air and water lines, Victaulic or similar; Tool room attendant (jobsite only)

GROUP 4: Final clean-up work of debris, grounds and building including but not limited to: street cleaner; cleaning and washing windows; brick cleaner (jobsite only); material cleaner (jobsite only). The classification ""material cleaner"" is to be utilized under the following conditions:

A: at demolition site for the salvage of the material.

B: at the conclusion of a job where the material is to be salvaged and stocked to be reused on another job.

C: for the cleaning of salvage material at the jobsite or temporary jobsite yard.

The material cleaner classification should not be used in the performance of ""form stripping, cleaning and oiling and moving to the next point of erection"".

GUNITE LABORER CLASSIFICATIONS

GROUP 1: Structural Nozzleman

GROUP 2: Nozzleman, Gunman, Potman, Groundman

GROUP 3: Reboundman

GROUP 4: Guniting laborer

WRECKING WORK LABORER CLASSIFICATIONS

GROUP 1: Skilled wrecker (removing and salvaging of sash,
windows and materials)

GROUP 2: Semi-skilled wrecker (salvaging of other building
materials)

LABO1130-008 07/01/2018

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN
JOAQUIN, STANISLAUS & TUOLUMNE

	Rates	Fringes
Plasterer tender.....	\$ 32.02	23.00

Work on a swing stage scaffold: \$1.00 per hour additional.

LABO1130-009 07/01/2018

MARIPOSA, MERCED, STANISLAUS, AND TUOLUMNE COUNTIES

	Rates	Fringes
LABORER (Plaster Tender).....	\$ 32.02	23.00

Work on a swing stage scaffold: \$1.00 per hour additional.

PAIN0016-001 01/01/2019

ALAMEDA, CONTRA COSTA, MONTEREY, SAN BENITO, SAN MATEO, SANTA
CLARA, AND SANTA CRUZ COUNTIES

	Rates	Fringes
Painters:.....	\$ 42.67	24.03

PREMIUMS:

EXOTIC MATERIALS - \$0.75 additional per hour.

SPRAY WORK: - \$0.50 additional per hour.

INDUSTRIAL PAINTING - \$0.25 additional per hour

[Work on industrial buildings used for the manufacture and
processing of goods for sale or service; steel construction
(bridges), stacks, towers, tanks, and similar structures]

HIGH WORK:

over 50 feet - \$2.00 per hour additional

100 to 180 feet - \$4.00 per hour additional

Over 180 feet - \$6.00 per hour additional

PAIN0016-003 06/01/2020

AREA 1: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO & SANTA CLARA COUNTIES

AREA 2: CALAVERAS, MARIPOA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SANTA CRUZ, STANISLAUS & TUOLUMNE COUNTIES

	Rates	Fringes
Drywall Finisher/Taper		
AREA 1.....	\$ 51.51	27.39
AREA 2.....	\$ 47.38	25.99

PAIN0016-012 01/01/2019

ALAMEDA, CONTRA COSTA, MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLARA AND SANTA CRUZ COUNTIES

	Rates	Fringes
SOFT FLOOR LAYER.....	\$ 48.60	27.43

PAIN0016-015 01/01/2019

CALAVERAS, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS & TUOLUMNE COUNTIES

Rates Fringes

PAINTER

Brush.....\$ 33.68 20.24

FOOTNOTES:

SPRAY/SANDBLAST: \$0.50 additional per hour.

EXOTIC MATERIALS: \$1.00 additional per hour.

HIGH TIME: Over 50 ft above ground or water level \$2.00 additional per hour. 100 to 180 ft above ground or water level \$4.00 additional per hour. Over 180 ft above ground or water level \$6.00 additional per hour.

PAIN0016-022 01/01/2019

SAN FRANCISCO COUNTY

Rates Fringes

PAINTER.....\$ 46.29 24.03

PAIN0169-001 06/01/2020

FRESNO, KINGS, MADERA, MARIPOSA AND MERCED COUNTIES:

Rates Fringes

GLAZIER.....\$ 40.00 26.76

PAIN0169-005 07/01/2020

ALAMEDA CONTRA COSTA, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN
MATEO, SANTA CLARA & SANTA CRUZ COUNTIES

Rates Fringes

GLAZIER.....\$ 52.17 30.55

PAIN0294-004 06/01/2020

FRESNO, KINGS AND MADERA COUNTIES

Rates Fringes

PAINTER

Brush, Roller.....\$ 30.18 20.21

Drywall Finisher/Taper.....\$ 40.10 25.00

FOOTNOTE:

Spray Painters & Paperhangers recive \$1.00 additional per
hour. Painters doing Drywall Patching receive \$1.25
additional per hour. Lead Abaters & Sandblasters receive
\$1.50 additional per hour. High Time - over 30 feet (does
not include work from a lift) \$0.75 per hour additional.

PAIN0294-005 06/01/2020

FRESNO, KINGS & MADERA

	Rates	Fringes
SOFT FLOOR LAYER.....	\$ 33.30	21.42

PAIN0767-001 07/01/2020

CALAVERAS, SAN JOAQUIN, STANISLAUS AND TUOLUMNE COUNTIES:

	Rates	Fringes
GLAZIER.....	\$ 40.61	30.76

PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr. Day,
President's Day, Memorial Day, Independence Day, Labor Day,
Veteran's Day, Thanksgiving Day, and Christmas Day.

Employee required to wear a body harness shall receive \$1.50
per hour above the basic hourly rate at any elevation.

PAIN1176-001 07/01/2020

HIGHWAY IMPROVEMENT

Rates Fringes

Parking Lot Striping/Highway

Marking:

GROUP 1.....	\$ 38.48	16.88
GROUP 2.....	\$ 32.71	16.88
GROUP 3.....	\$ 33.09	16.88

CLASSIFICATIONS

GROUP 1: Striper: Layout and application of painted traffic stripes and marking; hot thermo plastic; tape, traffic stripes and markings

GROUP 2: Gamecourt & Playground Installer

GROUP 3: Protective Coating, Pavement Sealing

PAIN1237-003 06/01/2020

CALAVERAS; SAN JOAQUIN COUNTIES; STANISLAUS AND TUOLUMNE COUNTIES:

Rates Fringes

SOFT FLOOR LAYER.....	\$ 39.61	22.59
-----------------------	----------	-------

PLAS0066-002 07/01/2019

ALAMEDA, CONTRA COSTA, SAN MATEO AND SAN FRANCISCO COUNTIES:

	Rates	Fringes
PLASTERER.....	\$ 42.41	30.73

PLAS0300-001 07/01/2018

	Rates	Fringes
PLASTERER		
AREA 188: Fresno.....	\$ 32.70	31.68
AREA 224: San Benito, Santa Clara, Santa Cruz.....	\$ 32.88	31.68
AREA 295: Calaveras & San Joaquin Couonties.....	\$ 32.70	31.68
AREA 337: Monterey County..	\$ 32.88	31.68
AREA 429: Mariposa, Merced, Stanislaus, Tuolumne Counties.....	\$ 32.70	31.68

PLAS0300-005 07/01/2017

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 33.49	23.67

PLUM0038-001 07/01/2020

SAN FRANCISCO COUNTY

	Rates	Fringes
PLUMBER (Plumber, Steamfitter, Refrigeration Fitter).....	\$ 75.30	46.27

PLUM0038-005 07/01/2019

SAN FRANCISCO COUNTY

	Rates	Fringes
Landscape/Irrigation Fitter (Underground/Utility Fitter).....	\$ 63.04	31.48

PLUM0062-001 01/01/2021

MONTEREY AND SANTA CRUZ COUNTIES

	Rates	Fringes
PLUMBER & STEAMFITTER.....	\$ 45.50	37.05

PLUM0159-001 07/01/2019

CONTRA COSTA COUNTY

	Rates	Fringes
Plumber and steamfitter		
(1) Refrigeration.....	\$ 56.93	41.04
(2) All other work.....	\$ 57.82	41.04

PLUM0246-001 01/01/2021

FRESNO, KINGS & MADERA COUNTIES

	Rates	Fringes
PLUMBER & STEAMFITTER.....	\$ 43.40	35.64

PLUM0246-004 01/01/2017

FRESNO, MERCED & SAN JOAQUIN COUNIES

	Rates	Fringes
PLUMBER (PIPE TRADESMAN).....	\$ 13.00	10.74

PIPE TRADESMAN SCOPE OF WORK:

Installation of corrugated metal piping for drainage, as well
as installation of corrugated metal piping for culverts in
connection with storm sewers and drains; Grouting, dry
packing and diapering of joints, holes or chases including

paving over joints, in piping; Temporary piping for dirt work for building site preparation; Operating jack hammers, pavement breakers, chipping guns, concrete saws and spades to cut holes, chases and channels for piping systems; Digging, grading, backfilling and ground preparation for all types of pipe to all points of the jobsite; Ground preparation including ground leveling, layout and planting of shrubbery, trees and ground cover, including watering, mowing, edging, pruning and fertilizing, the breaking of concrete, digging, backfilling and tamping for the preparation and completion of all work in connection with lawn sprinkler and landscaping; Loading, unloading and distributing materials at jobsite; Putting away materials in storage bins in jobsite secure storage area; Demolition of piping and fixtures for remodeling and additions; Setting up and tearing down work benches, ladders and job shacks; Clean-up and sweeping of jobsite; Pipe wrapping and waterproofing where tar or similar material is applied for protection of buried piping; Flagman

PLUM0342-001 07/01/2020

ALAMEDA & CONTRA COSTA COUNTIES

Rates Fringes

PIPEFITTER

CONTRA COSTA COUNTY.....\$ 67.75 42.50

PLUMBER, PIPEFITTER,
STEAMFITTER

ALAMEDA COUNTY.....\$ 67.75 42.50

PLUM0355-004 07/01/2020

ALAMEDA, CALAVERAS, CONTRA COSTA, FRESNO, KINGS, MADERA,
MARIPOSA, MERCED, MONTEREY, SAN BENITO, SAN JOAQUIN, SAN MATEO,
SANTA CLARA, SANTA CRUZ, STANISLAUS, AND TUOLUMNE COUNTIES:

Rates Fringes

Underground Utility Worker

/Landscape Fitter.....\$ 29.90 16.30

PLUM0393-001 07/01/2020

SAN BENITO AND SANTA CLARA COUNTIES

Rates Fringes

PLUMBER/PIPEFITTER.....\$ 66.66 44.83

PLUM0442-001 07/01/2020

CALAVERAS, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS & TUOLUMNE
COUNTIES

Rates Fringes

PLUMBER & STEAMFITTER.....\$ 45.50 31.89

PLUM0467-001 07/01/2020

SAN MATEO COUNTY

Rates Fringes

Plumber/Pipefitter/Steamfitter...\$ 70.00 37.86

ROOF0027-002 01/01/2021

FRESNO, KINGS, AND MADERA COUNTIES

Rates Fringes

ROOFER.....\$ 32.01 14.61

FOOTNOTE: Work with pitch, pitch base of pitch impregnated products or any material containing coal tar pitch, on any building old or new, where both asphalt and pitchers are used in the application of a built-up roof or tear off: \$2.00 per hour additional.

ROOF0040-002 08/01/2020

SAN FRANCISCO & SAN MATEO COUNTIES:

	Rates	Fringes
ROOFER.....	\$ 44.38	19.69

* ROOF0081-001 08/01/2020

ALAMEDA AND CONTRA COSTA COUNTIES:

	Rates	Fringes
Roofer.....	\$ 44.62	19.36

ROOF0081-004 08/01/2020

CALAVERAS, MARIPOSA, MERCED, SAN JOAQUIN, STANISLAUS AND
TUOLUMNE COUNTIES:

	Rates	Fringes
ROOFER.....	\$ 39.73	19.11

ROOF0095-002 08/01/2020

MONTEREY, SAN BENITO, SANTA CLARA, AND SANTA CRUZ COUNTIES:

Rates Fringes

ROOFER

Journeyman.....\$ 46.54 20.69

Kettle person (2 kettles);

Bitumastic, Enameler, Coal

Tar, Pitch and Mastic

worker.....\$ 48.54 20.69

SFCA0483-001 07/29/2019

ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO AND SANTA CLARA
COUNTIES:

Rates Fringes

SPRINKLER FITTER (FIRE).....\$ 65.52 32.67

SFCA0669-011 01/01/2021

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, MONTEREY,
SAN BENITO, SAN JOAQUIN, SANTA CRUZ, STANISLAUS AND TUOLUMNE
COUNTIES:

Rates Fringes

SPRINKLER FITTER.....\$ 38.95 26.15

SHEE0104-001 07/01/2020

AREA 1: ALAMEDA, CONTRA COSTA, SAN FRANCISCO, SAN MATEO, SANTA CLARA

AREA 2: MONTEREY & SAN BENITO

AREA 3: SANTA CRUZ

	Rates	Fringes
--	-------	---------

SHEET METAL WORKER

AREA 1:

Mechanical Contracts

under \$200,000.....	\$ 55.92	45.29
----------------------	----------	-------

All Other Work.....	\$ 64.06	46.83
---------------------	----------	-------

AREA 2.....	\$ 52.90	36.44
-------------	----------	-------

AREA 3.....	\$ 55.16	34.18
-------------	----------	-------

SHEE0104-003 07/01/2020

CALAVERAS AND SAN JOAQUIN COUNTIES:

	Rates	Fringes
--	-------	---------

SHEET METAL WORKER.....	\$ 43.50	37.42
-------------------------	----------	-------

SHEE0104-005 07/01/2020

MARIPOSA, MERCED, STANISLAUS AND TUOLUMNE COUNTIES:

	Rates	Fringes
SHEET METAL WORKER (Excluding metal deck and siding).....	\$ 40.38	43.47

SHEE0104-007 07/01/2020

FRESNO, KINGS, AND MADERA COUNTIES:

	Rates	Fringes
SHEET METAL WORKER.....	\$ 42.53	39.64

SHEE0104-015 07/01/2020

ALAMEDA, CONTRA COSTA, MONTEREY, SAN BENITO, SAN FRANCISCO, SAN
MATEO, SANTA CLARA AND SANTA CRUZ COUNTIES:

	Rates	Fringes
SHEET METAL WORKER (Metal Decking and Siding only).....	\$ 44.45	35.55

SHEE0104-018 07/01/2020

CALAVERAS, FRESNO, KINGS, MADERA, MARIPOSA, MERCED, SAN
JOAQUIN, STANISLAUS AND TUOLUMNE COUNTIES:

	Rates	Fringes
Sheet metal worker (Metal decking and siding only).....	\$ 44.45	35.55

TEAM0094-001 07/01/2018

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 31.68	27.86
GROUP 2.....	\$ 31.98	27.86
GROUP 3.....	\$ 32.28	27.86
GROUP 4.....	\$ 32.63	27.86
GROUP 5.....	\$ 32.98	27.86

FOOTNOTES:

Articulated dump truck; Bulk cement spreader (with or without
auger); Dumpcrete truck; Skid truck (debris box); Dry
pre-batch concrete mix trucks; Dumpster or similar type;
Slurry truck: Use dump truck yardage rate.
Heater planer; Asphalt burner; Scarifier burner; Industrial
lift truck (mechanical tailgate); Utility and clean-up
truck: Use appropriate rate for the power unit or the

equipment utilized.

TRUCK DRIVER CLASSIFICATIONS

GROUP 1: Dump trucks, under 6 yds.; Single unit flat rack (2-axle unit); Nipper truck (when flat rack truck is used appropriate flat rack shall apply); Concrete pump truck (when flat rack truck is used appropriate flat rack shall apply); Concrete pump machine; Fork lift and lift jitneys; Fuel and/or grease truck driver or fuel person; Snow buggy; Steam cleaning; Bus or personhaul driver; Escort or pilot car driver; Pickup truck; Teamster oiler/greaser and/or serviceperson; Hook tender (including loading and unloading); Team driver; Tool room attendant (refineries)

GROUP 2: Dump trucks, 6 yds. and under 8 yds.; Transit mixers, through 10 yds.; Water trucks, under 7,000 gals.; Jetting trucks, under 7,000 gals.; Single-unit flat rack (3-axle unit); Highbed heavy duty transport; Scissor truck; Rubber-tired muck car (not self-loaded); Rubber-tired truck jumbo; Winch truck and "A" frame drivers; Combination winch truck with hoist; Road oil truck or bootperson; Buggymobile; Ross, Hyster and similar straddle carriers; Small rubber-tired tractor

GROUP 3: Dump trucks, 8 yds. and including 24 yds.; Transit mixers, over 10 yds.; Water trucks, 7,000 gals. and over; Jetting trucks, 7,000 gals. and over; Vacuum trucks under

7500 gals. Trucks towing tilt bed or flat bed pull
trailers; Lowbed heavy duty transport; Heavy duty transport
tiller person; Self- propelled street sweeper with
self-contained refuse bin; Boom truck - hydro-lift or
Swedish type extension or retracting crane; P.B. or similar
type self-loading truck; Tire repairperson; Combination
bootperson and road oiler; Dry distribution truck (A
bootperson when employed on such equipment, shall receive
the rate specified for the classification of road oil
trucks or bootperson); Ammonia nitrate distributor, driver
and mixer; Snow Go and/or plow

GROUP 4: Dump trucks, over 25 yds. and under 65 yds.; Water
pulls - DW 10's, 20's, 21's and other similar equipment
when pulling Aqua/pak or water tank trailers; Helicopter
pilots (when transporting men and materials); Lowbedk Heavy
Duty Transport up to including 7 axles; DW10's, 20's, 21's
and other similar Cat type, Terra Cobra, LeTourneau Pulls,
Tournorocker, Euclid and similar type equipment when
pulling fuel and/or grease tank trailers or other
miscellaneous trailers; Vacuum Trucks 7500 gals and over
and truck repairman

GROUP 5: Dump trucks, 65 yds. and over; Holland hauler; Low
bed Heavy Duty Transport over 7 axles

WELDERS - Receive rate prescribed for craft performing

operation to which welding is incidental.

=====

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing

this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union

average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the

Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

=====

END OF GENERAL DECISION"

Project: 833800 - Pedestrian/Bicycle Improvement-Homestead Road at Homestead High School

Category:	Capital	Project Type:	Traffic and Transportation	Project Manager:	Richard Chen
Year Identified:	2019	Project Phase:	Design	Project Coordinator:	Dennis Ng
Est. Completion Year:	2020/21	Department:	C90 - Public Works	Fund - Sub-Fund:	385-100 - Capital Projects - General Fund Assets

Project Description/Scope/Purpose:

The project improvements include traffic signal modifications at the Homestead Road/Mary Avenue and Homestead Road/Kennewick Drive intersections, pedestrian access enhancements such as installation of high visibility crosswalks, accessible pedestrian signals, shortening crossing for pedestrians where possible, installation of green buffered bike lanes on south side along Homestead Road between MacKenzie Drive and Mary Avenue, and on the north side along Homestead Road between Mary Avenue and Kennewick Dr.

Project Evaluation and Analysis:

The Vehicle Emissions Reductions Based at Schools (VERBS) program, which is funded exclusively by Federal Congestion Mitigation and Air Quality (CMAQ) funds, is focused on reducing greenhouse gases by promoting walking, biking, transit, and carpooling to school, targeting grades K-12. The City's project improvements will build on and expand the existing Safe Routes to School Program efforts within Sunnyvale.

Fiscal Impact:

\$1,000,000 in OBAG2 for VERBS, \$265,000 in local match of which \$138,500 is from Capital Projects Fund/Transportation Impact Fees Sub-Fund and \$126,500 is from a City of Cupertino reimbursement.

Funding Sources:

Federal Congestion Mitigation and Air Quality (CMAQ) funds, City of Cupertino reimbursement, Capital Projects Fund/Transportation Impact Fees Sub-Fund.

Plans and Goals:

LT - Land Use and Transportation - LT-3: An Effective Multimodal Transportation System

Project Financial Summary

	Project Costs	Revenues	Transfers In	Operating Costs
Prior Actual	28,449	-	28,449	-
2019 - 20	1,236,551	1,126,500	110,051	-
2020 - 21	-	-	-	-
2021 - 22	-	-	-	-
2022 - 23	-	-	-	-
2023 - 24	-	-	-	-
2024 - 25	-	-	-	-
2025 - 26	-	-	-	-
2026 - 27	-	-	-	-
2027 - 28	-	-	-	-
2028 - 29	-	-	-	-
2029 - 30	-	-	-	-
2030 - 31	-	-	-	-
2031 - 32	-	-	-	-
2032 - 33	-	-	-	-
2033 - 34	-	-	-	-
2034 - 35	-	-	-	-
2035 - 36	-	-	-	-
2036 - 37	-	-	-	-
2037 - 38	-	-	-	-
2038 - 39	-	-	-	-
2039 - 40	-	-	-	-
20 Year Total	-	-	-	-
Grand Total	1,265,000	1,126,500	138,500	-

Project: 825290 - Pavement Rehabilitation

Category:	Infrastructure	Project Type:	Traffic and Transportation	Project Manager:	Elizabeth Racca-Johnson
Year Identified:	2006	Project Phase:	Underway	Project Coordinator:	Tony Pineda
Est. Completion Year:	Ongoing	Department:	C90 - Public Works	Fund - Sub-Fund:	610-100 - Infrastructure Renov & Replace - General Fund Assets

Project Description/Scope/Purpose:

This project provides for ongoing roadway infrastructure preservation and rehabilitation to maintain Sunnyvale's network in very good condition. Specific yearly projects will be based upon annual roadway condition surveys and pavement management system (PMS) analysis. Projects in past fiscal years included milling, wedge-grinding and overlay, cold in place roadway recycling, crack sealing, street patching and slurry sealing. This effort was supplemented by 828030 - Annual Slurry Seal of City Streets and the Operations budget for roadway maintenance and increased slurry sealed roadways from 3 million square feet (sf) in FY 2015/16, over 4 million sf in FY 2017/18 and 5 million sf scheduled for FY 2018/19. This, as well as increasing the total footage chip sealed, will assist us in reaching and maintaining an average pavement condition index (PCI) of over 80.

This project will continue the shift from typical roadway replacement strategies to a balanced approach between pavement preservation and roadway replacement. These strategies may include: microsurfacing, slurry seals, crack sealing, patch repairs, mill, wedge-grind and overlay, cold in-place or full depth roadway recycling, and other strategies that may be become applicable. This project will also provide for staff hours needed for the warranted preparatory work prior to the application of either double chip seal and slurry seal roadways. This overall strategy shift will allow the City to improve a larger roadway area and reach a yearly slurry sealing goal of 5 million sf and 2.5 million sf of double chip seal annually starting in FY 2019/20. By reducing the cycle of resurfacing this will assist us in raising and maintain the average PCI above 80.

Project Evaluation and Analysis:

Maintaining Sunnyvale streets in very good condition is essential to maintain the economic vitality of the City and enhance the quality of life of City's residents. Historically, an average of approximately \$3 million was spent per year in FY 2012/13 through FY 2015/16 in addition to the Annual Slurry Seal project and the Operations maintenance budget. This effort sustained the PCI at 77. With the ability to charge staff hours and materials, as well as contract work to this project and working on reducing the maintenance cycle, from the current 12-15 years to an 8-10 years will assist us in raising the average PCI to 80+. The alternative is to not increase funding and delay needed preservation, repairs and replacement. If delayed, lower cost preservation effort and minor street rehabilitation measures will become major street replacement projects at much higher cost. This will result in dropping the PCI by 1 to 2 points per year.

Fiscal Impact:

This project is funded by the SB83 VRF Road Improvement Program, Measure B, Gas Tax, Road Maintenance and Rehabilitation (SB1), and the General Fund. The project does not affect the operating budget.

Funding Sources:

Gas Tax Street Improvement Fund, Road Maintenance and Rehabilitation Account (SB1) Fund, 2016 Measure B - Santa Clara VTA Fund, VRF Local Road Improvement Program Fund, and General Fund

Plans and Goals:

CC - Community Character - CC-2: Attractive Street Environment

Project Financial Summary

	Project Costs	Revenues	Transfers In	Operating Costs
Prior Actual	19,709,426	5,500	19,696,176	-
2019 - 20	11,299,176	(5,500)	11,299,176	-
2020 - 21	4,568,288	-	5,361,115	-
2021 - 22	4,045,912	-	4,045,912	-
2022 - 23	5,553,202	-	5,553,202	-
2023 - 24	4,331,462	-	4,331,462	-
2024 - 25	5,498,385	-	5,498,385	-
2025 - 26	4,510,718	-	4,510,718	-
2026 - 27	6,578,549	-	6,578,549	-
2027 - 28	6,706,959	-	6,706,959	-
2028 - 29	7,603,602	-	7,603,602	-
2029 - 30	6,997,803	-	6,997,803	-
2030 - 31	7,929,253	-	7,929,253	-
2031 - 32	7,308,091	-	7,308,091	-
2032 - 33	7,945,604	-	7,945,604	-
2033 - 34	7,639,075	-	7,639,075	-
2034 - 35	7,837,982	-	7,837,982	-
2035 - 36	9,626,899	-	9,626,899	-
2036 - 37	8,177,301	-	8,177,301	-
2037 - 38	8,234,406	-	8,234,406	-
2038 - 39	8,481,439	-	8,481,439	-
2039 - 40	8,481,439	-	6,938,743	-
20 Year Total	138,056,369	-	137,306,500	-
Grand Total	169,064,971	-	168,301,851	-



City of Sunnyvale

Agenda Item

21-0477

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Award of Contract to Basset Engineering in the amount of \$559,766 for Citywide Water Line Replacement 2019-Package 1 and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

STAFF RECOMMENDATION

1. Make a finding of categorical exemption from the California Environmental Quality Act pursuant to California Environmental Quality Act Guidelines Section 15302 (c);
2. Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$559,766 to Basset Engineering of San Francisco, California;
3. Authorize the City Manager to execute the contract when all necessary conditions have been met; and
4. Approve a 10% Contingency in the amount of \$55,977.

BASIS FOR RECOMMENDATION

The construction project (Project No. UW-18-01A) was advertised on DemandStar on February 12. Thirty-seven (37) contractors requested bid documents and sealed bids were opened on March 10, with ten (10) responsive bids received. Basset Engineering submitted the lowest responsive and responsible bid in the amount of \$559,766 (Attachment 1 - Bid Summary).

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (c) for replacement or reconstruction of an existing utility system involving negligible or no expansion of capacity.

FISCAL IMPACT

Costs for the contract and contingency total \$615,743. Budgeted funds are available in Project 825451, City-wide Water Line Replacement (Attachment 3).

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

Prepared by: Gregory S. Card, Purchasing Officer

Reviewed by: Tim Kirby, Director, Finance

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Bid Summary
2. Draft General Construction Contract
3. Project Budget

<div><div>Sunnyvale</div><div>City of Sunnyvale</div></div>				Bassett Engineering		C2R Engineering Inc.		California Trenchless Inc.		Devaney Engineering, Inc.		Ecast Engineering Inc.		EPS Inc., DBA Express Plumbing		Ghillotti Const Inc.		JMB Construction Inc.		McGuire & Hester		Pacific Underground Construction Inc.	
				2330 Castro Street San Francisco, CA 94131		100 Mountain View Ave; Los Altos CA 94024		23215 Dunn Road Hayward, CA 94545		1640 Lombard St, San Francisco, CA 94123		9651 C Street Oakland, CA 94603		306 N Amphlett Blvd; San Mateo, CA 94401		246 Ghilotti Avenue Santa Rosa, CA, 95407		132 South Maple Avenue South San Francisco CA 94080		2810 Harbor Bay Parkway Alameda, CA 94502		1817 Stone Avenue, San Jose, CA 95125	
IFB No. PW21-31 Citywide Water Line Replacement				Shane McCarthy		Trevor Connolly		Chris Asbury		Derek Devaney		Eric Castillion		Nick Bechwati		Tom Ghilotti		Pearse Beirne		Nile Sensabaugh		Mary Corbett	
Item	Description	QTY	UNIT	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Traffic Control System (incl. construction signs)	1	LS*		\$ 30,000.00		\$ 15,000.00		\$ 43,000.00		\$ 40,000.00		\$ 25,000.00		\$ 20,000.00		\$ 23,000.00		\$ 26,000.00		\$ 48,000.00		\$ 14,000.00
2	Mobilization (Shall Not Exceed 5% of Total Base Bid)	1	LS*		\$ 30,000.00		\$ 15,000.00		\$ 40,000.00		\$ 25,000.00		\$ 28,145.00		\$ 45,000.00		\$ 33,000.00		\$ 28,000.00		\$ 30,000.00		\$ 31,000.00
3	Construction Surveying	1	LS*		\$ 8,000.00		\$ 7,500.00		\$ 2,500.00		\$ 2,500.00		\$ 5,555.00		\$ 10,000.00		\$ 6,250.00		\$ 5,000.00		\$ 6,600.00		\$ 9,600.00
4	Monument Protection and Restoration	1	LS*		\$ 1,500.00		\$ 3,500.00		\$ 2,500.00		\$ 1,000.00		\$ 1,515.00		\$ 10,000.00		\$ 7,500.00		\$ 500.00		\$ 150.00		\$ 5,600.00
5	Water Pollution Control	1	LS*		\$ 4,700.00		\$ 5,000.00		\$ 2,500.00		\$ 1,500.00		\$ 675.00		\$ 10,000.00		\$ 4,000.00		\$ 10,000.00		\$ 3,500.00		\$ 3,800.00
6	Property Owner Notifications	1	LS*		\$ 2,500.00		\$ 1,000.00		\$ 1,500.00		\$ 1,000.00		\$ 540.00		\$ 1,000.00		\$ 1,500.00		\$ 1,000.00		\$ 500.00		\$ 1,000.00
7	Staging Plans	1	LS*		\$ 1,400.00		\$ 1,000.00		\$ 2,500.00		\$ 1,000.00		\$ 1,515.00		\$ 5,000.00		\$ 100.00		\$ 1,000.00		\$ 500.00		\$ 10,000.00
8	Temporary Traffic Control Plans	1	LS*		\$ 2,800.00		\$ 1,200.00		\$ 1,500.00		\$ 2,500.00		\$ 1,515.00		\$ 5,000.00		\$ 1,300.00		\$ 1,500.00		\$ 500.00		\$ 1,500.00
9	Coordination with Utility Companies and Civic Center	1	LS*		\$ 1,000.00		\$ 1,000.00		\$ 3,500.00		\$ 1,000.00		\$ 1,930.00		\$ 5,000.00		\$ 100.00		\$ 1,000.00		\$ 750.00		\$ 25,000.00
10	Trench Sheeting, Shoring & Bracing per Cal/OSHA	1	LS*		\$ 9,800.00		\$ 8,500.00		\$ 15,000.00		\$ 10,000.00		\$ 9,160.00		\$ 10,000.00		\$ 5,200.00		\$ 9,000.00		\$ 1,000.00		\$ 2,000.00
11	Remove Existing Water Main	1	LS*		\$ 5,000.00		\$ 5,000.00		\$ 4,500.00		\$ 5,000.00		\$ 1,450.00		\$ 10,000.00		\$ 8,800.00		\$ 2,000.00		\$ 1,200.00		\$ 750.00
12	Remove Existing ACP Water Main (Revocable)	1	LS*		\$ 5,000.00		\$ 2,500.00		\$ 1,200.00		\$ 5,000.00		\$ 2,330.00		\$ 10,000.00		\$ 100.00		\$ 3,200.00		\$ 7,500.00		\$ 5,000.00
13	Remove Existing Water Valve Box	12	EA	\$ 800.00	\$ 9,600.00	\$ 200.00	\$ 2,400.00	\$ 50.00	\$ 600.00	\$ 250.00	\$ 3,000.00	\$ 295.00	\$ 3,540.00	\$ 2,800.00	\$ 33,600.00	\$ 680.00	\$ 8,160.00	\$ 400.00	\$ 4,800.00	\$ 25.00	\$ 300.00	\$ 1,170.00	\$ 14,040.00
14	Replace Striping, Pavement Markers and Pavement Markings	1	LS*		\$ 4,400.00		\$ 5,500.00		\$ 8,500.00		\$ 5,000.00		\$ 18,040.00		\$ 12,000.00		\$ 26,777.00		\$ 8,000.00		\$ 25,000.00		\$ 3,500.00
15	Abandon in Place Water Main and Water Valves (CLSM) (6"-12")	1610	LF	\$ 15.00	\$ 24,150.00	\$ 7.00	\$ 11,270.00	\$ 9.00	\$ 14,490.00	\$ 5.00	\$ 8,050.00	\$ 7.00	\$ 11,270.00	\$ 20.00	\$ 32,200.00	\$ 13.00	\$ 20,930.00	\$ 15.00	\$ 24,150.00	\$ 7.00	\$ 11,270.00	\$ 26.00	\$ 41,860.00
16	New Water Main Tie-in to Existing Water Main	6	EA	\$ 5,800.00	\$ 34,800.00	\$ 5,000.00	\$ 30,000.00	\$ 5,500.00	\$ 33,000.00	\$ 4,000.00	\$ 24,000.00	\$ 7,475.00	\$ 44,850.00	\$ 3,500.00	\$ 21,000.00	\$ 10,000.00	\$ 60,000.00	\$ 4,200.00	\$ 25,200.00	\$ 3,400.00	\$ 20,400.00	\$ 5,800.00	\$ 34,800.00
17	8" Gate Valve	8	EA	\$ 1,600.00	\$ 12,800.00	\$ 2,000.00	\$ 16,000.00	\$ 1,500.00	\$ 12,000.00	\$ 2,000.00	\$ 16,000.00	\$ 1,615.00	\$ 12,920.00	\$ 2,200.00	\$ 17,600.00	\$ 2,400.00	\$ 19,200.00	\$ 2,000.00	\$ 16,000.00	\$ 1,500.00	\$ 12,000.00	\$ 2,200.00	\$ 17,600.00
18	6" Gate Valve	6	EA	\$ 1,700.00	\$ 10,200.00	\$ 1,200.00	\$ 7,200.00	\$ 1,200.00	\$ 7,200.00	\$ 1,750.00	\$ 10,500.00	\$ 1,260.00	\$ 7,560.00	\$ 1,500.00	\$ 9,000.00	\$ 2,100.00	\$ 12,600.00	\$ 1,500.00	\$ 9,000.00	\$ 1,300.00	\$ 7,800.00	\$ 1,700.00	\$ 10,200.00
19	8" PVC C-900 DR14 (305 psi)	1060	LF	\$ 120.00	\$ 127,200.00	\$ 220.00	\$ 233,200.00	\$ 280.00	\$ 296,800.00	\$ 160.00	\$ 169,600.00	\$ 175.00	\$ 185,500.00	\$ 210.00	\$ 222,600.00	\$ 173.00	\$ 183,380.00	\$ 160.00	\$ 169,600.00	\$ 187.00	\$ 198,220.00	\$ 177.00	\$ 187,620.00
20	6" PVC C-900 DR14 (305 psi)	150	LF	\$ 129.00	\$ 19,350.00	\$ 220.00	\$ 33,000.00	\$ 275.00	\$ 41,250.00	\$ 150.00	\$ 22,500.00	\$ 160.00	\$ 24,000.00	\$ 200.00	\$ 30,000.00	\$ 252.00	\$ 37,800.00	\$ 190.00	\$ 28,500.00	\$ 193.00	\$ 28,950.00	\$ 185.00	\$ 27,750.00
21	8" DIP Class 52	400	LF	\$ 189.00	\$ 75,600.00	\$ 220.00	\$ 88,000.00	\$ 330.00	\$ 132,000.00	\$ 170.00	\$ 68,000.00	\$ 188.00	\$ 75,200.00	\$ 400.00	\$ 160,000.00	\$ 197.00	\$ 78,800.00	\$ 170.00	\$ 68,000.00	\$ 210.00	\$ 84,000.00	\$ 208.00	\$ 83,200.00
22	6" DIP Class 52	75	LF	\$ 135.00	\$ 10,125.00	\$ 220.00	\$ 16,500.00	\$ 320.00	\$ 24,000.00	\$ 160.00	\$ 12,000.00	\$ 170.00	\$ 12,750.00	\$ 450.00	\$ 33,750.00	\$ 238.00	\$ 17,850.00	\$ 325.00	\$ 24,375.00	\$ 294.00	\$ 22,050.00	\$ 189.00	\$ 14,175.00
23	Water Main Single Vertical Offset (6"-8")	2	EA	\$ 3,200.00	\$ 6,400.00	\$ 3,500.00	\$ 7,000.00	\$ 1,500.00	\$ 3,000.00	\$ 8,000.00	\$ 16,000.00	\$ 5,695.00	\$ 11,390.00	\$ 7,800.00	\$ 15,600.00	\$ 4,900.00	\$ 9,800.00	\$ 2,900.00	\$ 5,800.00	\$ 2,800.00	\$ 5,600.00	\$ 3,700.00	\$ 7,400.00
24	Water Main Double Vertical Offset (6"-8")	1	EA	\$ 3,200.00	\$ 3,200.00	\$ 5,000.00	\$ 5,000.00	\$ 1,800.00	\$ 1,800.00	\$ 10,000.00	\$ 10,000.00	\$ 14,360.00	\$ 14,360.00	\$ 8,500.00	\$ 8,500.00	\$ 8,100.00	\$ 8,100.00	\$ 5,500.00	\$ 5,500.00	\$ 6,300.00	\$ 6,300.00	\$ 7,300.00	\$ 7,300.00
25	Replace Water Meter & Water Meter Box (furnished)	5	EA	\$ 200.00	\$ 1,000.00	\$ 1,800.00	\$ 9,000.00	\$ 2,000.00	\$ 10,000.00	\$ 750.00	\$ 3,750.00	\$ 650.00	\$ 3,250.00	\$ 2,800.00	\$ 14,000.00	\$ 630.00	\$ 3,150.00	\$ 250.00	\$ 1,250.00	\$ 520.00	\$ 2,600.00	\$ 210.00	\$ 1,050.00
26	Replace Water Service Lateral (1"-2")	6	EA	\$ 4,000.00	\$ 24,000.00	\$ 5,000.00	\$ 30,000.00	\$ 3,500.00	\$ 21,000.00	\$ 3,000.00	\$ 18,000.00	\$ 3,180.00	\$ 19,080.00	\$ 4,300.00	\$ 25,800.00	\$ 8,700.00	\$ 52,200.00	\$ 5,200.00	\$ 31,200.00	\$ 3,300.00	\$ 19,800.00	\$ 6,400.00	\$ 38,400.00
27	Replace Fire Service Lateral (6"-8")	1	EA	\$ 8,000.00	\$ 8,000.00	\$ 5,500.00	\$ 5,500.00	\$ 7,000.00	\$ 7,000.00	\$ 6,000.00	\$ 6,000.00	\$ 8,085.00	\$ 8,085.00	\$ 7,800.00	\$ 7,800.00	\$ 15,500.00	\$ 15,500.00	\$ 8,000.00	\$ 8,000.00	\$ 9,600.00	\$ 9,600.00	\$ 24,500.00	\$ 24,500.00
28	Remove existing PIV, FDC, Detector Check Valves, and Belowground Vault and Restore Lawn	1	EA	\$ 800.00	\$ 800.00	\$ 6,500.00	\$ 6,500.00	\$ 1,200.00	\$ 1,200.00	\$ 3,000.00	\$ 3,000.00	\$ 5,250.00	\$ 5,250.00	\$ 4,500.00	\$ 4,500.00	\$ 2,000.00	\$ 2,000.00	\$ 3,800.00	\$ 3,800.00	\$ 3,000.00	\$ 3,000.00	\$ 8,100.00	\$ 8,100.00
29	Install New Aboveground Backflow and FDC	1	EA	\$ 3,900.00	\$ 3,900.00	\$ 8,500.00	\$ 8,500.00	\$ 15,000.00	\$ 15,000.00	\$ 12,000.00	\$ 12,000.00	\$ 17,305.00	\$ 17,305.00	\$ 6,800.00	\$ 6,800.00	\$ 2,700.00	\$ 2,700.00	\$ 18,000.00	\$ 18,000.00	\$ 23,000.00	\$ 23,000.00	\$ 31,700.00	\$ 31,700.00
30	Install New Fire Hydrant Assembly	4	EA	\$ 6,000.00	\$ 24,000.00	\$ 3,500.00	\$ 14,000.00	\$ 7,500.00	\$ 30,000.00	\$ 5,000.00	\$ 20,000.00	\$ 7,075.00	\$ 28,300.00	\$ 5,600.00	\$ 22,400.00	\$ 14,200.00	\$ 56,800.00	\$ 8,000.00	\$ 32,000.00	\$ 7,750.00	\$ 31,000.00	\$ 17,300.00	\$ 69,200.00
31	Blow Off Assembly	3	EA	\$ 6,200.00	\$ 18,600.00	\$ 2,500.00	\$ 7,500.00	\$ 1,500.00	\$ 4,500.00	\$ 3,500.00	\$ 10,500.00	\$ 1,505.00	\$ 4,515.00	\$ 1,800.00	\$ 5,400.00	\$ 3,000.00	\$ 9,000.00	\$ 6,900.00	\$ 20,700.00	\$ 4,100.00	\$ 12,300.00	\$ 6,760.00	\$ 20,280.00
32	Sanitary Sewer Lateral Replacements at Water Main Crossings (Revocable) Exposing Gas Lateral/Mains and Coordinating with PG&E	3	EA	\$ 320.00	\$ 960.00	\$ 700.00	\$ 2,100.00	\$ 1,500.00	\$ 4,500.00	\$ 3,000.00	\$ 9,000.00	\$ 353.00	\$ 1,059.00	\$ 4,800.00	\$ 14,400.00	\$ 2,000.00	\$ 6,000.00	\$ 5,600.00	\$ 16,800.00	\$ 680.00	\$ 2,040.00	\$ 2,500.00	\$ 7,500.00
33	Replace Storm Drainage Inlet	9	EA	\$ 700.00	\$ 6,300.00	\$ 1,000.00	\$ 9,000.00	\$ 550.00	\$ 4,950.00	\$ 200.00	\$ 1,800.00	\$ 495.00	\$ 4,455.00	\$ 1,200.00	\$ 10,800.00	\$ 2,200.00	\$ 19,800.00	\$ 1,000.00	\$ 9,000.00	\$ 1,000.00	\$ 9,000.00	\$ 2,800.00	\$ 25,200.00
34	Replace Storm Drainage Lateral	16	LF	\$ 400.00	\$ 6,400.00	\$ 450.00	\$ 7,200.00	\$ 200.00	\$ 3,200.00	\$ 300.00	\$ 4,800.00	\$ 450.00	\$ 7,200.00	\$ 360.00	\$ 5,760.00	\$ 340.00	\$ 5,440.00	\$ 600.00	\$ 9,600.00	\$ 310.00	\$ 4,960.00	\$ 500.00	\$ 8,000.00
35	Slurry Seal Surfacing	8900	SF	\$ 1.69	\$ 15,041.00	\$ 2.05	\$ 18,245.00	\$ 1.80	\$ 16,020.00	\$ 1.20	\$ 10,680.00	\$ 1.70	\$ 15,130.00	\$ 15.00	\$ 133,500.00	\$ 1.25	\$ 11,125.00	\$ 1.50	\$ 13,350.00	\$ 1.60	\$ 14,240.00	\$ 1.60	\$ 14,240.00
37	Disposal of Contaminated Soils (Revocable)	80	CY	\$ 78.00	\$ 6,240.00	\$ 50.00	\$ 4,000.00	\$ 200.00	\$ 16,000.00	\$ 75.00	\$ 6,000.00	\$ 75.00	\$ 6,000.00	\$ 100.00	\$ 8,000.00	\$ 130.00	\$ 10,400.00	\$ 90.00	\$ 7,200.00	\$ 118.00	\$ 9,440.00	\$ 250.00	\$ 20,000.00
Total Base Bid					\$ 559,766.00		\$ 647,815.00		\$ 832,210.00		\$ 570,680.00		\$ 626,389.00		\$ 1,001,210.00	*	\$ 776,562.00		\$ 658,025.00		\$ 668,170.00	**	\$ 834,865.00
Surety					10% Bid Bond	10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond	
Primary License					Class A	Class A		Class A		Class A		Class A, B, C36		Class A		Class A		Class A, B, C21,C27,C31 HAZ		Class A, C16		Class A, C16	
Sub Contractor					Bond Blacktop	Bond Blacktop, Cell -Crete		Bond Blacktop,Chrisp Co		Graham Contractors		Cell-Crete, Striping Graphics		None		Striping Graphics, Graham		Graham Contractors		Bond Blacktop, Cell-Crete,		Quality Stiping, Graham	
Notes:																							
* Total Base bid summary was incorrect. Actual Base Bid amount is reflected on bid summary																							

GENERAL CONSTRUCTION CONTRACT

THIS CONTRACT dated _____ is by and between the CITY OF SUNNYVALE, a municipal corporation of the State of California ("Owner") and Basset Engineering, an Engineering, Construction Company. ("Contractor").

RECITALS:

The parties to this Contract have mutually covenanted and agreed, as follows:

1. The Contract Documents. The complete Contract consists of the following documents: Notice Inviting Bids; Instructions to Bidders; Performance Bond and Payment Bond; Guaranty; City of Sunnyvale Standard Specifications for Public Works Construction, 2006 Edition; City of Sunnyvale Standard Details for Public Works Construction, 2006 Edition; Plans and Specifications, "Citywide Water Line Replacement 2019 - Package 1, Project No. UW-18-01A, Invitation for Bids No. PW21-31", including four (4) addendum; OSHA, and other standards and codes as outlined in the Specifications. These documents are all incorporated by reference. The documents comprising the complete contract are collectively referred to as the Contract Documents.

Any and all obligations of the Owner and the Contractor are fully set forth and described therein.

All of the above documents are intended to work together so that any work called for in one and not mentioned in the other or vice versa is to be executed the same as if mentioned in all documents.

2. The Work. Contractor agrees to furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete the project in a good and workmanlike manner. The work consists of furnishing all tools, equipment, apparatus, facilities, labor, transportation and material necessary to install new water main, air release valves, water blow off valves, and fire hydrants, tie-in of new mains to existing, replace fire service, replace backflow prevention assembly, replace water service laterals up to existing water meters and replace water meters and water meter boxes where appropriate, replace an existing inlet and replace a small segment of storm drainage pipe, including surface restoration and restriping at two different locations within the City of Sunnyvale, as called for, and in the manner designated in, and in strict conformity with, the Plans and Specifications prepared by Bellecci & Associates, Inc. and adopted by the Owner. These Plans and Specifications are entitled respectively, Citywide Water Line Replacement 2019 - Package 1, Project No. UW-18-01A.

It is understood and agreed that the work will be performed and completed as required in the Plans and Specifications under the sole direction and control of the Contractor, and subject to inspection and approval of the Owner, or its representatives. The Owner hereby designates as its representative for the purpose of this contract the Senior Civil Engineer for Construction or an employee of the Owner who will be designated in writing by the Director of Public Works.

3. Contract Price. The Owner agrees to pay and the Contractor agrees to accept, in full payment for the work above agreed to be done, the sum of Five hundred fifty nine thousand, seven hundred, sixty six dollars. \$559,766.00 subject to final determination of the work performed and materials furnished at unit prices per "Exhibit A" attached hereto and incorporated by this reference, and subject to additions and deductions in accordance, as provided in the Documents and in accordance with Contract Documents. The sum includes base bid and accepted Additive Alternate(s) No. Number(s). All other Additive Alternate(s) are rejected by Owner and are not included in this contract.

4. Permits; Compliance with Law. Contractor shall, at its expense, obtain all necessary permits and licenses, easements, etc., for the construction of the project, give all necessary notices, pay all fees required by law, and comply with all laws, ordinances, rules and regulations relating to the work and to the preservation of the public health and safety.

5. Inspection by Owner. Contractor shall at all times maintain proper facilities and provide safe access for inspection by the Owner to all parts of the work, and to the shops wherein the work is in preparation. Where the Specifications require work to be specially tested or approved, it shall not be tested or covered up without timely notice to the Owner of its readiness for inspection and without the approval thereof or consent thereto by the latter. Should any such work be covered up without such notice, approval, or consent, it must, if required by Owner, be uncovered for examination at the Contractor's expense.

6. Extra or Additional Work and Changes. Should Owner at any time during the progress of the work request any alterations, deviations, additions or omissions from the Specifications or Plans or other Contract Documents it shall be at liberty to do so, and the same shall in no way affect or make void the contract, but will be added to or deducted from the amount of the contract price, as the case may be, by a fair and reasonable valuation, agreed to in writing between the parties hereto. No extra work shall be performed or change be made unless in pursuance of a written order from the Director of Public Works or authorized representative, stating that the extra work or change is authorized and no claim for an addition to the contract sum shall be valid unless so ordered.

7. Time for Completion. All work under this contract shall be completed before the expiration of eighty (80) working days from the date specified in the Notice to Proceed.

If Contractor shall be delayed in the work by the acts or neglect of Owner, or its employees or those under it by contract or otherwise, or by changes ordered in the work, or by strikes, lockouts by others, fire, unusual delay in transportation, unavoidable casualties or any causes beyond the Contractor's control, or by delay authorized by the Owner, or by any cause which the Owner shall decide to justify the delay, then the time of completion shall be extended for such reasonable time as the Owner may decide.

This provision does not exclude the recovery of damages for delay by either party under other provisions.

8. Inspection and Testing of Materials. Contractor shall notify Owner a sufficient time in advance of the manufacture or production of materials, to be supplied under this contract, in order that the Owner may arrange for mill or factory inspection and testing of same, if Owner requests such notice from Contractor.

9. Termination. If Contractor should file a bankruptcy petition and/or be judged bankrupt, or if Contractor should make a general assignment for the benefit of creditors, or if a receiver should be appointed on account of insolvency, or if Contractor or any subcontractors should violate any of the provisions of the Contract, Owner may serve written notice upon Contractor and its surety of Owner's intention to terminate the Contract. The notice shall contain the reasons for such intention to terminate the Contract, and, unless within ten days after serving such notice, such violation shall cease and satisfactory arrangements for correction thereof be made, upon the expiration of the ten days, the Contract shall cease and terminate. In the event of any such termination, Owner shall immediately serve written notice thereof upon the surety and the Contractor, and the surety shall have the right to take over and perform the Contract; provided, however that, if the surety within fifteen days after the serving upon it of notice of termination does not give Owner written notice of its intention to take over and perform the Contract or does not commence performance thereof within thirty days from the date of the serving of such notice, Owner may take over the work and prosecute the same to completion by contract or by any other method it may deem advisable, for the account and at the expense of Contractor, and Contractor and its surety shall be liable to Owner for any excess cost occasioned Owner thereby, and in such event Owner may without liability for so doing take possession of and utilize in completing the work, such materials, appliances, plant and other property belonging to Contractor as may be on the site of the work and necessary therefor.

10. Owner's Right to Withhold Certain Amounts and Make Application Thereof. In addition to the amount which Owner may retain under Paragraph 21 until the final completion and acceptance of all work covered by the Contract, Owner may withhold from payment to Contractor such amount or amounts as in its judgment may be necessary to pay just claims against Contractor or any subcontractors for labor

and services rendered and materials furnished in and about the work. Owner may apply such withheld amount or amounts to the payment of such claims in its discretion. In so doing Owner shall be deemed the agent of Contractor and any payment so made by Owner shall be considered as a payment made under the Contract by Owner to the Contractor and Owner shall not be liable to Contractor for any such payment made in good faith. Such payment may be made without prior judicial determination of the claim or claims.

11. Notice and Service Thereof. All notices required pursuant to this Contract shall be communicated in writing, and shall be delivered in person, by commercial courier or by first class or priority mail delivered by the United States Postal Service. Nothing in this provision shall be construed to prohibit communication by more expedient means, such as by email or fax, to accomplish timely communication. Each party may change the address by written notice in accordance with this paragraph. Notices delivered personally shall be deemed communicated as of actual receipt; mailed notices shall be deemed communicated as of three business days after mailing. All notices sent pursuant to this Contract shall be addressed as follows:

Owner: City of Sunnyvale
Department of Public Works
Construction Contract Administrator
P. O. Box 3707
Sunnyvale, CA 94088-3707

Contractor: Basset Engineering
2330 Castro Street,
San Francisco, CA 94131

12. Assignment of Contract. Neither the Contract, nor any part thereof, nor moneys due or to become due thereunder may be assigned by Contractor without the prior written approval of Owner.

13. Compliance with Specifications of Materials. Whenever in the Specifications, any material or process is indicated or specified by patent or proprietary name, or by name of manufacturer, such Specifications must be met by Contractor, unless Owner agrees in writing to some other material, process or article offered by Contractor which is equal in all respects to the one specified.

14. Contract Security. Contractor shall furnish a surety bond in an amount at least equal to 100 percent of the contract price as security for the faithful performance of this Contract. Contractor shall also furnish a separate surety bond in an amount at least equal to 100 percent of the contract price as security for the payment of all persons for furnishing materials, provisions, provender, or other supplies, or teams, used in, upon, for or about the performance of the work contracted to be done, or for performing any work or labor thereon of any kind, and for the payment of amounts due under the Unemployment Insurance Code with respect to such work or labor in connection with this Contract, and for the payment of a reasonable attorney's fee to be fixed by the court in case suit is brought upon the bond. Bonds shall be issued by an admitted surety insurer authorized to operate in the state of California.

15. Insurance. Contractor shall not commence work under this Contract until all insurance required under this paragraph has been obtained and such insurance has been approved by the Owner, nor shall Contractor allow any subcontractor to commence work on a subcontract until all similar insurance required of the subcontractor has been so obtained and approved. Contractor shall furnish the Owner with satisfactory proof of the carriage of insurance required, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Contract and particularly Paragraph 16 hereof. Any policy of insurance required of the Contractor under this Contract shall also contain an endorsement providing that thirty (30) days' notice must be given in writing to the Owner of any pending change in the limits of liability or of any cancellation or modification of the policy. Insurance carrier shall be California-admitted.

(a) Compensation Insurance and Employer's Liability Insurance. Contractor shall take out and maintain during the life of this Contract Workers' Compensation Insurance and Employer's Liability Insurance for all of employees employed at the site of the project and, in case any work is sublet, Contractor shall require the subcontractor similarly to provide Workers' Compensation Insurance and Employer's Liability Insurance for all of the latter's employees unless such employees are covered by the protection afforded by Contractor.

In signing this Contract, Contractor makes the following certification, required by Section 1861 of the Labor Code:

"I am aware of the provision of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract."

(b) General and Automobile Liability Insurance. Contractor, at its own cost and expense, shall maintain personal injury liability and property damage insurance for the period covered by the Contract in the amount of Two Million Dollars (\$2,000,000.00) per occurrence and \$4,000,000 annual aggregate combined single limit coverage. Such coverage shall include, but shall not be limited to, protection against claims arising therefrom, and damage to property resulting from activities contemplated under this Contract, use of owned automobiles, products and completed operations, including U, C and X. Such insurance shall be with insurers and under forms of policies satisfactory in all respects to the Owner and shall provide that notice must be given to Owner at least thirty (30) days prior to cancellation or material change. The following endorsements shall be attached to the policy:

Policy shall cover on an "occurrence" basis. Policy must cover personal injuries as well as bodily injuries. Exclusion of contractual liability must be eliminated from personal injury endorsement. Broad form property damage endorsement must be attached. Owner is to be named as an additional insured on any contracts of insurance under this paragraph (b). Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code. The policies of insurance shall be considered primary insurance before any policies of insurance maintained by Owner.

16. Indemnification and Hold Harmless. Contractor agrees to defend, save, indemnify and hold harmless Owner and all its officers, employees, and agents, against any and all liability, claims, judgments, or demands, including demands arising from injuries or death of persons (Contractor's employees included) and damage to property, arising directly or indirectly out of the obligations herein undertaken or out of the operations conducted by Contractor, save and except claims or litigation arising through the active negligence or willful misconduct of Owner, or of Owner's officials, agents, employees, servants, or independent contractors who are directly responsible to Owner. Contractor shall make good and reimburse Owner for any expenditures, including reasonable attorneys' fees, Owner may make by reason of such claim or litigation, and, if requested by Owner, Contractor shall defend any such suits at the sole cost and expense of Contractor.

17. Hours of Work. Eight hours of labor during any one calendar day and forty hours of labor during any one calendar week shall constitute the maximum hours of service upon all work done hereunder, and it is expressly stipulated that no laborer, worker, or mechanic employed at any time by the Contractor or by any subcontractor or subcontractors under this Contract, upon the work or upon any part of the work contemplated by this Contract, shall be required or permitted to work thereon more than eight hours during any one calendar day and forty hours during any one calendar week, except, as provided by Section 1815 of the Labor Code of the State of California, work performed by employees of contractors in excess of eight hours per day and forty hours during any one week shall be permitted upon public work upon compensation for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay. It is further expressly stipulated that for each and every violation of Sections 1811-1815, inclusive, of the Labor Code of the State of California, all the provisions whereof are deemed to be incorporated herein, Contractor shall forfeit, as a penalty to Owner, twenty-five dollars (\$25.00) for each laborer, worker, or mechanic employed in the execution of this Contract by Contractor, or by any subcontractor under this Contract, for each calendar day during which the laborer, worker, or mechanic is required or permitted to work more

than eight hours in any one calendar day and forty hours in any one calendar week in violation of the provisions of the Sections of the Labor Code.

Contractor, and each subcontractor, shall, in accordance with California Labor Code Section 1776 or as the same may be later amended, keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with work under this agreement. Each payroll record shall contain or be verified by a written declaration under penalty of perjury, in accordance with Labor Code Section 1776(a). Such payroll records shall be made available at all reasonable times at the Contractor's principal office to the persons authorized to inspect such records pursuant to Labor Code Section 1776. A certified copy of all payroll records shall be made available for inspection or furnished upon request to a representative of the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations, as well as to the Owner's representative. In the event the Contractor or a Subcontractor fails to comply in a timely manner within ten days to a written notice requesting the records, such contractor or subcontractor shall forfeit one hundred dollars (\$100.00) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated, in accordance with Labor Code Section 1776(h).

18. Wage Rates. Pursuant to the Labor Code of the State of California, or any applicable local law, Owner has ascertained the general prevailing rate per diem wages and rates for holidays, and overtime work in the city, for each craft, classification or type of laborer, worker, or mechanic needed to execute this Contract. Owner has adopted, by reference, the general prevailing rate of wages applicable to the work to be done under the Contract, as adopted and published by the Division of Labor Standards Enforcement and Labor Statistics and Research of the State of California, Department of Industrial Relations, to which reference is hereby made for a full and detailed description. A copy of the prevailing wage rates may be reviewed in the office of the Director of Public Works, City of Sunnyvale, 456 West Olive Avenue, Sunnyvale, California. Wage rates can also be obtained through the California Department of Industrial Relations website at: <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>

Neither the notice inviting bids, nor this Contract, shall constitute a representation of fact as to the prevailing wage rates upon which the Contractor or any subcontractor may base any claim against Owner.

It shall be mandatory upon Contractor and upon any subcontractor to pay not less than the specified rates to all laborers, workers, and mechanics employed in the execution of the Contract. It is further expressly stipulated that Contractor shall, as a penalty to Owner, forfeit two hundred dollars (\$200.00) for each calendar day, or portion thereof, for each laborer, worker, or mechanic paid less than the stipulated prevailing rates for any work done under this Contract by Contractor or by any subcontractor; and Contractor agrees to comply with all provisions of Section 1775 of the Labor Code.

In case it becomes necessary for Contractor or any subcontractor to employ on the project under this Contract any person in a trade or occupation (except executives, supervisory, administrative, clerical, or other non-manual workers as such) for which no minimum wage rate is herein specified, Contractor shall immediately notify Owner who will promptly thereafter determine the prevailing rate for such additional trade or occupation and shall furnish Contractor with the minimum rate based thereon. The minimum rate thus furnished shall be applicable as a minimum for such trade or occupation from the time of the initial employment of the person affected and during the continuance of such employment.

19. Accident Prevention. Precaution shall be exercised at all times for the protection of persons (including employees) and property. The safety provisions of applicable laws, building and construction codes shall be observed. Machinery, equipment, and other hazards shall be guarded or eliminated in accordance with the safety provisions of the Construction Safety Orders issued by the Industrial Accident Commission of the State of California.

20. Contractor's Guarantee. Owner shall not, in any way or manner, be answerable or suffer loss, damage, expense or liability for any loss or damage that may happen to the building, work, or equipment or any part thereof, or in, on, or about the same during its construction and before acceptance. Contractor unqualifiedly guarantees the first-class quality of all workmanship and of all materials, apparatus, and equipment used or installed by Contractor or by any subcontractor or supplier in the project which is the subject of this Contract, unless a lesser quality is expressly authorized in the Plans and Specifications, in which event Contractor unqualifiedly guarantees such lesser quality; and

that the work as performed by Contractor will conform with the Plans and Specifications or any written authorized deviations therefrom. In case of any defect in work, materials, apparatus or equipment, whether latent or patent, revealed to Owner within one year of the date of acceptance of completion of this Contract by Owner, Contractor will forthwith remedy such defect or defects without cost to Owner.

21. Liquidated Damages. Time shall be the essence of this Contract. If Contractor fails to complete, within the time fixed for such completion, the entire work mentioned and described and contracted to be done and performed, Contractor shall become liable to Owner for liquidated damages in the sum of five-hundred dollars exactly (\$500.00), for each and every calendar day during which work shall remain uncompleted beyond such time fixed for completion or any lawful extension thereof. The amount specified as liquidated damages is presumed to be the amount of damage sustained by Owner since it would be impracticable or extremely difficult to fix the actual damage; and the amount of liquidated damages may be deducted by Owner from moneys due Contractor hereunder, or its assigns and successors at the time of completion, and Contractor, or its assigns and successors at the time of completion, and its sureties shall be liable to Owner for any excess.

22. Governing Law, Jurisdiction and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of California, without regard to conflict of law or choice of law principles. Proper venue for legal actions will be exclusively vested in a state court in the County of Santa Clara. The parties agree that subject matter and personal jurisdiction are proper in state court in the County of Santa Clara and waive all venue objections.

23. Severability Clause. In case any one or more of the provisions contained herein shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions which shall remain in full force and effect.

24. Entire Agreement; Amendment. This writing constitutes the entire agreement between the parties relating to the services to be performed or materials to be furnished hereunder. No modification of this Agreement shall be effective unless and until such modification is evidenced by writing signed by all parties.

25. Execution and Counterparts. This Agreement may be executed in multiple counterparts and/or with the signatures of the Parties set forth on different signature sheets and all such counterparts, when taken together, shall be deemed one original.

IN WITNESS WHEREOF, two identical counterparts of this contract, each of which shall for all purposes be deemed an original thereof, have been duly executed by the parties.

CITY OF SUNNYVALE
a Municipal Corporation, Owner

Basset Engineering
Contractor

License No. 1070288

By _____ / /
City Manager Date

By _____

_____ / ____ / ____

Title Date

Attest:
City Clerk

By _____

_____ / _____ / _____

Title Date

By _____ / /
City Clerk Date

(SEAL)

APPROVED AS TO FORM:

City Attorney _____ Date ____/____/____

EXHIBIT A				
Item	Description	QTY	UNIT	Total
1	Traffic Control System (incl. construction signs)	1	LS*	\$ 30,000.00
2	Mobilization (Shall Not Exceed 5% of Total Base Bid)	1	LS*	\$ 30,000.00
3	Construction Surveying	1	LS*	\$ 8,000.00
4	Monument Protection and Restoration	1	LS*	\$ 1,500.00
5	Water Pollution Control	1	LS*	\$ 4,700.00
6	Property Owner Notifications	1	LS*	\$ 2,500.00
7	Staging Plans	1	LS*	\$ 1,400.00
8	Temporary Traffic Control Plans	1	LS*	\$ 2,800.00
9	Project	1	LS*	\$ 1,000.00
10	Trench Sheet piling, Shoring & Bracing per Cal/OSHA	1	LS*	\$ 9,800.00
11	Remove Existing Water Main	1	LS*	\$ 5,000.00
12	Remove Existing ACP Water Main (Revocable)	1	LS*	\$ 5,000.00
13	Remove Existing Water Valve Box	12	EA	\$ 9,600.00
14	Replace Striping, Pavement Markers and Pavement Markings	1	LS*	\$ 4,400.00
15	Abandon In Place Water Main and Water Valves (CLSM) (6"-12")	1610	LF	\$ 24,150.00
16	New Water Main Tie-in to Existing Water Main	6	EA	\$ 34,800.00
17	8" Gate Valve	8	EA	\$ 12,800.00
18	6" Gate Valve	6	EA	\$ 10,200.00
19	8" PVC C-900 DR14 (305 psi)	1060	LF	\$ 127,200.00
20	6" PVC C-900 DR14 (305 psi)	150	LF	\$ 19,350.00
21	8" DIP Class 52	400	LF	\$ 75,600.00
22	6" DIP Class 52	75	LF	\$ 10,125.00
23	Water Main Single Vertical Offset (6"-8")	2	EA	\$ 6,400.00
24	Water Main Double Vertical Offset (6"-8")	1	EA	\$ 3,200.00
25	by City)	5	EA	\$ 1,000.00
26	Replace Water Service Lateral (1"-2")	6	EA	\$ 24,000.00
27	Replace Fire Service Lateral (6"-8")	1	EA	\$ 8,000.00
28	Remove Existing PIV, FDC, Detector Check Valves, and Belowground Vault and Restore Lawn	1	EA	\$ 800.00
29	Install New Aboveground Backflow and FDC	1	EA	\$ 3,900.00
30	Install New Fire Hydrant Assembly	4	EA	\$ 24,000.00
31	Blow Off Assembly	3	EA	\$ 18,600.00
32	Sanitary Sewer Lateral Replacements at Water Main Crossings (Revocable)	3	EA	\$ 960.00
33	Exposing Gas Lateral/Mains and Coordinating with PG&E	9	EA	\$ 6,300.00
34	Replace Storm Drainage Inlet	1	EA	\$ 5,000.00
35	Replace Storm Drainage Lateral	16	LF	\$ 6,400.00
36	Slurry Seal Surfacing	8900	SF	\$ 15,041.00
37	Disposal of Contaminated Soils (Revocable)	80	CY	\$ 6,240.00
Total Base Bid				\$ 559,766.00

EXHIBIT B

Utilization of Local Workforce in Construction Projects – The Sunnyvale City Council has adopted a policy which encourages utilization of local workforces, including State-certified apprentices, as a means of supporting economic opportunities for all members of the community. Local workforce is defined as workers residing in Santa Clara County. The lowest responsive and responsible bidder must provide a projection of locally hired workers utilized for this contract.

Contractor	Projected Number of Locally Hired Workers_____ Projected Percent of Locally Hired Workers_____%
Subcontractor(s)	Projected Number of Locally Hired Workers_____ Projected Percent of Locally Hired Workers_____%

Project: 825451 - City-wide Water Line Replacement

Category:	Infrastructure	Project Type:	Water	Project Manager:	Marlon Quiambao Jr.
Year Identified:	2006	Project Phase:	Underway	Project Coordinator:	Mansour Nasser
Est. Completion Year:	Ongoing	Department:	C95 - Environmental Services	Fund - Sub-Fund:	460-300 - Water Supply and Distribution - Water Infrastructure Subfund

Project Description/Scope/Purpose:

There are over 340 miles of underground water transmission and distribution pipelines in the City, varying in size from 4-inch to 30-inch in diameter, with 15 different material compositions. Water mains constructed under ideal conditions are projected to have a life of 75-100 years. This project addresses two primary objectives: 1) replace water mains that do not satisfy current fire flow design criteria, and 2) replace aging and deteriorating infrastructure to minimize failures and water service interruption. This project will fund replacing approximately 14,850 feet (2.8 miles) annually or 0.7% of the system.

In addition to the fire flow deficiencies, a substantial portion of the City's underground water infrastructure has met its useful service life due to age, corrosion, and inadequate design. Approximately 67% or 228 miles of Sunnyvale's water system is comprised of cast iron pipe. This type of pipe has not been installed in Sunnyvale since the 1960s. Field investigations have showed that cast iron pipes are deteriorating due to corrosion. The northern portion of Sunnyvale has "hot soil" and cast iron pipe is not ideal in such locations without proper corrosion protection. A 2010 Water Utility Master Plan recommended the replacement of water pipelines upon deterioration, particularly those subject to corrosion.

Projects will be designed to fit within existing budget; therefore linear feet of pipeline to be replaced will vary from project to project.

Project Evaluation and Analysis:

To date, approximately seven miles of pipe have been replaced, which was primarily funded with bond proceeds. This project will start by addressing the water mains that do not meet current fire flow design criteria, and will then move on to replacing aging and deteriorating pipelines. The integrity of the City's water supply system is critical in order to protect public health, guarantee enhanced sanitation, and for public safety. Structural failure of a line can result in failure of the pipe to deliver safe and reliable water, subsequently endangering public health and safety.

Fiscal Impact:

This project is funded by the Water Supply and Distribution Fund revenues.

Funding Sources:

Water Supply and Distribution Fund

Plans and Goals:

EM - Environmental Management - EM-1: Adequate Water Supplies

EM - Environmental Management - EM-3: Reliable and Safe Water Distribution

EM - Environmental Management - EM-4: Adequate Water Quality

Project Financial Summary

	Project Costs	Revenues	Transfers In	Operating Costs
Prior Actual	16,931,627	8,558	-	-
2019 - 20	5,636,628	(8,558)	-	-
2020 - 21	874,120	-	-	-
2021 - 22	5,852,231	-	-	-
2022 - 23	927,354	-	-	-
2023 - 24	6,208,631	-	-	-
2024 - 25	983,830	-	-	-
2025 - 26	6,586,737	-	-	-
2026 - 27	1,043,744	-	-	-
2027 - 28	6,987,869	-	-	-
2028 - 29	1,107,309	-	-	-
2029 - 30	7,413,430	-	-	-
2030 - 31	1,174,744	-	-	-
2031 - 32	7,864,909	-	-	-
2032 - 33	1,246,285	-	-	-
2033 - 34	8,343,882	-	-	-
2034 - 35	1,322,185	-	-	-
2035 - 36	8,852,024	-	-	-
2036 - 37	1,402,705	-	-	-
2037 - 38	9,391,112	-	-	-
2038 - 39	1,488,130	-	-	-
2039 - 40	9,963,031	-	-	-
20 Year Total	89,034,260	-	-	-
Grand Total	111,602,515	-	-	-



City of Sunnyvale

Agenda Item

21-0239

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution to Comply with Assembly Bill 2135 (Surplus Land Act) to Apply for One Bay Area Grant 2 Programs

BACKGROUND

The Metropolitan Transportation Commission (MTC) is the metropolitan planning organization for the nine-county San Francisco Bay Area region, which includes Santa Clara County. The MTC administers the federally funded One Bay Area Grant 2 (OBAG 2) Program where funds are provided to invest in various areas including local street and road maintenance, streetscape enhancements, bicycle and pedestrian improvements, safe routes to school projects, priority conservation areas, and transportation planning.

The MTC has created a new \$54.4 million one-time grant in the regional Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) program, which was originally programmed for other projects and had been returned to the program for reallocation. The STP/CMAQ fund is part of the Federal Highway Infrastructure Program (FHIP).

On January 27, 2021, the MTC adopted Resolution Nos. 3925, Revised and 4202, Revised, and the policy framework for a Safe and Seamless Mobility Quick-Strike Program to be funded through capacity created by the FHIP within the OBAG 2 framework. The Safe and Seamless Mobility Quick-Strike Program is a one-time, competitive grant program to fund local projects that can be implemented very quickly to benefit communities responding and adapting to the COVID-19 environment. The Program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility.

In order to be eligible for this grant, MTC requires that local jurisdictions, including charter cities, comply with the California Surplus Lands Act per Assembly Bill 2135. Assembly Bill 2135 is attached as Attachment 2; and project eligibility and requirements are included in MTC Resolution No. 4202, Revised, Appendix A-11 (Attachment 3).

EXISTING POLICY

General Plan, Chapter 3, Land Use and Transportation Element

- **Policy LT-1.1** - Participate in coordinated land use and transportation planning in the region.

General Plan, Chapter 5, Housing Element

- **Goal HE-1 Adequate Housing** - Assist in the provision of adequate housing to meet the diverse needs of Sunnyvale's households of all income levels.
- **Goal HE-4 Adequate Housing Sites** - Provide adequate sites for the development of new

housing through appropriate land use and zoning and address the diverse needs of Sunnyvale's residents and workforce.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

The City of Sunnyvale applies for OBAG funding when available and if the proposed projects are competitive. The newly created one-time Safe and Seamless Mobility Quick-Strike Program by MTC falls within the OBAG 2 framework. The Surplus Land Act prioritizes affordable housing by giving affordable housing developers a first right of refusal when local agencies sell or lease surplus land.

FISCAL IMPACT

None.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Adopt a Resolution to Comply with Assembly Bill 2135 (Surplus Land Act) to Apply for One Bay Area Grant 2 Programs.

Adopting the Resolution to Comply with Assembly Bill 2135 (Surplus Land Act) is a requirement for the City to apply for any grant that falls under the OBAG 2 framework.

Prepared by: Lillian Tsang, Principal Transportation Engineer

Reviewed by: Chip Taylor, Director, Department of Public Works

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution to Comply with Assembly Bill 2135, Surplus Land Act
2. Assembly Bill No. 2135
3. MTC Resolution No. 4202, Revised, Appendix A-1

DRAFT 3/31/2021 *RLB*

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE TO COMPLY WITH ASSEMBLY BILL
2135, SURPLUS LAND ACT**

WHEREAS, the San Francisco region has the highest housing costs in the United States; and

WHEREAS, the Bay Area produced less than 30% of the need for low- and moderate-income housing units from 2007-2014; and

WHEREAS, there are limited funding sources available to secure land for the construction of low- and moderate-income housing; and

WHEREAS, public lands can play a critical role in increasing the supply of land for affordable housing; and

WHEREAS, the Metropolitan Transportation Commission adopted Resolution No. 4202, outlining the programming policy and project selection criteria for the One Bay Area Grant Program (OBAG 2), including certain requirements to access these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT the City of Sunnyvale agrees to comply with the terms of Surplus Land Act - Assembly Bill 2135 (California Government Code § 54220, et seq.), as exists now or may be amended in the future.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

Assembly Bill No. 2135

CHAPTER 677

An act to amend Sections 54220, 54223, 54225, 54226, and 54227 of, and to add Sections 54222.5 and 54233 to, the Government Code, relating to local government.

[Approved by Governor September 27, 2014. Filed with
Secretary of State September 27, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2135, Ting. Surplus land: affordable housing.

(1) Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined. Existing law requires a local agency disposing of surplus land to negotiate in good faith with certain entities that provided notice of a desire to purchase or lease the land and, if the price or terms cannot be agreed upon within a period of not less than 60 days with those entities, the local agency may dispose of the surplus land without fulfilling further requirements, as specified. Existing law authorizes a local agency selling surplus land for specified purposes to specified entities, including, but not limited to, low- and moderate-income housing, to provide a payment period of up to 20 years in a sales contract or trust deed. Existing law requires a local agency disposing of surplus land to give first priority in a purchase or lease to an entity agreeing to use the site for housing for persons of low or moderate income, except as specified. Existing law specifies that these and other related provisions are not to be interpreted to empower a local agency to sell or lease surplus land at less than fair market value.

This bill would require an entity proposing to use the surplus land for developing low- and moderate-income housing to agree to make available not less than 25% of the total number of units developed on the parcels at affordable housing cost or affordable rent for a period of at least 55 years to lower-income households, as those terms are defined in existing law. This bill would require a local agency to give first priority in disposing of the surplus land to an entity that agrees to these requirements. This bill would also require these requirements, as specified, to be contained in a covenant or restriction recorded against the surplus land at the time of sale, to run with the land, and be enforceable, against any owner who violates the covenant or restriction and each successor-in-interest who continues the violation, by a residents' association, as specified, and certain individuals, that include, but are not limited to, a resident of a unit subject to these requirements. This bill would increase the minimum time that an agency disposing of surplus land is required to conduct negotiations with certain entities desiring to purchase or lease the surplus land from 60 to 90 days. This bill would require, if the local agency does not agree to price and terms

with those certain entities and the surplus land is used for the development of 10 or more residential units, the entity or a successor-in-interest that received the surplus land to provide not less than 15% of the total number of units developed on the parcels at affordable housing cost or affordable rent, at terms similar to an entity that received first priority for providing not less than 25% of the total number of units at affordable housing cost or affordable rent, as specified.

This bill would permit the payment period for surplus land sold for low- and moderate-income housing purposes to exceed 20 years, subject to limits related to land use requirements for low- or moderate-income housing.

This bill would delete the statement that these provisions are not to be interpreted to empower a local agency to sell or lease surplus land at less than fair market value, and would provide that a sale or lease at or less than fair market value, as specified, shall not be construed as inconsistent with an agency's purpose. By increasing the duties of local officials in connection with sales and leases of surplus land, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 54220 of the Government Code is amended to read:

54220. (a) The Legislature reaffirms its declaration that housing is of vital statewide importance to the health, safety, and welfare of the residents of this state and that provision of a decent home and a suitable living environment for every Californian is a priority of the highest order. The Legislature further declares that there is a shortage of sites available for housing for persons and families of low and moderate income and that surplus government land, prior to disposition, should be made available for that purpose.

(b) The Legislature reaffirms its belief that there is an identifiable deficiency in the amount of land available for recreational purposes and that surplus land, prior to disposition, should be made available for park and recreation purposes or for open-space purposes. This article shall not apply to surplus residential property as defined in Section 54236.

(c) The Legislature reaffirms its declaration of the importance of appropriate planning and development near transit stations, to encourage the clustering of housing and commercial development around such stations. Studies of transit ridership in California indicate that a higher percentage of persons who live or work within walking distance of major transit stations

utilize the transit system more than those living elsewhere, and that lower income households are more likely to use transit when living near a major transit station than higher income households. The sale or lease of surplus land at less than fair market value to facilitate the creation of affordable housing near transit is consistent with goals and objectives to achieve optimal transportation use. The Legislature also notes that the Federal Transit Administration gives priority for funding of rail transit proposals to areas that are implementing higher-density, mixed-use, and affordable development near major transit stations.

SEC. 2. Section 54222.5 is added to the Government Code, to read:

54222.5. An entity proposing to use the surplus land for developing low- and moderate-income housing shall agree to make available not less than 25 percent of the total number of units developed on the parcels at affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, or affordable rent, as defined in Section 50053 of the Health and Safety Code, to lower income households, as defined in Section 50079.5 of the Health and Safety Code. Rental units shall remain affordable to, and occupied by, lower income households for a period of at least 55 years. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with paragraph (2) of subdivision (c) of Section 65915. These requirements shall be contained in a covenant or restriction recorded against the surplus land at the time of sale, which shall run with the land and shall be enforceable, against any owner who violates a covenant or restriction and each successor in interest who continues the violation, by any of the following:

- (a) The local agency that disposed of the property.
- (b) A resident of a unit subject to this section.
- (c) A residents association with members who reside in units subject to this section.
- (d) A former resident of a unit subject to this section who last resided in that unit.
- (e) An applicant seeking to enforce the covenants or restrictions for a particular unit that is subject to this section, if the applicant conforms to all of the following:
 - (1) Is of low or moderate income, as defined in Section 50093 of the Health and Safety Code.
 - (2) Is able and willing to occupy that particular unit.
 - (3) Was denied occupancy of that particular unit due to an alleged breach of a covenant or restriction implementing this section.
- (f) A person on an affordable housing waiting list who is of low or moderate income, as defined in Section 50093 of the Health and Safety Code, and who is able and willing to occupy a unit subject to this section.

SEC. 3. Section 54223 of the Government Code is amended to read:

54223. After the disposing agency has received notice from the entity desiring to purchase or lease the land, the disposing agency and the entity shall enter into good faith negotiations to determine a mutually satisfactory sales price or lease terms. If the price or terms cannot be agreed upon after

a good faith negotiation period of not less than 90 days, the land may be disposed of without further regard to this article, except that Section 54233 shall apply.

SEC. 4. Section 54225 of the Government Code is amended to read:

54225. Any public agency selling surplus land to an entity described in Section 54222 for park or recreation purposes, for open-space purposes, for school purposes, or for low- and moderate- income housing purposes may provide for a payment period of up to 20 years in any contract of sale or sale by trust deed for the land. The payment period for surplus land sold for housing for persons and families of low and moderate income may exceed 20 years, but the payment period shall not exceed the term that the land is required to be used for low- or moderate-income housing.

SEC. 5. Section 54226 of the Government Code is amended to read:

54226. This article shall not be interpreted to limit the power of any local agency to sell or lease surplus land at fair market value or at less than fair market value, and any such sale or lease at or less than fair market value consistent with this article shall not be construed as inconsistent with an agency's purpose. No provision of this article shall be applied when it conflicts with any other provision of statutory law.

SEC. 6. Section 54227 of the Government Code is amended to read:

54227. (a) In the event that any local agency disposing of surplus land receives offers for the purchase or lease of that land from more than one of the entities to which notice and an opportunity to purchase or lease shall be given pursuant to this article, the local agency shall give first priority to the entity that agrees to use the site for housing that meets the requirements of Section 54222.5. If the local agency receives offers from more than one entity that agrees to meet the requirements of Section 54222.5, then the local agency shall give priority to the entity that proposes to provide the greatest number of units that meet the requirements of Section 54222.5 at the deepest level of affordability.

(b) Notwithstanding subdivision (a), first priority shall be given to an entity that agrees to use the site for park or recreational purposes if the land being offered is already being used and will continue to be used for park or recreational purposes, or if the land is designated for park and recreational use in the local general plan and will be developed for that purpose.

SEC. 7. Section 54233 is added to the Government Code, to read:

54233. If the local agency does not agree to price and terms with an entity to which notice and an opportunity to purchase or lease are given pursuant to this article and disposes of the surplus land to an entity that uses the property for the development of 10 or more residential units, the entity or a successor-in-interest shall provide not less than 15 percent of the total number of units developed on the parcels at affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, or affordable rent, as defined in Section 50053 of the Health and Safety Code, to lower income households, as defined in Section 50079.5 of the Health and Safety Code. Rental units shall remain affordable to, and occupied by, lower income households for a period of at least 55 years. The initial occupants of all

ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision (c) of Section 65915. These requirements shall be contained in a covenant or restriction recorded against the surplus land prior to land use entitlement of the project, and the covenant or restriction shall run with the land and shall be enforceable, against any owner who violates a covenant or restriction and each successor in interest who continues the violation, by any of the entities described in subdivisions (a) to (f), inclusive, of Section 54222.5.

SEC. 8. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Attachment 1

Attachment A, Appendix 11, MTC Resolution No. 4202
January 27, 2021

Appendix A-11: Safe and Seamless Mobility Quick-Strike Program

The Safe and Seamless Mobility Quick-Strike program is a one-time, competitive grant program within the One Bay Area Grant program (OBAG 2) framework. Federal funding is available to support local and regional projects that can be implemented quickly to benefit communities responding and adapting to the COVID-19 environment.

Available funding includes a mix of Surface Transportation Block Grant Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) and Federal Highway Infrastructure Program (FHIP) funds, with FHIP funds exchanged with STP/CMAQ funds to the extent possible to meet federal other funding deadlines and requirements. CMAQ funds will be used for eligible projects that demonstrate air quality benefits and implement Plan Bay Area's climate initiative goals and priorities.

Project Eligibility & Focus Areas

The program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Eligible project types include:

- Quick-build bike, pedestrian, and transit improvements; including bike share enhancements.
- Local safe and seamless mobility projects, including projects that advance equitable mobility; invest in bicycle/pedestrian safety; improve connections to transit; or implement seamless strategies within a corridor.
- In addition to capital projects, programs that support safe and seamless mobility or advance equitable mobility are also eligible (ex. safe routes to school/transit programs); a limited amount of funding, (up to \$200,000 per county) may also be directed towards countywide implementation of safe and seamless mobility planning and programming efforts).
- Other near-term implementation of strategies emerging from the Blue-Ribbon Transit Recovery Task Force and Partnership Board's Connected Mobility Subcommittee.

Fund commitments for specific focus areas include:

- One-quarter of the total program is targeted for bicycle/pedestrian safety (including local road safety).
- \$5 million is set aside to support early implementation efforts anticipated from the Blue-Ribbon Transit Recovery Task Force.

Evaluation Criteria

MTC staff will evaluate nominated projects against the following program criteria.

Nominated projects should:

- Align with Connected Mobility Framework Values and Goals (see inset below)
- Be the direct result or outcome of a community engagement process
- Be within or directly connected to a Priority Development Area (PDA) or Transportation Priority Area (TPA) and/or serve a Community of Concern (CoC), Community Air Risk Evaluation (CARE) program area, or similar local designation. PDAs and TPAs may be existing or recently designated as part of the Plan Bay Area 2050 growth framework.
- Addresses transit connectivity gaps, especially in areas significantly impacted from the pandemic

- Demonstrate partnership among jurisdictions, transit agencies, and counties.
- Demonstrate ability to quickly deliver, and meet federal funding requirements, as funds must be obligated by September 30, 2022.

To ensure consistency with the implementation of county and regional plans and priorities, as well as encourage discussion and coordination in developing investment proposals, projects co-nominated by MTC and a CTA will be given extra consideration if meeting regional goals and priorities.

Below are the regional connected mobility values and goals guiding these investments:

CONNECTED MOBILITY VALUES AND GOALS	
Values	Goals
Think Regionally Act Locally	Be coordinated, interconnected, and contiguous
Provide Great Travel Choices	Provide choices that are better than driving alone, are viable and intuitive for all trips
Put the Traveler First	Ensure a dignified traveler experience, focusing on customer care and needs
Be Equitable & Inclusive	Address disparities and be transparent for all people and all trips
Be Sustainable	Strive for a healthy planet, people, and full-cost accounting

Project Nominations

To address local needs throughout the region, and encourage community-based project investments, each County Transportation Agency (CTA) will act on MTC's behalf and submit project nominations for their county area. County targets have been provided as a guide, for each county (see table at right). However, final project selection by MTC will not necessarily adhere to these targets. Target amounts are based on the OBAG 2 county program distribution.

In addition to county submissions, MTC may consider projects that would be implemented regionwide or in more than one county. Where applicable, MTC staff will work with CTAs to coordinate on co-nominations for regional projects.

As the final program of projects must reflect regional or multi-county priorities, in addition to local priorities within each county, the final programming per county will not correspond exactly to nomination targets.

To ensure each county is provided sufficient funding to have a meaningful community impact, each county's nomination target will be a minimum of \$1 million.

County Nomination Targets (*\$ millions, rounded*)

	%
Alameda	19.9%
Contra Costa	14.6%
Marin	2.8%
Napa	2.1%
San Francisco	12.5%
San Mateo	8.4%
Santa Clara	27.0%
Solano	5.5%
Sonoma	7.2%
	100.0%

Note: Final project selection and fund programming will not correspond exactly to nomination targets.

Project Selection Process

The prioritization process is designed to quickly distribute funds to competitive and impactful investments throughout the region.

- **Letters of Interest:** County Transportation Agencies (CTAs) submit Letters of Interest to nominate projects within their counties. In addition to basic project information (project description, sponsor, total cost, funding request), submittals should also describe how the project meets the program eligibility requirements and evaluation criteria, and how well the proposed project sponsor meets state and federal funding requirements.
- **Evaluation:** MTC staff evaluate CTA nominations as well as regional program considerations to develop a recommended program of projects. Program recommendations presented to Bay Area Partnership Board for review and discussion.
- **Project Applications:** MTC and CTA staff work with project sponsors to submit project applications with a detailed scope, delivery schedule, and funding plan.
- **Program Approval:** MTC Commission consideration and approval of projects and fund programming.

Programming Policies and Requirements

Unless otherwise noted within these guidelines, OBAG 2 General Programming Policies (see MTC Resolution No. 4202, Attachment A, pages 6-11), and Regional Project Funding Delivery Policy (MTC Resolution No. 3606) apply.

- **Project sponsors:** Eligible sponsors are those approved by Caltrans to receive FHWA federal-aid funds (including cities, counties, transit agencies, CTAs, and MTC). Sponsors must also have a demonstrated ability to meet timely use of funds deadlines and requirements (see Project Delivery and Monitoring, below).
- **Minimum Grant Size:** Project nominations should be consistent with OBAG 2 minimum grant size requirements per county (\$500,000 grant minimum for counties with population over 1 million, and \$250,000 minimum for all other counties). Final funding awards may deviate from grant minimums per county, should one or more grant awards span multiple counties or regionwide.

Additionally, deviations from the OBAG 2 minimum grant size requirements for project nominations may be considered on a project-by-project basis. However, grant awards must be at least \$100,000.

- **Local Match:** Toll credits may be requested in lieu of non-federal cash match.
- **Supplanting of Funds Prohibited:** Supplanting of existing funds on fully-funded projects is prohibited, as the program is intended to infuse transportation investment into communities responding and adapting to the COVID-19 environment. If funds are

requested to address a funding shortfall on a project due to reduced local revenues, CTAs must demonstrate why the project should be a priority for regional funding, if it was not the highest priority for available local funding. In their nomination, CTAs should describe how the county and local jurisdictions determined which projects are prioritized for reduced local revenues.

- **Project Phases:** The Environmental (ENV), Plans, Specifications and Estimates (PS&E), Preliminary Engineering (PE) and Right Of Way (ROW) phases are eligible for capital projects as long as the construction (CON) phase of the project is delivered and funds obligated by September 30, 2022.
- **Project Delivery and Monitoring:** Project sponsors must have a record of consistently meeting state and federal timely use of funds deadlines and requirements, or demonstrate/identify revised/new internal processes to ensure they will meet funding deadlines and requirements moving forward at the time of project nomination. In addition to the provisions of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606), the following specific funding deadlines/requirements apply:
 - Funds must be obligated (authorized in a federal E-76, or transferred to FTA) no later than September 30, 2022.
 - Funds must be encumbered or awarded in a contract within 6 months of federal obligation.
 - Funds must be invoiced against within 3 months of encumbrance/award and invoiced against and receive a federal reimbursement quarterly thereafter.
 - If there could be complications with invoicing against the construction phase within 9 months of federal obligation, then the sponsor should consider including Construction Engineering (CE) in the federal obligation so that eligible costs may be invoiced in order to meet the invoicing deadline.
 - Project sponsor must meet all other timely use of funds deadlines and requirements, for all other state and federal transportation funds received by the agency, during the duration of project implementation (such as, but not limited to, project award, federal invoicing, and project reporting).
 - To help ensure compliance with state and federal invoicing requirements, as part of the application submittal, the Finance/Accounting Manager/Director for the agency receiving the funds must provide written documentation on the agency's internal process and procedures for complying with FHWA federal-aid timely use of funds requirements, especially with regards to meeting federal invoicing requirements.
 - CTAs nominating successful projects must monitor the project sponsors within their respective county in meeting the timely use of funds deadline requirements in MTC Resolution No. 3606 and report quarterly to MTC on the agency's status in meeting regional, state, and federal timely use of funds deadlines and requirements.
- **Additional Requirements Apply:**
 - Project sponsor must comply with MTC's Complete Street Policy and submit a Complete Streets Checklist for the project.

- Project sponsor must adopt a Resolution of Local Support prior to adding the project into the Transportation Improvement Program (TIP).
- Project sponsor must satisfy the OBAG 2 housing policy requirements – have a certified Housing Element, submit the Annual Progress Report for the Housing Element, and have adopted a resolution affirming compliance with the California Surplus Lands Act.
- CTAs must make each project's Complete Streets Checklist available for review by the appropriate Bicycle and Pedestrian Advisory Committee (BPAC) prior to MTC Commission approval of projects and fund programming. Documentation this has occurred must be included with the project application.



City of Sunnyvale

Agenda Item

21-0286

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Saratoga Road Class IIB Buffered Bicycle Lanes Project

BACKGROUND

The Metropolitan Transportation Commission (MTC) is the metropolitan planning organization for the nine-county San Francisco Bay Area region, which includes Santa Clara County. The MTC administers the federally funded One Bay Area Grant 2 (OBAG 2) Program where funds are provided to invest in various areas including local street and road maintenance, streetscape enhancements, bicycle and pedestrian improvements, safe routes to school projects, priority conservation areas, and transportation planning.

The MTC has created a new \$54.4 million one-time grant in the regional Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) program. It was originally programmed for other projects and was returned to the STP/CMAQ balance for re-programming. The STP/CMAQ fund is part of the Federal Highway Infrastructure Program (FHIP).

On January 27, the MTC adopted Resolution Nos. 3925, Revised and 4202, Revised, and the policy framework for a Safe and Seamless Mobility Quick-Strike program to be funded through capacity created by the FHIP within the OBAG 2 framework. The Safe and Seamless Mobility Quick-Strike Program is a one-time, competitive grant program to fund local projects that can be implemented very quickly to benefit communities responding and adapting to the COVID-19 environment. The Program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Santa Clara County has a targeted funding amount of \$14.69 million.

In order to be eligible for this grant, MTC requires that local jurisdictions adopt a Resolution of Local Support to authorize the filing of the application for funding assigned to MTC and committing any necessary matching funds and stating assurance to complete the project. Project eligibility and requirements are included in MTC Resolution No. 4202, Revised, Appendix A-11 (Attachment 2).

EXISTING POLICY

Resolution No. 793-16 Complete Streets Policy (and Resolution No. 896-18 amending Resolution No. 793-16): the City wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards.

General Plan Chapter 3 Land Use and Transportation:

- **Goal LT-3:** An Effective Multimodal Transportation System - Offer the community a variety of transportation modes for local travel that are also integrated with the regional transportation system and land use pattern. Favor accommodation of alternative modes to the automobile as a means to enhance efficient transit use, bicycling, and walking and corresponding benefits to the environment, person-throughput, and qualitative improvements to the transportation system environment.

Vision Zero Plan

- Reduce fatalities and serious injuries by 50 percent by 2029 and to continue improving traffic safety towards zero fatal and serious injury collisions in the ten years that follow.
- Call to action to make Sunnyvale's streets safer, especially for people biking and walking.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

DISCUSSION

The newly created one-time Safe and Seamless Mobility Quick-Strike Program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Eligible project types include quick-build projects that improve bike, pedestrian and transit facilities and accessibility, provide equitable mobility options, improve bike and pedestrian safety, improve connections to transit, and implementation of safe and seamless mobility planning and programming efforts.

Quick build measures and strategies are designed to facilitate quick deployment to provide maximum timely benefit for the public. City staff would like to utilize this grant opportunity to implement some strategic quick build bicycle improvements to improve the bicycling experience on Sunnyvale Saratoga Road.

Sunnyvale Saratoga Road is a six-lane major north-south corridor with a Class II bicycle lane on both sides of the street and a posted speed limit of 40 miles per hour. The proposed project is to upgrade the existing Class II bicycle lanes on Sunnyvale Saratoga Road to a Class IIB bicycle lane, which will include a striped buffer to improve bicyclists' safety and comfort. The project limit is between Homestead Road and Mathilda Avenue/Talisman Drive. Improvements include application of slurry seal treatment to the roadway, removal of the existing roadway striping and installing narrower travel lanes to facilitate adding a striped buffer to provide a physical separation between the bicycle lane and vehicular travel lane. The project location is shown graphically in Attachment 3.

In the recently adopted Sunnyvale Active Transportation Plan (ATP), the improvement identified for the project location is to implement a Class IV separated bikeway. However, at this time, staff has not been able to prepare a study of the maintenance equipment and staffing necessary to maintain a Class IV facility. Therefore, staff would like to take this grant opportunity to upgrade the existing Class II bicycle lanes to Class IIB buffered bicycle lanes by installing the striped buffer. In the future, when the City has adequately studied and prepared for the change in maintenance, Sunnyvale Saratoga

Road can be quickly upgraded from Class IIB buffered bicycle lane to Class IV separated bikeway by installing a physical vertical barrier such as delineators or channelizing curb to provide additional protection for bicyclists from vehicular traffic without additional modification to the vehicular travel lanes.

Staff will complete the preparation of environmental documents; the design will be completed using existing operating and staff augmentation funds this fiscal year. The application for grant funding is for the construction phase of the project only, with a project budget of \$2.2 million.

Staff has presented the proposed project to the Bicycle and Pedestrian Advisory Commission (BPAC) at its March 18 meeting as a review and comment item only and no action or vote was taken, however BPAC commissioners expressed support for the project.

FISCAL IMPACT

There will be no fiscal impact related to designing and constructing the improvements. Staff will be using existing resources and budgets to complete the design and environmental study. The City has requested allocation of Toll Credits in lieu of local matching funds for the construction phase.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Saratoga Road Class IIB Buffered Bicycle Lanes Project.

By implementing a Class IIB buffered bicycle lane on Sunnyvale Saratoga Road, the proposed project will add a striped buffer to provide a physical separation between the bicycle lane and vehicular travel lane, which will convert Sunnyvale Saratoga Road to a low-stress bicycle facility and enhance the bicycling experience on this corridor.

Prepared by: Lillian Tsang, Principal Transportation Engineer
Reviewed by: Chip Taylor, Director, Department of Public Works
Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution of Local Support for the Sunnyvale Saratoga Road Class IIB Buffered Bicycle Lanes Project
2. MTC Resolution No. 4202, Revised, Appendix A-1
3. Project Location Map

DRAFT 4/7/2021 *RLB*

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE OF LOCAL SUPPORT FOR
AUTHORIZING THE FILING OF AN APPLICATION FOR
FUNDING ASSIGNED TO THE METROPOLITAN
TRANSPORTATION COMMISSION AND COMMITTING
ANY NECESSARY MATCHING FUNDS AND STATING
ASSURANCE TO COMPLETE THE PROJECT**

WHEREAS, City of Sunnyvale (herein referred to as “Applicant”) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$2,200,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as Regional Discretionary Funding) for the Sunnyvale Saratoga Road Class IIB Buffered Bicycle Lanes Project (herein referred to as “Project”) for the Safe & Seamless Mobility Quick-Strike Grant (herein referred to as “Program”); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the Federal Transportation Act) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the Federal Transportation Act, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Regional Discretionary Funding; and

WHEREAS, Applicant is an eligible sponsor for Regional Discretionary Funding; and

WHEREAS, as part of the application for Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- The commitment of any required matching funds; and
- The sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- The Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- The assurance of the sponsor to complete the Project as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- The Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and
- The Project will comply with all project-specific requirements as set forth in the Program; and
- Applicant has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by Applicant; and
- In the case of a transit project, the Project will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- In the case of a highway project, the Project will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- In the case of an RTIP project, state law requires Project be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and

WHEREAS, there is no legal impediment to Applicant making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and

WHEREAS, Applicant authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

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

1. The Applicant is authorized to execute and file an application for funding for the Project for Regional Discretionary Funding under the Federal Transportation Act or continued funding.
2. Applicant will provide any required matching funds.
3. Applicant understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the Applicant from other funds, and that Applicant does not expect any cost increases to be funded with additional Regional Discretionary Funding.
4. Applicant understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and Applicant has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by Applicant.
5. Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP.
6. Applicant has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application.

7. Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program.

8. In the case of a transit project, Applicant agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised.

9. In the case of a highway project, Applicant agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104.

10. In the case of an RTIP project, Project is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency.

11. Applicant is an eligible sponsor of Regional Discretionary Funding funded projects.

12. Applicant is authorized to submit an application for Regional Discretionary Funding For the Project.

13. There is no legal impediment to Applicant making applications for the funds.

14. There is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project.

15. Applicant authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this Resolution.

16. A copy of this Resolution will be transmitted to the MTC in conjunction with the filing of the application.

17. The MTC is requested to support the application for the Project described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

Attachment 1

Attachment A, Appendix 11, MTC Resolution No. 4202
January 27, 2021

Appendix A-11: Safe and Seamless Mobility Quick-Strike Program

The Safe and Seamless Mobility Quick-Strike program is a one-time, competitive grant program within the One Bay Area Grant program (OBAG 2) framework. Federal funding is available to support local and regional projects that can be implemented quickly to benefit communities responding and adapting to the COVID-19 environment.

Available funding includes a mix of Surface Transportation Block Grant Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) and Federal Highway Infrastructure Program (FHIP) funds, with FHIP funds exchanged with STP/CMAQ funds to the extent possible to meet federal other funding deadlines and requirements. CMAQ funds will be used for eligible projects that demonstrate air quality benefits and implement Plan Bay Area's climate initiative goals and priorities.

Project Eligibility & Focus Areas

The program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Eligible project types include:

- Quick-build bike, pedestrian, and transit improvements; including bike share enhancements.
- Local safe and seamless mobility projects, including projects that advance equitable mobility; invest in bicycle/pedestrian safety; improve connections to transit; or implement seamless strategies within a corridor.
- In addition to capital projects, programs that support safe and seamless mobility or advance equitable mobility are also eligible (ex. safe routes to school/transit programs); a limited amount of funding, (up to \$200,000 per county) may also be directed towards countywide implementation of safe and seamless mobility planning and programming efforts).
- Other near-term implementation of strategies emerging from the Blue-Ribbon Transit Recovery Task Force and Partnership Board's Connected Mobility Subcommittee.

Fund commitments for specific focus areas include:

- One-quarter of the total program is targeted for bicycle/pedestrian safety (including local road safety).
- \$5 million is set aside to support early implementation efforts anticipated from the Blue-Ribbon Transit Recovery Task Force.

Evaluation Criteria

MTC staff will evaluate nominated projects against the following program criteria.

Nominated projects should:

- Align with Connected Mobility Framework Values and Goals (see inset below)
- Be the direct result or outcome of a community engagement process
- Be within or directly connected to a Priority Development Area (PDA) or Transportation Priority Area (TPA) and/or serve a Community of Concern (CoC), Community Air Risk Evaluation (CARE) program area, or similar local designation. PDAs and TPAs may be existing or recently designated as part of the Plan Bay Area 2050 growth framework.
- Addresses transit connectivity gaps, especially in areas significantly impacted from the pandemic

- Demonstrate partnership among jurisdictions, transit agencies, and counties.
- Demonstrate ability to quickly deliver, and meet federal funding requirements, as funds must be obligated by September 30, 2022.

To ensure consistency with the implementation of county and regional plans and priorities, as well as encourage discussion and coordination in developing investment proposals, projects co-nominated by MTC and a CTA will be given extra consideration if meeting regional goals and priorities.

Below are the regional connected mobility values and goals guiding these investments:

CONNECTED MOBILITY VALUES AND GOALS	
Values	Goals
Think Regionally Act Locally	Be coordinated, interconnected, and contiguous
Provide Great Travel Choices	Provide choices that are better than driving alone, are viable and intuitive for all trips
Put the Traveler First	Ensure a dignified traveler experience, focusing on customer care and needs
Be Equitable & Inclusive	Address disparities and be transparent for all people and all trips
Be Sustainable	Strive for a healthy planet, people, and full-cost accounting

Project Nominations

To address local needs throughout the region, and encourage community-based project investments, each County Transportation Agency (CTA) will act on MTC's behalf and submit project nominations for their county area. County targets have been provided as a guide, for each county (see table at right). However, final project selection by MTC will not necessarily adhere to these targets. Target amounts are based on the OBAG 2 county program distribution.

In addition to county submissions, MTC may consider projects that would be implemented regionwide or in more than one county. Where applicable, MTC staff will work with CTAs to coordinate on co-nominations for regional projects.

As the final program of projects must reflect regional or multi-county priorities, in addition to local priorities within each county, the final programming per county will not correspond exactly to nomination targets.

To ensure each county is provided sufficient funding to have a meaningful community impact, each county's nomination target will be a minimum of \$1 million.

County Nomination Targets (\$ millions, rounded)

	%
Alameda	19.9%
Contra Costa	14.6%
Marin	2.8%
Napa	2.1%
San Francisco	12.5%
San Mateo	8.4%
Santa Clara	27.0%
Solano	5.5%
Sonoma	7.2%
	100.0%

Note: Final project selection and fund programming will not correspond exactly to nomination targets.

Project Selection Process

The prioritization process is designed to quickly distribute funds to competitive and impactful investments throughout the region.

- **Letters of Interest:** County Transportation Agencies (CTAs) submit Letters of Interest to nominate projects within their counties. In addition to basic project information (project description, sponsor, total cost, funding request), submittals should also describe how the project meets the program eligibility requirements and evaluation criteria, and how well the proposed project sponsor meets state and federal funding requirements.
- **Evaluation:** MTC staff evaluate CTA nominations as well as regional program considerations to develop a recommended program of projects. Program recommendations presented to Bay Area Partnership Board for review and discussion.
- **Project Applications:** MTC and CTA staff work with project sponsors to submit project applications with a detailed scope, delivery schedule, and funding plan.
- **Program Approval:** MTC Commission consideration and approval of projects and fund programming.

Programming Policies and Requirements

Unless otherwise noted within these guidelines, OBAG 2 General Programming Policies (see MTC Resolution No. 4202, Attachment A, pages 6-11), and Regional Project Funding Delivery Policy (MTC Resolution No. 3606) apply.

- **Project sponsors:** Eligible sponsors are those approved by Caltrans to receive FHWA federal-aid funds (including cities, counties, transit agencies, CTAs, and MTC). Sponsors must also have a demonstrated ability to meet timely use of funds deadlines and requirements (see Project Delivery and Monitoring, below).
- **Minimum Grant Size:** Project nominations should be consistent with OBAG 2 minimum grant size requirements per county (\$500,000 grant minimum for counties with population over 1 million, and \$250,000 minimum for all other counties). Final funding awards may deviate from grant minimums per county, should one or more grant awards span multiple counties or regionwide.

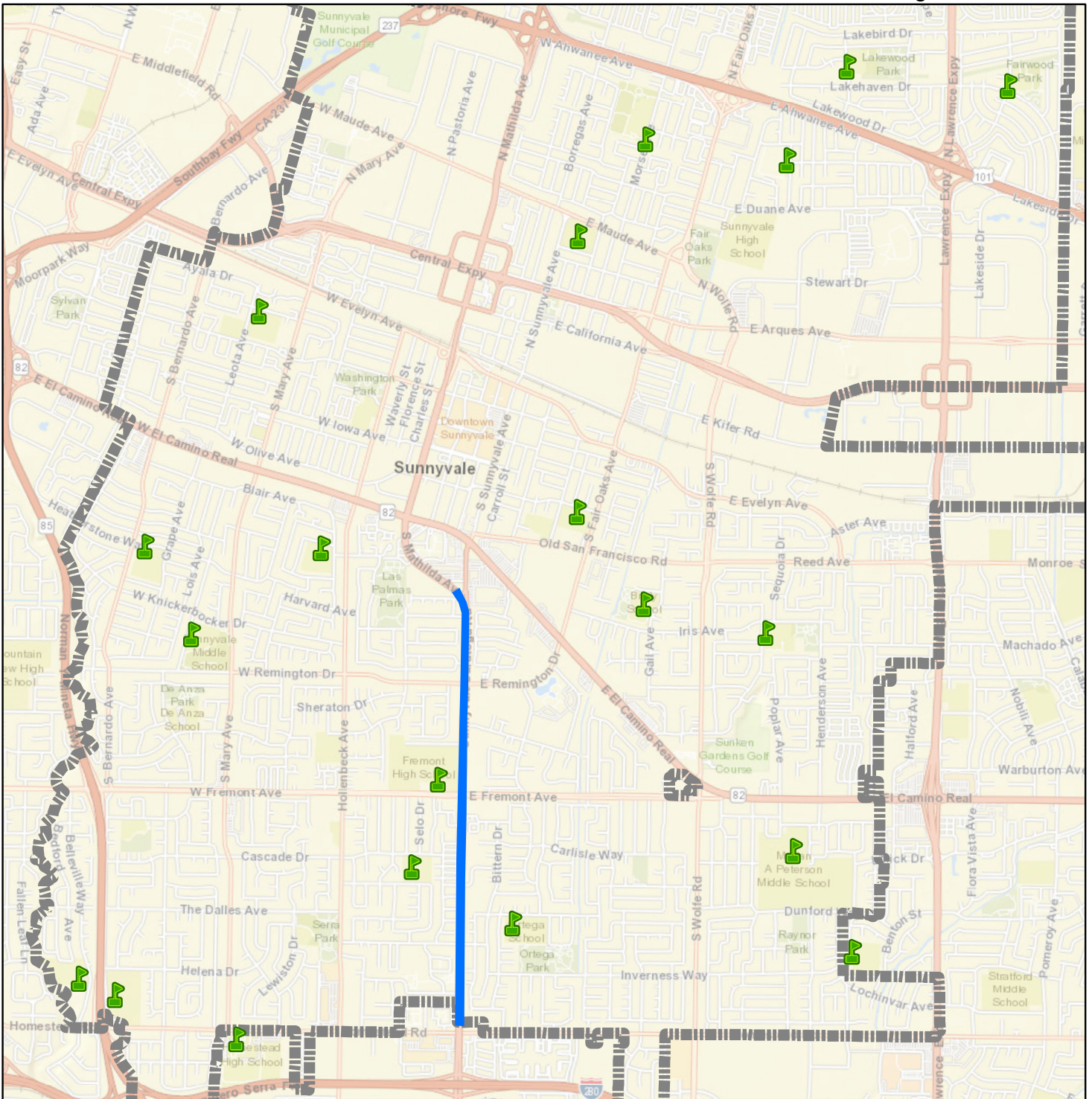
Additionally, deviations from the OBAG 2 minimum grant size requirements for project nominations may be considered on a project-by-project basis. However, grant awards must be at least \$100,000.

- **Local Match:** Toll credits may be requested in lieu of non-federal cash match.
- **Supplanting of Funds Prohibited:** Supplanting of existing funds on fully-funded projects is prohibited, as the program is intended to infuse transportation investment into communities responding and adapting to the COVID-19 environment. If funds are

requested to address a funding shortfall on a project due to reduced local revenues, CTAs must demonstrate why the project should be a priority for regional funding, if it was not the highest priority for available local funding. In their nomination, CTAs should describe how the county and local jurisdictions determined which projects are prioritized for reduced local revenues.

- **Project Phases:** The Environmental (ENV), Plans, Specifications and Estimates (PS&E), Preliminary Engineering (PE) and Right Of Way (ROW) phases are eligible for capital projects as long as the construction (CON) phase of the project is delivered and funds obligated by September 30, 2022.
- **Project Delivery and Monitoring:** Project sponsors must have a record of consistently meeting state and federal timely use of funds deadlines and requirements, or demonstrate/identify revised/new internal processes to ensure they will meet funding deadlines and requirements moving forward at the time of project nomination. In addition to the provisions of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606), the following specific funding deadlines/requirements apply:
 - Funds must be obligated (authorized in a federal E-76, or transferred to FTA) no later than September 30, 2022.
 - Funds must be encumbered or awarded in a contract within 6 months of federal obligation.
 - Funds must be invoiced against within 3 months of encumbrance/award and invoiced against and receive a federal reimbursement quarterly thereafter.
 - If there could be complications with invoicing against the construction phase within 9 months of federal obligation, then the sponsor should consider including Construction Engineering (CE) in the federal obligation so that eligible costs may be invoiced in order to meet the invoicing deadline.
 - Project sponsor must meet all other timely use of funds deadlines and requirements, for all other state and federal transportation funds received by the agency, during the duration of project implementation (such as, but not limited to, project award, federal invoicing, and project reporting).
 - To help ensure compliance with state and federal invoicing requirements, as part of the application submittal, the Finance/Accounting Manager/Director for the agency receiving the funds must provide written documentation on the agency's internal process and procedures for complying with FHWA federal-aid timely use of funds requirements, especially with regards to meeting federal invoicing requirements.
 - CTAs nominating successful projects must monitor the project sponsors within their respective county in meeting the timely use of funds deadline requirements in MTC Resolution No. 3606 and report quarterly to MTC on the agency's status in meeting regional, state, and federal timely use of funds deadlines and requirements.
- **Additional Requirements Apply:**
 - Project sponsor must comply with MTC's Complete Street Policy and submit a Complete Streets Checklist for the project.

- Project sponsor must adopt a Resolution of Local Support prior to adding the project into the Transportation Improvement Program (TIP).
- Project sponsor must satisfy the OBAG 2 housing policy requirements – have a certified Housing Element, submit the Annual Progress Report for the Housing Element, and have adopted a resolution affirming compliance with the California Surplus Lands Act.
- CTAs must make each project's Complete Streets Checklist available for review by the appropriate Bicycle and Pedestrian Advisory Committee (BPAC) prior to MTC Commission approval of projects and fund programming. Documentation this has occurred must be included with the project application.



SEAMLESS MOBILITY QUICK-STRIKE PROGRAM

Sunnyvale-Saratoga Road Class IIB Buffered Bicycle Lane Project
Between Homestead Road and Mathilda Avenue/Talisman Drive



LEGEND

City Boundary

Project Limits

Sunnyvale Schools

Date: 3/24/2021

Data Source: City of Sunnyvale, ESRI, US Census



City of Sunnyvale

Agenda Item

21-0327

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Bicycle, Pedestrian and Safe Routes To School Safety Improvements Project

BACKGROUND

The Metropolitan Transportation Commission (MTC) is the metropolitan planning organization for the nine-county San Francisco Bay Area region, which includes Santa Clara County. The MTC administers the federally funded One Bay Area Grant 2 (OBAG 2) Program where funds are provided to invest in various areas including local street and road maintenance, streetscape enhancements, bicycle and pedestrian improvements, safe routes to school projects, priority conservation areas, and transportation planning.

The MTC has created a new \$54.4 million one-time grant in the regional Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) program. It was originally programmed for other projects and was returned to the STP/CMAQ balance for re-programming. The STP/CMAQ fund is part of the Federal Highway Infrastructure Program (FHIP).

On January 27, the MTC adopted Resolution Nos. 3925, Revised and 4202, Revised, and the policy framework for a Safe and Seamless Mobility Quick-Strike Program to be funded through capacity created by the FHIP within the OBAG 2 framework. The Safe and Seamless Mobility Quick-Strike Program is a one-time, competitive grant program to fund local projects that can be implemented very quickly to benefit communities responding and adapting to the COVID-19 environment. The Program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Santa Clara County has a targeted funding amount of \$14.69 million.

In order to be eligible for this grant, MTC requires that local jurisdictions adopt a Resolution of Local Support to authorize the filing of the application for funding assigned, commit any necessary matching funds and assurance to complete the project. Project eligibility and requirements are included in MTC Resolution No. 4202, Revised, Appendix A-11 (Attachment 2).

EXISTING POLICY

Resolution No. 793-16 Complete Streets Policy (and Resolution No. 896-18 amending Resolution No. 793-16): the City wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards.

General Plan Chapter 3 Land Use and Transportation:

- **Goal LT-3:** An Effective Multimodal Transportation System - Offer the community a variety of transportation modes for local travel that are also integrated with the regional transportation system and land use pattern. Favor accommodation of alternative modes to the automobile as a means to enhance efficient transit use, bicycling, and walking and corresponding benefits to the environment, person-throughput, and qualitative improvements to the transportation system environment.

Vision Zero Plan

- Reduce fatalities and serious injuries by 50 percent by 2029 and to continue improving traffic safety towards zero fatal and serious injury collisions in the ten years that follow.
- Call to action to make Sunnyvale's streets safer, especially for people biking and walking.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

DISCUSSION

The newly created one-time Safe and Seamless Mobility Quick-Strike Program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Eligible project types include quick-build projects that improve bike, pedestrian and transit facilities and accessibility, provide equitable mobility options, improve bike and pedestrian safety, and implementation of safe and seamless mobility planning and programming efforts.

Quick-build measures and strategies are designed to facilitate faster deployment to provide maximum timely benefit for the public. The city would like to utilize this grant opportunity to implement some strategic quick build safety improvements to improve the walking and bicycling experience on Sunnyvale streets.

Pursuant to the City's newly adopted Active Transportation Plan (ATP), there are proposed bicycle, pedestrian and safe routes to school (SRTS) improvements that can be implemented using low-cost, quick-build methodology such as signing, striping, and channelizing curb systems to improve safety at a number of locations throughout the city. In addition, staff has reviewed other city adopted plans such as the Vision Zero Plan and Roadway Safety Plan to identify other quick build bicycle and pedestrian improvements that can be implemented quickly. Staff also received neighborhood requests to improve bicycle and pedestrian safety at locations where there is currently a gap in the bicycle and pedestrian network; improvement at some of these locations are also included in this grant application. These improvements are listed in Attachment 3 and are shown graphically in Attachment 4.

Staff will complete the environmental document in-house; the design will be completed both by staff as well as by on-call consultant. The application for the grant is for the construction phase of the project only, with a project budget of \$1.9 million.

Staff presented the proposed project to the Bicycle and Pedestrian Advisory Commission (BPAC) at

its March 18 meeting as a review and comment item only and no action or vote was taken, however BPAC commissioners expressed support for the project.

FISCAL IMPACT

There will be no fiscal impact related to designing or constructing the improvements. Staff will be using existing resources and budgets to complete the design and environmental study. The City has requested allocation of Toll Credits in lieu of providing local matching funds for the construction phase. Upon completion of construction of the improvements, there will be an increase in costs and loss of efficiency for the Street Maintenance Division in the Department of Public Works due to necessitation to hand-sweep or blow the areas, but the Division will attempt to absorb the impacts for these limited number of strategic installations.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Adopt a Resolution of Local Support, Authorize the Filing of the Metropolitan Transportation Commission Safe & Seamless Mobility Quick-Strike Grant Application, and Authorize the City Manager to Execute All Grant-Related Documents for the Sunnyvale Bicycle, Pedestrian and SRTS Safety Improvements Project.

By implementing bicycle, pedestrian and SRTS safety improvements, our goal is to improve safety and accessibility for people walking and bicycling throughout the city, which will promote the usage of alternative transportation modes such as walking, biking, etc. The safety improvements proposed are intended to make Sunnyvale streets safe for all road users, complying with our Complete Streets Policy. In addition, the improvements included in this project are located in various neighborhoods around the city, with widespread benefits for all Sunnyvale residents. For the SRTS improvements, we have identified locations closest to the schools where the most students can benefit from the improvements. Some of the improvements identified include filling in a sidewalk gap or a pedestrian/bicycle path where there is no existing sidewalk or bicycle facility. In addition, we propose to narrow travel lanes at some locations by installing centerline and shoulder stripes to upgrade streets with no bicycle facility to Class IIIB bicycle routes, where the road would be shared between bicyclists and motor vehicles. All these improvements would create a connected network for bicyclists and pedestrians traveling on Sunnyvale streets, providing safe access to major arterials (i.e., El Camino Real, Sunnyvale Saratoga Road, Fremont Avenue and Wolfe Road), and connections to nearby transit facilities (i.e., VTA bus stops and Caltrain station).

Prepared by: Lillian Tsang, Principal Transportation Engineer

Reviewed by: Chip Taylor, Director, Department of Public Works

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution of Local Support for the Sunnyvale Bicycle Ped SRTS Safety Improvements Project

2. MTC Resolution No. 4202, Revised, Appendix A-1
3. Project Improvement List
4. Project Location Map

DRAFT 4/7/2021 *RLB*

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE OF LOCAL SUPPORT FOR
AUTHORIZING THE FILING OF AN APPLICATION FOR
FUNDING ASSIGNED TO THE METROPOLITAN
TRANSPORTATION COMMISSION AND COMMITTING
ANY NECESSARY MATCHING FUNDS AND STATING
ASSURANCE TO COMPLETE THE PROJECT**

WHEREAS, City of Sunnyvale (herein referred to as “Applicant”) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,900,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as “Regional Discretionary Funding”) for the Sunnyvale Bicycle, Pedestrian, and SRTS Safety Improvements Project (herein referred to as “Project”) for the Safe & Seamless Mobility Quick-Strike Grant (herein referred to as “Program”); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the Federal Transportation Act) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the Federal Transportation Act, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Regional Discretionary Funding; and

WHEREAS, Applicant is an eligible sponsor for Regional Discretionary Funding; and

WHEREAS, as part of the application for Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- The commitment of any required matching funds; and
- That the sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- That the Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- The assurance of the sponsor to complete the Project as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- The Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and
- The Project will comply with all project-specific requirements as set forth in the Program; and
- Applicant has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by Applicant; and
- In the case of a transit project, the Project will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- In the case of a highway project, the Project will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- In the case of an RTIP project, state law requires Project be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and

WHEREAS, there is no legal impediment to Applicant making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and

WHEREAS, Applicant authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

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

1. The Applicant is authorized to execute and file an application for funding for the Project for Regional Discretionary Funding under the Federal Transportation Act or continued funding.
2. Applicant will provide any required matching funds.
3. Applicant understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the Applicant from other funds, and that Applicant does not expect any cost increases to be funded with additional Regional Discretionary Funding.
4. Applicant understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and Applicant has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by Applicant.
5. Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP.
6. Applicant has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application.

7. Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program.

8. In the case of a transit project, Applicant agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised.

9. In the case of a highway project, Applicant agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104.

10. In the case of an RTIP project, Project is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency.

11. Applicant is an eligible sponsor of Regional Discretionary Funding funded projects.

12. Applicant is authorized to submit an application for Regional Discretionary Funding for the Project.

13. There is no legal impediment to Applicant making applications for the funds.

14. There is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project.

15. Applicant authorizes its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this Resolution.

16. A copy of this Resolution will be transmitted to the MTC in conjunction with the filing of the application.

17. The MTC is requested to support the application for the Project described in the Resolution, and if approved, to include the Project in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

Attachment 1

Attachment A, Appendix 11, MTC Resolution No. 4202
January 27, 2021

Appendix A-11: Safe and Seamless Mobility Quick-Strike Program

The Safe and Seamless Mobility Quick-Strike program is a one-time, competitive grant program within the One Bay Area Grant program (OBAG 2) framework. Federal funding is available to support local and regional projects that can be implemented quickly to benefit communities responding and adapting to the COVID-19 environment.

Available funding includes a mix of Surface Transportation Block Grant Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) and Federal Highway Infrastructure Program (FHIP) funds, with FHIP funds exchanged with STP/CMAQ funds to the extent possible to meet federal other funding deadlines and requirements. CMAQ funds will be used for eligible projects that demonstrate air quality benefits and implement Plan Bay Area's climate initiative goals and priorities.

Project Eligibility & Focus Areas

The program emphasizes bicycle/pedestrian safety and mobility, connections to transit, and projects that advance equitable mobility. Eligible project types include:

- Quick-build bike, pedestrian, and transit improvements; including bike share enhancements.
- Local safe and seamless mobility projects, including projects that advance equitable mobility; invest in bicycle/pedestrian safety; improve connections to transit; or implement seamless strategies within a corridor.
- In addition to capital projects, programs that support safe and seamless mobility or advance equitable mobility are also eligible (ex. safe routes to school/transit programs); a limited amount of funding, (up to \$200,000 per county) may also be directed towards countywide implementation of safe and seamless mobility planning and programming efforts).
- Other near-term implementation of strategies emerging from the Blue-Ribbon Transit Recovery Task Force and Partnership Board's Connected Mobility Subcommittee.

Fund commitments for specific focus areas include:

- One-quarter of the total program is targeted for bicycle/pedestrian safety (including local road safety).
- \$5 million is set aside to support early implementation efforts anticipated from the Blue-Ribbon Transit Recovery Task Force.

Evaluation Criteria

MTC staff will evaluate nominated projects against the following program criteria.

Nominated projects should:

- Align with Connected Mobility Framework Values and Goals (see inset below)
- Be the direct result or outcome of a community engagement process
- Be within or directly connected to a Priority Development Area (PDA) or Transportation Priority Area (TPA) and/or serve a Community of Concern (CoC), Community Air Risk Evaluation (CARE) program area, or similar local designation. PDAs and TPAs may be existing or recently designated as part of the Plan Bay Area 2050 growth framework.
- Addresses transit connectivity gaps, especially in areas significantly impacted from the pandemic

- Demonstrate partnership among jurisdictions, transit agencies, and counties.
- Demonstrate ability to quickly deliver, and meet federal funding requirements, as funds must be obligated by September 30, 2022.

To ensure consistency with the implementation of county and regional plans and priorities, as well as encourage discussion and coordination in developing investment proposals, projects co-nominated by MTC and a CTA will be given extra consideration if meeting regional goals and priorities.

Below are the regional connected mobility values and goals guiding these investments:

CONNECTED MOBILITY VALUES AND GOALS	
Values	Goals
Think Regionally Act Locally	Be coordinated, interconnected, and contiguous
Provide Great Travel Choices	Provide choices that are better than driving alone, are viable and intuitive for all trips
Put the Traveler First	Ensure a dignified traveler experience, focusing on customer care and needs
Be Equitable & Inclusive	Address disparities and be transparent for all people and all trips
Be Sustainable	Strive for a healthy planet, people, and full-cost accounting

Project Nominations

To address local needs throughout the region, and encourage community-based project investments, each County Transportation Agency (CTA) will act on MTC's behalf and submit project nominations for their county area. County targets have been provided as a guide, for each county (see table at right). However, final project selection by MTC will not necessarily adhere to these targets. Target amounts are based on the OBAG 2 county program distribution.

In addition to county submissions, MTC may consider projects that would be implemented regionwide or in more than one county. Where applicable, MTC staff will work with CTAs to coordinate on co-nominations for regional projects.

As the final program of projects must reflect regional or multi-county priorities, in addition to local priorities within each county, the final programming per county will not correspond exactly to nomination targets.

To ensure each county is provided sufficient funding to have a meaningful community impact, each county's nomination target will be a minimum of \$1 million.

County Nomination Targets (\$ millions, rounded)

	%
Alameda	19.9%
Contra Costa	14.6%
Marin	2.8%
Napa	2.1%
San Francisco	12.5%
San Mateo	8.4%
Santa Clara	27.0%
Solano	5.5%
Sonoma	7.2%
	100.0%

Note: Final project selection and fund programming will not correspond exactly to nomination targets.

Project Selection Process

The prioritization process is designed to quickly distribute funds to competitive and impactful investments throughout the region.

- **Letters of Interest:** County Transportation Agencies (CTAs) submit Letters of Interest to nominate projects within their counties. In addition to basic project information (project description, sponsor, total cost, funding request), submittals should also describe how the project meets the program eligibility requirements and evaluation criteria, and how well the proposed project sponsor meets state and federal funding requirements.
- **Evaluation:** MTC staff evaluate CTA nominations as well as regional program considerations to develop a recommended program of projects. Program recommendations presented to Bay Area Partnership Board for review and discussion.
- **Project Applications:** MTC and CTA staff work with project sponsors to submit project applications with a detailed scope, delivery schedule, and funding plan.
- **Program Approval:** MTC Commission consideration and approval of projects and fund programming.

Programming Policies and Requirements

Unless otherwise noted within these guidelines, OBAG 2 General Programming Policies (see MTC Resolution No. 4202, Attachment A, pages 6-11), and Regional Project Funding Delivery Policy (MTC Resolution No. 3606) apply.

- **Project sponsors:** Eligible sponsors are those approved by Caltrans to receive FHWA federal-aid funds (including cities, counties, transit agencies, CTAs, and MTC). Sponsors must also have a demonstrated ability to meet timely use of funds deadlines and requirements (see Project Delivery and Monitoring, below).
- **Minimum Grant Size:** Project nominations should be consistent with OBAG 2 minimum grant size requirements per county (\$500,000 grant minimum for counties with population over 1 million, and \$250,000 minimum for all other counties). Final funding awards may deviate from grant minimums per county, should one or more grant awards span multiple counties or regionwide.

Additionally, deviations from the OBAG 2 minimum grant size requirements for project nominations may be considered on a project-by-project basis. However, grant awards must be at least \$100,000.

- **Local Match:** Toll credits may be requested in lieu of non-federal cash match.
- **Supplanting of Funds Prohibited:** Supplanting of existing funds on fully-funded projects is prohibited, as the program is intended to infuse transportation investment into communities responding and adapting to the COVID-19 environment. If funds are

requested to address a funding shortfall on a project due to reduced local revenues, CTAs must demonstrate why the project should be a priority for regional funding, if it was not the highest priority for available local funding. In their nomination, CTAs should describe how the county and local jurisdictions determined which projects are prioritized for reduced local revenues.

- **Project Phases:** The Environmental (ENV), Plans, Specifications and Estimates (PS&E), Preliminary Engineering (PE) and Right Of Way (ROW) phases are eligible for capital projects as long as the construction (CON) phase of the project is delivered and funds obligated by September 30, 2022.
- **Project Delivery and Monitoring:** Project sponsors must have a record of consistently meeting state and federal timely use of funds deadlines and requirements, or demonstrate/identify revised/new internal processes to ensure they will meet funding deadlines and requirements moving forward at the time of project nomination. In addition to the provisions of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606), the following specific funding deadlines/requirements apply:
 - Funds must be obligated (authorized in a federal E-76, or transferred to FTA) no later than September 30, 2022.
 - Funds must be encumbered or awarded in a contract within 6 months of federal obligation.
 - Funds must be invoiced against within 3 months of encumbrance/award and invoiced against and receive a federal reimbursement quarterly thereafter.
 - If there could be complications with invoicing against the construction phase within 9 months of federal obligation, then the sponsor should consider including Construction Engineering (CE) in the federal obligation so that eligible costs may be invoiced in order to meet the invoicing deadline.
 - Project sponsor must meet all other timely use of funds deadlines and requirements, for all other state and federal transportation funds received by the agency, during the duration of project implementation (such as, but not limited to, project award, federal invoicing, and project reporting).
 - To help ensure compliance with state and federal invoicing requirements, as part of the application submittal, the Finance/Accounting Manager/Director for the agency receiving the funds must provide written documentation on the agency's internal process and procedures for complying with FHWA federal-aid timely use of funds requirements, especially with regards to meeting federal invoicing requirements.
 - CTAs nominating successful projects must monitor the project sponsors within their respective county in meeting the timely use of funds deadline requirements in MTC Resolution No. 3606 and report quarterly to MTC on the agency's status in meeting regional, state, and federal timely use of funds deadlines and requirements.
- **Additional Requirements Apply:**
 - Project sponsor must comply with MTC's Complete Street Policy and submit a Complete Streets Checklist for the project.

Attachment A, Appendix A-11, MTC Resolution No. 4202
January 27, 2021

- Project sponsor must adopt a Resolution of Local Support prior to adding the project into the Transportation Improvement Program (TIP).
- Project sponsor must satisfy the OBAG 2 housing policy requirements – have a certified Housing Element, submit the Annual Progress Report for the Housing Element, and have adopted a resolution affirming compliance with the California Surplus Lands Act.
- CTAs must make each project's Complete Streets Checklist available for review by the appropriate Bicycle and Pedestrian Advisory Committee (BPAC) prior to MTC Commission approval of projects and fund programming. Documentation this has occurred must be included with the project application.

MTC Safe & Seamless Mobility Quick-Strike Program Sunnyvale Bicycle, Pedestrian and SRTS Safety Improvements Project

SRTS Improvements at 9 Elementary Schools and 3 Middle Schools

- Bishop Elementary School
 - N. Bayview Avenue/E. Maude Avenue
 - Install high visibility crosswalk on the west and east legs
 - Bay Avenue Avenue/Hazelton Avenue
 - Install high visibility crosswalk on west leg
- Cherry Chase Elementary School
 - Grape Avenue/Hudson Way
 - Install curb extension with channelizing curbs at the northwest, northeast, and southeast corners
- Cumberland Elementary School
 - Cumberland Drive from Piper Avenue to Quetta Avenue
 - Install double yellow centerline
- Cumberland Drive/Quetta Avenue
 - Install curb extension with channelizing curbs at the northwest and northeast corners
 - Quetta Avenue/Danforth Drive
 - Install curb extension with channelizing curbs at the northeast and southeast corners
 - Install high visibility crosswalk on the north, south and east legs
 - Piper Avenue/Cumberland Drive
 - Install high visibility crosswalk
 - Install advance yield markings
- Ellis Elementary School
 - Central Avenue/E. Olive Avenue
 - Install high visibility crosswalk on all legs
 - Install advance stop markings on all four approaches
 - Wilson Avenue/E. Olive Avenue
 - Install curb extension with channelizing curbs at the northwest, northeast and southeast corners
 - Install high visibility crosswalk on the north and east legs
- Fairwood Elementary School
 - Fairwood Avenue/Sandia Avenue
 - Install curb extension with channelizing curbs at all four corners.
 - Install high visibility crosswalk on west, south, and north legs
 - Install advance stop markings on west, south, and north legs
- Fairwood Avenue between Prescott Avenue and Sandia Avenue
 - Install yellow centerline
- Fairwood Avenue/Redrock Court
 - Install curb extension with channelizing curbs at the northwest, southwest and southeast corners
 - Install high visibility crosswalk on the west and south legs
 - Install advance yield markings in advance on north, west and east legs

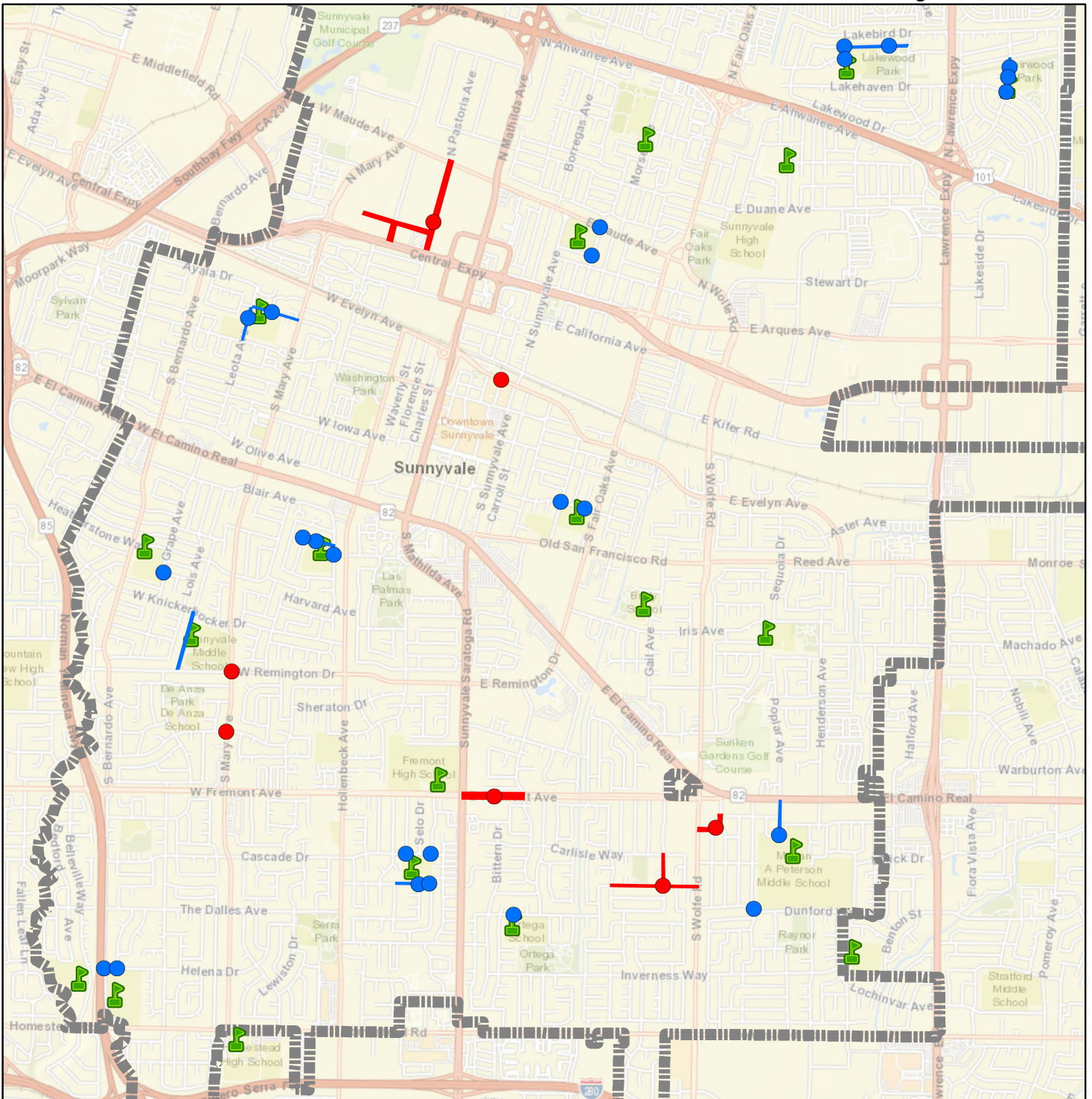
- Lakewood Elementary School
 - Lakechime Drive between Meadowlake Drive and Silverlake Drive
 - Install double yellow centerline
 - Meadowlake Drive/Lakechime Drive
 - Install curb extension with channelizing curbs at all four corners
 - Install high visibility crosswalk on all legs
 - Meadowlake Drive/Lakefair Drive
 - Install curb extension with channelizing curbs at the northwest and northeast corners
 - Install high visibility crosswalk on the north leg
- Nimitz Elementary School
 - Saskatchewan Drive/Cheyenne Drive
 - Install curb extension with channelizing curbs on both sides of street on the west leg
 - Cheyenne Drive between Revelstoke Drive and Valcartier Drive
 - Install double yellow centerline
 - Los Arboles Avenue/Cascade Drive
 - Install curb extension with channelizing curbs at the northwest, northeast and southeast corners
 - Install high visibility crosswalk on the north and east legs
 - Sydney Avenue/Cascade Drive
 - Install curb extension with channelizing curbs at the northwest and southeast corners
 - Install high visibility crosswalk on the north and west legs
- Stockmeir Elementary School
 - Chickadee Court/Dunholme Way
 - Install curb extension with channelizing curbs at the northwest and southwest corners
 - Install advance yield lines on west and east legs
- Vargas Elementary School
 - Carson Drive between Leota Avenue and Mary Avenue
 - Install double yellow centerline and striping
 - Leota Avenue between Washington Avenue and Carson Drive
 - Install double yellow centerline and south striping
- Cupertino Middle School
 - Bernardo Avenue/Helena Drive
 - Install curb extension with channelizing curbs at the northeast and southeast corners
 - Install high visibility crosswalk on the east leg
 - Coronach Avenue/Helena Drive
 - Install curb extension with channelizing curbs at the northwest, northeast and southwest corners
- Peterson Middle School
 - Marion Way between Oriole Way and Norman Way
 - Fill in the short sidewalk gap (approximately 170 feet) on north side of Marion Way by implementing a shoulder improvement with

- channelizing curbs or striping
- Poplar Avenue between Rosalia Avenue and El Camino Real
 - Create a pedestrian/bicycle path on the east side of Poplar Avenue
 - Install no-parking sign between 7:30 a.m. to 3:30 p.m.
 - Narrow lanes by installing centerline and shoulder striping
 - Install high visibility crosswalk on the east leg of Bryant Way
 - Install advance limit line on the east leg of Bryant Way
- Sunnyvale Middle School
 - Mango Avenue between W. Remington Drive and W. Knickerbocker Drive
 - Restripe the yellow centerline with a Detail 22 yellow stripe

Safety Improvements

- Mary Avenue/W. Remington Avenue
 - Install protected intersection with channelizing curbs
 - Install high visibility crosswalk on all four legs
- Fremont Avenue between Sunnyvale Saratoga Road and Bobwhite Avenue/Manet Drive
 - Consolidate medians using channelizing curbs, delineators or bollards
- Eleanor Way Neighborhood
 - Eleanor Way between Wolfe Road and Bryant Way - Narrow travel lanes by installing centerline with rubber curbs and shoulder striping
 - Eleanor Way/Wolfe Road - Install crosswalk on the east leg
 - Eleanor Way/Hampton Drive - Install curb extension with striping
 - Eleanor Way/Ramon Drive - Install curb extension with striping
 - Hampton Drive between Eleanor Way and Elizabeth Way - Install centerline and shoulder striping
 - Ramon Drive between Eleanor Way and Alice Way - Install centerline and shoulder striping
- Peery Park Specific Plan Area
 - Pastoria Avenue between Maude Avenue and Central Expressway - Narrow travel lanes by installing centerline and shoulder striping
 - Hermosa Avenue between west end and Pastoria Avenue - Narrow travel lanes by installing centerline and shoulder striping
 - Potrero Avenue between Hermosa Avenue and Central Expressway - Narrow travel lanes by installing centerline and shoulder striping
- Dartshire Way Neighborhood
 - Dartshire Way between Flicker Way and Wolfe Road
 - Narrow travel lanes by installing centerline and shoulder striping
 - Install in-street signs
 - Kingfisher Way between Carlisle Way and Dartshire Way
 - Narrow travel lanes by installing centerline and shoulder striping
 - Install in-street signs
- Evelyn Avenue/Murphy Avenue
 - Install advance yield lanes on east and west legs
 - Install green bike lanes on west leg
 - Extend median nose on the west leg with channelizing curbs, delineators,

- or bollards to provide pedestrian refuge
 - Install turn yielding signs
- Mary Avenue/Ticonderoga Drive
 - Install curb extension with channelizing curbs at all four corners
 - Install high visibility crosswalk on all four legs
 - Install green bike lanes on north and south legs



SEAMLESS MOBILITY QUICK-STRIKE PROGRAM

Sunnyvale Bicycle, Pedestrian, and Safe Routes to School Safety Improvements Project
Safe Routes to School (SRTS) Safety Improvement Locations

LEGEND



City Boundary



Safety Improvements



Sunnyvale Schools



Bicycle, Pedestrian and Safe Routes to School Improvements

Date: 3/24/2021

Data Source: City of Sunnyvale, ESRI, US Census



City of Sunnyvale

Agenda Item

21-0234

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Public Hearing to Adopt a Resolution Confirming the Annual Report to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District (BID) for Fiscal Year 2021/22

BACKGROUND

On April 6, 2021, the City Council approved the Fiscal Year (FY) 2020/21 Annual Report and adopted a Resolution of Intention (ROI) to reauthorize the Downtown Sunnyvale Business Improvement District (BID). By adopting the ROI, the Council set May 4, 2021 as the public hearing to allow BID businesses an opportunity to support or oppose the BID reauthorization. The purpose of the public hearing is for Council to hear and consider protests against the BID reauthorization and/or protests regarding planned activities of the proposed BID.

If after the public hearing, businesses paying 50% or more of the total BID assessments file a protest, no further proceedings to reauthorize the BID can occur. If protests do not exceed 50% or more, staff recommends that Council adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for FY 2021/22 (Attachment 1).

Downtown Sunnyvale BID

There are approximately 170 businesses located in the existing BID area, which is divided into three zones: Zone A, Zone B, and Zone C. The BID boundaries are Sunnyvale, Iowa, Mathilda, and Evelyn Avenues (Attachment 1, Exhibit A).

The current Board members are:

Dr. Gary Gold, Dr. Gold & Associates/Style Eyes Optique, Chair
Leigh Odum, Leigh's Favorite Books & Bookasauraus
Katie Voong, K Tea Café
Irene Murphy, Fibbar MaGee's
Amit Rajgarhia, Dish Dash
Rahul Nair, The Oxford

EXISTING POLICY

Sunnyvale Municipal Code Chapter 3.60 (Downtown Sunnyvale Business Improvement District) and specific sections:

- 3.60.050. Establishment of benefit assessments
- 3.60.060. Purpose and use of benefit assessments
- 3.60.090. Collection of benefit assessment

ENVIRONMENTAL REVIEW

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) in that it involves the creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

DISCUSSION

Pursuant to Sunnyvale Municipal Code section 3.60.050, entitled "Establishment of benefit assessment," the formula for calculating the BID assessment amount is determined by the BID Board and enacted by the City Council. The BID Board included the budget in the FY 2020/21 Annual Report approved by Council on April 6, 2021. The assessment amounts will remain unchanged for FY 2021/22.

Public Hearing and Protest Process

Under the Streets and Highways Code section 36535 the Council must conduct a public hearing, which shall be conducted as provided in the Streets and Highway Code sections 36524 and 36525, regarding protests against the furnishing of specified types of activities and improvements. A protest may be made orally or in writing by an interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity of defect to which the objection is made. If written protests from BID business owners paying 50% or more of the proposed assessments are received, then a majority protest exists and no further proceedings to levy the proposed assessment shall be taken for a period of one year from May 4, 2021.

The process for the public hearing is as follows:

1. Mayor may call the BID's Executive Director to provide an overview of BID activities.
2. Mayor opens the public hearing.
3. City staff will review any written protests. If a person submitting a protest is not shown on the official records of the City of Sunnyvale as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person protesting is the owner of the business. A written protest that does not include this information or does not comply with the requirements shall not be counted in determining a majority protest.
4. Staff will begin logging confirmed protests at the beginning of the public hearing. If protests are tabulated before the end of the public hearing, staff will convey the outcome and Council will be able to act.
5. If protests are not tabulated before the end of the public hearing, Council may take a short break or continue the item and move on to the next agenda item. At the conclusion of the agenda item after tabulation is complete, the Mayor will reopen the public hearing and staff will report the results.
6. If total protests do not exceed 50% or more of the BID's total proposed assessments, Council may act to adopt the Resolution Confirming the Annual Report and to Levy and Collect an Annual Assessment for the BID for FY 2021/22.

If protests do not exceed 50%, staff recommends that Council adopt the Resolution of the City of Sunnyvale Confirming the Annual Report and to Levy and Collect an Annual Assessment for the BID for FY 2021/22 (Attachment 1).

FISCAL IMPACT

Staff time from the Department of Finance is provided at an estimated annual cost of \$3,500 for the administration of the assessment. Because these costs are reimbursed by the BID, there is no fiscal impact to the City for providing this service.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website. The SDA notified BID members via email.

A copy of the Resolution of Intention adopted on April 6, 2021 was mailed to all BID members and published in the legal ads section of the Sunnyvale Sun on April 23, 2021.

ALTERNATIVES

1. Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2021/22.
2. Do not adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2021/22.

STAFF RECOMMENDATION

Alternative 1: Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2021/22.

Prepared by: Maria Rodriguez, Administrative Analyst
Reviewed by: Connie Verceles, Assistant to the City Manager
Reviewed by: Teri Silva, Assistant City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for Fiscal Year 2021/22

DRAFT 4/5/2021 RLB

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE CONFIRMING THE DOWNTOWN
SUNNYVALE BUSINESS IMPROVEMENT DISTRICT
ANNUAL REPORT FOR FY 2021/22 AND TO LEVY AND
COLLECT AN ANNUAL ASSESSMENT FOR THE
DOWNTOWN SUNNYVALE BUSINESS IMPROVEMENT
DISTRICT FOR FISCAL YEAR 2021/22**

WHEREAS, on April 6, 2021, the City Council of the City of Sunnyvale (the “City”) adopted Resolution of Intention to Levy and Collect an Assessment and to Reauthorize the Downtown Sunnyvale Business Improvement District (Resolution No. 980-20) (the “District”), to levy and collect a benefit assessment on all businesses, trades, professions, and vendors within said District, the proceeds of which shall be used for the public purposes herein described in the Parking and Business Improvement Area Law of 1989, (commencing with Section 36500), of the California Streets and Highways Code (the “Act”) and Title 3, Chapter 3.60 of the Sunnyvale Municipal Code; and

WHEREAS, the City Council conducted a public hearing on the reauthorization of the assessment, having given due notice thereof as required by law, on May 4, 2020, beginning at 7:00 p.m. at City Hall, 456 West Olive Avenue, Sunnyvale, California, and every interested person was provided an opportunity to object to or protest the report, the proposed improvements and the activities to be funded from levy of the assessments.

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

1. Report. The City Council hereby confirms the Business Improvement District Annual Report for FY 2021-2022 (“Annual Report”) as set forth in Exhibit A.
2. Boundaries. The City Council hereby approves of the boundaries of the Business Improvement District and the benefit zones within the area as set forth in Exhibit B.
3. Assessment. The City Council finds that the amount of the assessments has fairly and properly apportioned the cost of the improvements to each business in the District in proportion to the estimated benefits to be received by each business. The City Council hereby confirms the assessment and levies each individual assessment, as provided for in the Annual Report, for fiscal year 2021-2022.

4. Protest Hearing. The City Council conducted a hearing concerning the reauthorization of the business improvement district. At the conclusion of the public hearing, the City Council considered comments from the affected businesses, considered modifications in the report, and confirmed the report as originally filed or as changed by it, which constitute the levy of the assessment for the fiscal year 2021-2022.

5. Method of Collection. The benefit assessment for Downtown Sunnyvale businesses shall be billed and collected by July 30, 2021. Payments will be considered late if not received on or before the due date listed on the invoice. The business will accrue late fees for every 30 days delinquent after the original due date. A 10% late penalty will be assessed to in addition to the assessment amount for every 30 days payment is late. The penalty fees will be accrued for up to five months after original due date. If payment is not received after five months, the City will forward delinquent accounts to collections agency for further action. Once the business is assigned to the collections agency, additional fees will accrue.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

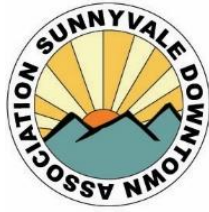
APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney



Sunnyvale Downtown Association's 2021/2022 BID Renewal Request

Annual Report

What is a BID

A BID (Business Improvement District, authorized by State of California law) is a private sector funding tool that provides funding for the promotion and improvement of a specific area. All business license holders inside the said district are self-assessed an annual fee based on anticipated benefits they receive from the BID. The BID is reauthorized yearly by the City Council at the request of the businesses' Board of Directors. A BID is a tool used by over 200 business areas in California, including Mountain View, Palo Alto, Santa Clara, Morgan Hill, and San Jose.

The BID has legal requirements to be reauthorized. Specifically, the City Council must first approve the Annual Budget and then adopt a Request of Information (ROI) to reauthorize the BID for another year. Once the ROI is adopted, a public hearing must be held during a Council meeting. Businesses pay into the BID and the funds collected can only be used for projects within the BID boundaries. The business community maintains full control of all BID funds collected.

The formula for defining our BID assessment amount is determined by the Board members, and not the City. The Sunnyvale Downtown Association (SDA) Board considers the type, size, and location of the businesses and determines the most equitable formula for each type of business. Assessments are levied on businesses based on relative benefit from the activities to be funded. The City collects the fees on an annual basis. Normally, BID assessments are included as a separate charge on the business license tax bill that every business within the BID boundaries receives. However, because Sunnyvale has a two-year business license tax cycle, a separate billing process is being used. All assessment funds collected by the City are returned to the BID through annual contract agreements. The City does collect a fee for administrative costs associated with this service. The cost is reviewed and adjusted annually as needed.

The current Sunnyvale Downtown Association Board of Directors are: Chair - Gary Gold of Dr. Gary Gold & Associates, Secretary – Leigh Odum of Leigh's Favorite Books, Treasurer – Katie Voong of KTea, Members At Large – Amit Rajgarhia of Dish Dash, Irene Murphy of Fibbar MaGees, Rahul Nair of The Oxford Kitchen & Gastropub and Michael Johnson, SDA Executive Director.

Mission of the SDA

Sunnyvale Downtown Association (SDA) is a non-profit membership-based organization whose mission is to promote, advocate and enhance the vitality of downtown Sunnyvale. The SDA is funded by Business Improvement District (BID) fees, City grants, sponsorships and revenue producing events.

The Sunnyvale Downtown Association serves as the voice of downtown Sunnyvale by:

- Advocating for policies, programs and events that support the economic growth of the downtown
- Acting as the downtown marketing arm, voice, and ambassador for the City of Sunnyvale
- Producing attractive events for the community
- Promoting downtown as a premier venue for other groups to produce events
- Working with other community-based organization's that share in the growth, beautification, and continual vitality of downtown Sunnyvale
- Serving as the primary information portal to all events, attractions and programs stemming from the downtown core.

Budget

In 2021/22, BID fees collected from the businesses totaled \$25,000 (9% of Income) and the City of Sunnyvale contributed \$40,000 (14% of Income). These funds act as the foundational funding for the SDA. The remainder of SDA revenue comes from a combination of support from sponsorships, event sales/concessions, and event participant fees. By state law, the BID money can only be used to support general business activities, promote public events, decorate public places, and provide entertainment inside the BID area. BID funds are used for a myriad of projects including advertising, marketing materials, digital visitor guides, website, e-letters, street/holiday lighting and events.

This year we were fortunate to have received city support and grants to offset the reduction in corporate sponsorship. This helped us to maintain the Sunnyvale Downtown (BID) during this challenging year. We aren't guaranteed to receive this level of sponsorship supports every year. We continues to rely on all support channels to ensure fiscal accountability.

On January 6, 2021, the Board of Director's approved the renewal of the BID. Below we have included a brief overview of some of the major expense areas.

Event Related Financial Breakdown

Our focus in 2020/2021 has become addressing the needs of our SDA businesses amidst the COVID-19 pandemic. Businesses have struggled to keep their doors open and employees working in adhering to state and county orders. We have continued to work through the many financial challenges caused by event reduction. Corporate sponsor contributions were greatly diminished this year comparative to last year's forecasted budget. As well as we were unable to hold revenue producing events. We were fortunate to have received support from Community Grants, Annual City Support, and developer funding to aid through this unprecedented year.

Account	2020/21 Actual Forecast	2021/22 Projected
INCOME		
BID Fees	25,000	25,000
City Contributions	40,000	40,000
Community Grants	8,000	12,000
Developer Support & Funding	150,000	160,000
COVID-19 Disaster Relief	64,000	20,000
Events Revenue (Sponsorship & Sales)		
<i>Summer Series</i>	-	22,000
<i>Jazz & Beyond</i>	-	10,000
<i>Wine Stroll</i>	-	20,000
<i>Tree Lighting</i>	-	-
<i>Tech Expo</i>	-	-
<i>Movie Night</i>	-	-
<i>Car Show</i>	-	-
<i>Music on Murphy</i>	-	-
TOTAL INCOME	287,000	309,000
EXPENSES		
Personnel Related Expenses	142,500	149,000
Office/General Admin Exp	40,550	43,550
Sales Tax	0	3,000
City/Permit Fees	0	3,500
Covid 19-Events & Activities	58,000	10,000
Equipment	6,000	0
Event Expenses**		
<i>Summer Series</i>	-	42,000
<i>Wine Stroll</i>	-	20,000
<i>Jazz & Beyond</i>	-	20,000
<i>Movie Night</i>	-	-
<i>Tech Expo</i>	-	-
<i>Tree Lighting</i>	5,000	7,000
<i>Car Show</i>	-	-
<i>Music on Murphy</i>	15,000	8,000
TOTAL EXPENSES	267,050	306,050
TOTAL PROFIT/LOSS	19,950	2,950

** The event expenses reflect general marketing and promotional material, the day of staffing, Wine, Beer, Performers and some equipment. It does not include pre-event preparation cost for Visitors Guide layout & design, Staff labor for follow up with wineries, host locations coordination, design time for Passport, booking bands, volunteer coordination, Posters design, Flyer design, Social Media outreach & Website, ticket sales and various other task required to deliver the SDA events on annually.

Events

This year the SDA has produced twenty-one events that generated no revenue. Due to the impact of COVID-19, we had to redirect our efforts from large events and focus on ways to help support the Sunnyvale Downtown Businesses.

In 2020, we started a new marketing promotion to entice residents and visitors to shop at our SDA businesses by entering a drawing to win downtown cash. This campaign was called “Stronger Together”, which included downtown retail, professional services, and restaurants. We combined the businesses into a list of twelve groups and offered any participant who purchased products from five groups into a drawing for \$50.00 and if they purchased from ten different groups, into a drawing for \$100. Winners would receive downtown cash bucks to be used at participating downtown locations.

Last spring, we introduced Music on Murphy Ave., which provided music for restaurants and retail customers while they shopped on Historic Murphy. We partnered with the Sunnyvale Library and Community Services to display community artwork during that time.

The Annual Holiday Tree Lighting was held on December 8th. The community gathering component of the event was cancelled due to COVID concerns, however we continued community outreach through social media.

We project our 2021/22 events will gross \$52K from sponsorships, and event participation fees. In 2020, we were unable to provide the level of events we would have done previously because of COVID-19. As we enter 2021/22, we are optimistic that we will be able to provide more events this year, however we understand we need to adhere to CDC, County and City guidelines. We are currently planning to move forward with Music on Murphy, Jazz and Beyond, Summer Series Music & Market, and the Holiday Tree Lighting. We have decided to cancel The Magic of Sunnyvale & Wine Stroll this year as a safety precaution. Because of COVID-19, we cannot guarantee any of these events will happen until later in the year. That being the case we still will need to plan, organize, budget, and prepare for them as normal.

The City contribution is a crucial part of our overall funding for annual events. We appreciate that you have continued to support the Sunnyvale Downtown Association (BID) and want you to know, we don't take your support for granted.

COVID-19 has forced businesses rely on ecommerce tools more than ever before. In 2020/21 we increased our online presence and communication. We will continue to increase our commercial marketing and promotional effort. Our marketing strategies include a new SDA website, a digital downtown visitor guide, increase in social media presence, new print advertisement, paid marketing services on Twitter, Facebook, and Google, and partnering with other local community organization to expand our digital footprint. (educational programs to teach businesses about ecommerce tools?)

In the year ahead, we want to continue to grow with optimized resources and increased sponsorship as well as expanding our event audience where appropriate. We continually work to improve our communications and outreach. Building on our successes, by ensuring our BID members are supported and promoted in addition to keeping the community informed.

Event Sponsorships & City Contribution

We are very grateful for the continued support from the City and the many Sponsors who have helped fund our SDA events and enabling us to continue to serve the community in 2020/21. We'd like to give special thanks to the City of Sunnyvale, CityLine Sunnyvale, Minkoff Group, El Camino Health, Google, Facebook, LinkedIn, Specialty Waste, and Murphy Square.

We believe the SDA and our downtown businesses need City and Sponsorship support for these events now more than ever. With ongoing downtown development, the new minimum wage increase, COVID-19 forced shutdowns, and the high cost to do business in downtown Sunnyvale. These events and promotional programs allow for business owners to maintain a small level of revenue that will hopefully help them weather this period.

Without sponsorships as well as the support from the City, we could not continue to deliver these services year over year which are so critical to the SDA's businesses and attracting new consumers to our downtown. Each year we need to wait until early February before we have a sense of what amount of sponsorship support, we have coming in. This year many corporate sponsors are taking a step back due to COVID-19 and the impact of their brand name being associated with large events.

Looking Ahead

This year the SDA is planning to make some bold steps as we move forward into 2021. Our first order of business is building a new interactive mobile friendly and responsive website to support our downtown businesses. Second, we recognize that continuing into 2021 we need to address the move from printed visitor guides to a digital app that provides a more interactive and user-friendly experience for everyone.

The SDA's goal is to continue producing quality events and promoting downtown Sunnyvale as a great place to shop, dine, work and live. These events are especially important to continue to attract new visitors to our vibrant, growing downtown as well as community pride. Now more than ever, we need to keep dispersing messages that inspire and keep our businesses, community residents, and visitors engaged with Sunnyvale Downtown.

Overview

The 2020/21 year proved to be another very successful season for the Sunnyvale Downtown Association. Early in the year, we added a CPA firm to assist the SDA in its accounting. The continuing outreach campaign to all BID members regularly has help to reduce late BID fee collection and improve member support.

We continue to work to expand our reoccurring event partnerships with the City and other local non-profit organizations. Delivering events like The Technology Business Expo on Historic Murphy Avenue, State of the City, PAL Classic Car Show, The Pet Parade, Winter Ice Rink and Rides for Toys.

Moving forward into the 2021/22 fiscal year, the SDA plans to host 8 Summer Series Music + Market concerts, 8 Jazz & Beyond concerts, 17 Music & Dining events on Historic Murphy Ave., in addition to partnering with the Sunnyvale Chamber of Commerce in a support effort for the Sunnyvale Art & Wine Festival. Many of these events are scheduled to be held on Historic Murphy Avenue and the surrounding areas. We will also be holding our Annual Holiday Tree Lighting.

The Magic of Sunnyvale & Wine Stroll has again been cancelled for 2021. We look forward to continuing to collaborate with the City Economic Development Department on the Technology Business Expo and are excited to be hosting for the third year the PAL Classic Car Show in downtown Sunnyvale. This year we expect the return of the Sunnyvale Halloween Pet Parade to the downtown community and will monitor plans for the Winter Ice Rink in 2021.

While we continue to explore ways to bring new visitors to our downtown community, we remain vigilant in working to protect our community, visitors, residents, and our businesses during the COVID-19 pandemic. With light starting to emerge on the horizon as the vaccines are starting to be deployed in our county. We are optimistic that better days are ahead.

A few of the things we want to take a second and give thanks and gratitude for. First the City of Sunnyvale providing us with a COVID-19 Grant to help the SDA this year as well as the corporate sponsors who were willing to allow us to use their funds allocated for events as support to offset our expenses during COVID-19. The second item was the support and collaboration with the Sunnyvale Community Services who has worked with us on two events to provide food and gift cards to the many employees who have been displaced during the multiple shut down and restrictions this year. We were able to provide almost 600 meals and gift cards to our downtown employees.

As the SDA continues to partner with the Cityline and other developers while moving forward into the next phase of the downtown's development, we provide support in the distribution of downtown construction, downtown news and any other project information that might affect our downtown business and community at large. Thank you for your past support and once again, we ask that you continue to support our Resolution of Intent (ROI) request to renew the Sunnyvale Downtown Association's BID for fiscal year 2021/22.

Prepared by:

Michael Johnson
Executive Director

Approved by:

SDA Board of Directors
Gary Gold
Leigh Odum
Irene Murphy
Katie Voong
Admit Rajgarhia
Rahul Nair

EXHIBIT A

FISCAL YEAR		Actual	Projected	
		20/21	21/22	
Revenue				
City Contributions				
	Community Grants	\$ 8,000.00	\$ 12,000.00	
	City Contributions	\$ 40,000.00	\$ 40,000.00	
	BID Funds	\$ 25,000.00	\$ 25,000.00	
Total City Contributions		\$ 73,000.00	\$ 77,000.00	
Developer Support & Funding		\$ 150,000.00	\$ 160,000.00	
COVID-19 Disaster Relief				
	COVID-19 City Grant (SV Cares Nonprofit)	\$ 11,000.00	\$ -	
	COVID-19 Coporate Sponsorship	\$ 53,000.00	\$ 20,000.00	
Total Disaster Relief		\$ 64,000.00	\$ 20,000.00	
Holiday Tree Lighting				
	Sponsorships	\$ -	\$ -	
Total Holiday Tree Lighting		\$ -	\$ -	
Magic of Sunnyvale Wine Stroll				
	Sales	\$ -	\$ 20,000.00	
	Sponsorships	\$ -	\$ -	
Total Magic of Sunnyvale Wine Stroll		\$ -	\$ 20,000.00	
Summer Series				
	Sales	\$ -	\$ 22,000.00	
	Vendors	\$ -	\$ -	
	Sponsorships	\$ -	\$ -	
Total Summer Series		\$ -	\$ 22,000.00	
Jazz & Beyond				
	Sales	\$ -	\$ 10,000.00	
	Sponsorships	\$ -	\$ -	
Total Jazz & Beyond		\$ -	\$ 10,000.00	
Tech Expo				
	Sales	\$ -	\$ -	
	Sponsorships	\$ -		
Total Tech Expo		\$ -	\$ -	
Movie Night				
	Sales			
	Sponsorships	\$ -	\$ -	
Total Movie Night		\$ -	\$ -	
Classic Car Show				
	Sales	\$ -	\$ -	
	Event Operations Cost	\$ -	\$ -	
Total Classic Car Show		\$ -	\$ -	
Total Revenue		\$ 287,000.00	\$ 309,000.00	

EXHIBIT A

FISCAL YEAR	Actual	Projected	
	20/21	21/22	
Expenses			
Administrative			
Insurance	\$ 9,500.00	\$ 10,000.00	D&O, Workers Comp & Events
Marketing & Advertisement	\$ 15,000.00	\$ 15,000.00	
Bookkeeping/Accounting	\$ 6,800.00	\$ 6,800.00	
Office Supplies & Expenses	\$ 8,000.00	\$ 9,500.00	
Telephone & Website	\$ 1,250.00	\$ 1,250.00	
Travel Expense (CDA Conference)	\$ -	\$ 1,000.00	IDA / California Downtown Association Conf.
Total Administrative	\$ 40,550.00	\$ 43,550.00	
Covid 19-Events & Activities			
Stronger Together Campaign	\$ 10,000.00	\$ 10,000.00	New project as of 2020/21
Ecommerce Workshops & Consulting	\$ 7,000.00	\$ -	New project as of 2020/21
Food & Gift Cards for SDA Emp. not working	\$ 15,000.00		New project as of 2020/21
Website Development	\$ 18,000.00	\$ -	New project as of 2020/21
Visitor Guide App	\$ 8,000.00	\$ -	New project as of 2020/21
Total Covid 19-Events & Activities	\$ 58,000.00	\$ 10,000.00	
Event Expenses			
Building Permit Fees	\$ -	\$ 1,000.00	
City (event) Permits & Rental Fees	\$ -	\$ 2,500.00	
Holiday Tree Lighting	\$ 5,000.00	\$ 7,000.00	
New Equipment & Maintenance	\$ 6,000.00		Powered dolly/lift to move mobile wheelchair
Magic of Sunnyvale Wine Stroll	\$ -	\$ 20,000.00	
Music on Murphy	\$ 15,000.00	\$ 8,000.00	
Summer Series	\$ -	\$ 42,000.00	
Jazz & Beyond	\$ -	\$ 20,000.00	
Movie Night	\$ -	\$ -	
Tech Expo	\$ -	\$ -	
Sales Tax	\$ -	\$ 3,000.00	
Classic Car Show	\$ -	\$ -	
Total Event Expenses	\$ 26,000.00	\$ 103,500.00	
Staffing			
Exec. Director Compensation	\$ 81,000.00	\$ 87,000.00	
Employee Taxes	\$ 16,500.00	\$ 17,000.00	
Contract Labor	\$ 45,000.00	\$ 45,000.00	Add'l admin staff & part-time Event Coordinator, contract labor
Total Staff & ED Compensations/Commission	\$ 142,500.00	\$ 149,000.00	
Total Expense	\$ 267,050.00	\$ 306,050.00	

Profit or Loss **\$ 19,950.00** **\$ 2,950.00**

Here are a few reasons City Support is always important

- ~ Sponsorships vary from year to year. BID staff continues outreach to maintain and increase sponsorship amounts
- ~ Additional staffing is required to meet the new demand of work requirements to manage added correspondence, work with developers, additional events, city communications and general day to day operations
- ~ Our SDA businesses need this additional support more than ever now, with the new changes coming in 2019 that will make it even harder to keep their doors open long enough to hopefully last through the next period of development ahead (Change in block 6 and parking access).
- ~ We continue to work with outside community & non-profits to help in showcasing and promoting their causes in the downtown for better visibility, This also helps our downtown businesses as well.

BID Zones & Fee Breakdown

	ZONE A	ZONE B	ZONE C
Retailers, Restaurants, Bars	\$500	\$300	\$150
Service Businesses	\$300	\$200	\$100
Lodging	\$10/rm.	\$10/rm.	\$10/rm
Professional Services Businesses	\$100	\$100	\$100
Financial Institutions	\$500	\$500	\$500

Business type definitions:

Retail and Restaurant: Businesses that buy and resell goods, examples are clothing stores, shoe stores, office supplies as well as businesses that sell prepared foods and drinks.

Service Businesses: Businesses that sell services. Examples are beauty and barber shops, repair shops, most automotive-oriented businesses, entertainment businesses such as theaters, etc.

Lodging: Includes renting rooms by the day or week to community visitors.

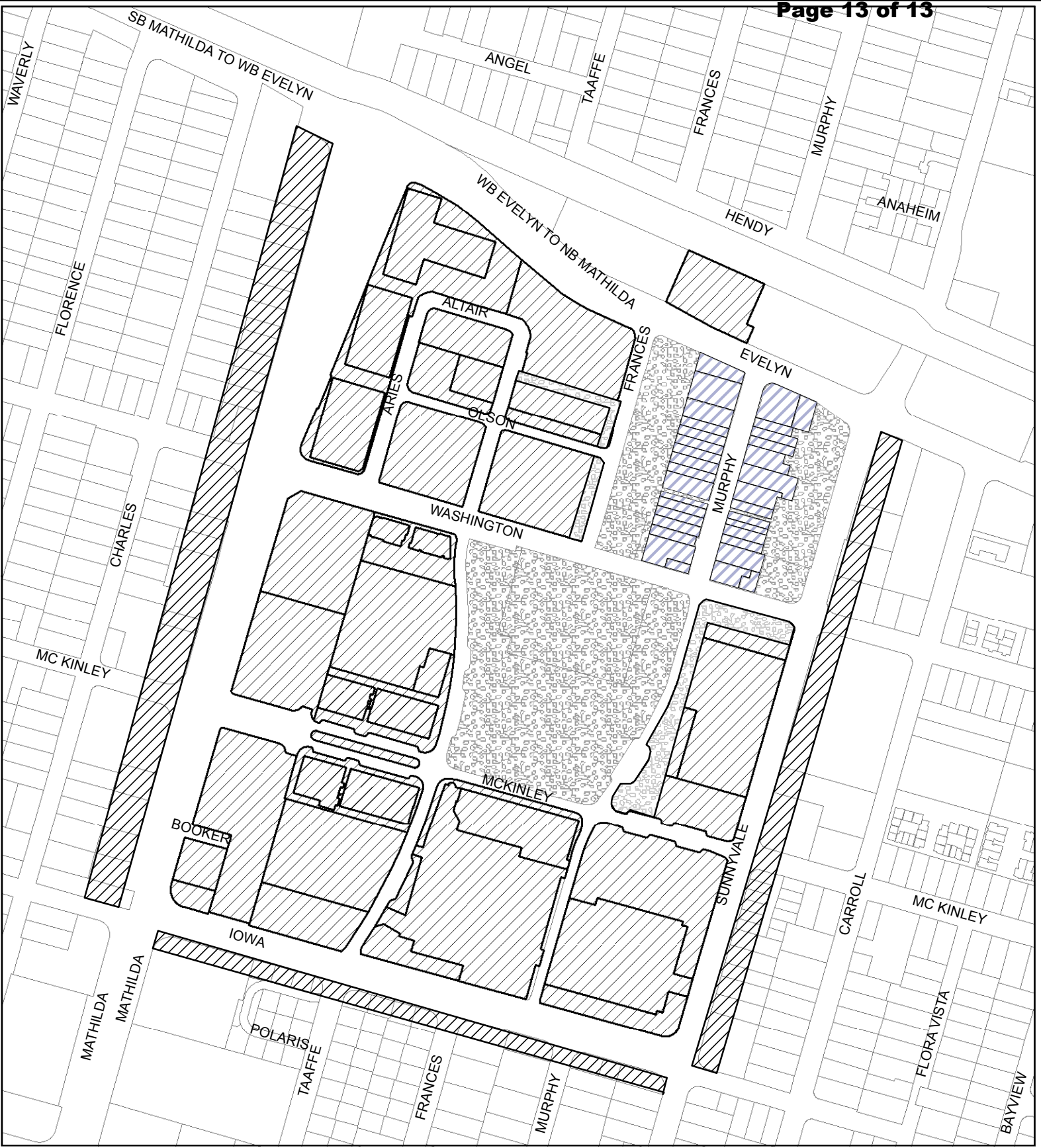
Professional Services Businesses: Includes Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.

Financial Institutions: Includes banking and savings and loan institutions as well as credit unions, etc.

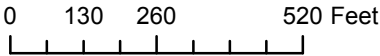
**Downtown Sunnyvale Business Improvement District
Proposed Improvements and Activities for Fiscal Year 2021/2022**

Income		
Zone A	34 Businesses paying an average annual benefit fee of \$458.	\$15,600
Zone B	42 Businesses paying an average of \$200.	\$8,400
Zone C	99 Businesses paying an average of \$126.	\$12,550
Total potential BID assessment collections		\$36,550
Projected assessment collections (COVID impact reduced annual paid average)		\$25,000
Revenues from SDA special events and fund-raisers		\$52,000
Grants, event sponsorships and other misc. revenue		\$232,000
Total BID Program annual budget		\$309,000

Expenditures		
Program	Amount	Percent
1) Commercial Marketing Program a) Advertising and promotion (Ads, social media, etc.) b) Theme development c) Special events and activities d) Visitor attraction	\$198,933	65%
2) Civic Beautification and Signage Program a) Streetscape beautification, lighting b) Public arts programs c) Public-private directional signage	\$3,060	1%
3) Programs Administration and BID Management	\$104,057	34%
Totals	\$306,050	100%



DOWNTOWN BUSINESS IMPROVEMENT DISTRICT ZONES



Legend

- ZONE A
- ZONE B
- ZONE C





City of Sunnyvale

Agenda Item

21-0472

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Approval of Redistricting Outreach Plan for City Council Redistricting, Second Amendment to Agreement with PlaceWorks, Inc. in the amount of \$67,410 and Approve Budget Modification No. 24 in the amount of \$112,000

BACKGROUND

Sunnyvale voters adopted a six-district Council election system with a directly-elected mayor (Measure B) on March 3, 2020. Council placed Measure B on the ballot after a robust community engagement process. The process involved education related to the California Voting Rights Act (CVRA). Staff gathered input on the number of preferred districts and selection of the mayor. A community-driven map-making process resulted in Council adopting a community designed district map. It became effective with the passage of Measure B.

While adopted in 2019, the current district map used 2010 Census data for total population counts. With the release of the 2020 Census, Sunnyvale must revisit its boundary lines. This process is called redistricting.

The City Council adopted Ordinance No. 3174-21 (establishing a public process for redistricting on April 6, 2021, RTC No. 21-0473). The Ordinance establishes a Redistricting Commission. The Commission will oversee the redistricting process and recommend three to five draft plans to Council. Council will adopt the final district plan.

The Redistricting Ordinance also requires the adoption of a community outreach plan. The City must also appropriate adequate funds for community outreach, a demographer and other necessary consultants or outside legal counsel.

EXISTING POLICY

Sunnyvale City Charter section 609(c): "The City Council shall adopt an ordinance establishing a public process for redistricting. Such ordinance shall be adopted in sufficient time for redistricting following release of the 2020 federal Census."

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by a motion adopted by affirmative votes of at least four members to authorize the transfer of unused balances appropriated for one purpose or another, or to appropriate available revenue included in the budget.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15320, 15378 and 15061

(b)(3) as it is an organizational structure change and does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment.

DISCUSSION

This redistricting process completes Sunnyvale's transition to a district-based election system. Voters in even districts elected a Council representative and all Sunnyvale voters elected the mayor in November 2020. Currently, four Council seats are district-based and three are at-large numbered seats. Voters in odd districts will elect a Council representative in November 2022 under a new district plan. This report provides an overview of key elements of the draft redistricting outreach plan (Attachment 1).

Outreach Goals

The draft outreach plan defines the following broad goals:

- Educating City residents about redistricting requirements
- Ensuring participation from a wide range of residents, reflecting community demographics, with special efforts to involve traditionally underrepresented and marginalized groups
- Using a variety of tools and meeting formats to make it easy for the community to provide input
- Seeking participation proactively to encourage broad community awareness and understanding

The draft plan describes tools and strategies designed to ensure that we gather input from all segments of the community. State law requires us to take specific steps to engage residents from underrepresented communities and non-English speakers in the redistricting process. Pursuant to state law the draft plan proposes targeted outreach, advertising, and interpretation/translation to reach and engage underrepresented groups.

Outreach Plan Overview

The draft plan describes the entire redistricting process to include several phases. In the first phase, the City held a series of public meetings to design a public process for redistricting. This phase is now complete with Council's adoption of the Redistricting Ordinance.

The next phase involves the Redistricting Commission selection and onboarding process. Staff is recruiting applicants through a diverse network of community groups and organizations. A strong applicant pool will allow Council to select a representative and highly qualified Redistricting Commission.

The final phase encompasses the community mapping and adoption process. In the mapping phase, staff will engage residents in map criteria with a focus on communities of interest. We will train community members on map design and provide technical support. We will also gather broad feedback on draft map preferences. The Redistricting Commission will use this community input to recommend three to five draft maps to Council. Staff will share a summary of community input before Council makes their final map decision.

Project Tasks and Schedule

Table 1 of the draft plan details the proposed project tasks and schedule. The schedule accounts for the possibility that Council will send comments on recommended maps back to the Redistricting Commission before making a final decision.

Consultant Support

The City will contract with several consultants to support the redistricting process. In 2019, the City engaged with PlaceWorks for outreach support. We contracted with National Demographics Corporation (NDC) for demographic services. We also received legal counsel from Nielsen Merksamer LLP. All successfully worked with our community, Council, and staff to enact the City's current districting plan. We plan to engage with them as they have established credibility with City stakeholders. It will also make the redistricting process a seamless extension of the 2019 district election process.

FISCAL IMPACT

The cost of the redistricting process is estimated to be \$200,000. This cost includes a demographic consultant (\$65,000); outreach consultant (\$67,000); marketing and communications support (\$20,000); utility bill inserts, in-house printing, and miscellaneous expenses (\$8,000), translation services (\$5,000), and a project contingency (\$10,000). Additionally, staff is recommending an appropriation of \$25,000 to fund the cost of outside legal counsel. The total project life budget for 832670 - Sunnyvale Elections is \$1,096,151, with \$88,818.59 still available.

PlaceWorks remains under contract and staff is recommending approval of a Second Amendment to their Agreement for services (Attachment 2) related to the Redistricting Outreach Plan (Attachment 1) in the amount of \$67,410. Staff is also requesting approval of Budget Modification No. 24 in the amount of \$112,000 to appropriate funding from the General Fund Budget Stabilization Fund to cover the costs of the redistricting process.

Budget Modification No. 24 FY 2020/21

	Current	Increase/ (Decrease)	Revised
<u>General Fund</u>			
<u>Expenditures</u>			
Project 832670 - Sunnyvale Elections	\$ 1,096,151	\$ 112,000	\$ 1,208,151
<u>Reserves</u>			
Budget Stabilization Fund	\$ 51,482,199	(\$ 112,000)	\$ 51,370,199

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

In addition, staff created a Redistricting page on the City's website with project information

(Attachment 3). The page provides easy access to prior reports about the establishment of a redistricting process.

ALTERNATIVES

1. Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000
2. Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000 with modifications as directed by the City Council.
3. Other actions as directed by the City Council.

STAFF RECOMMENDATION

Alternative 1: Approve Redistricting Outreach Plan for City Council redistricting, authorize the City Manager to execute the Second Amendment to an agreement with PlaceWorks, Inc. in the amount of \$67,410 and approve Budget Modification No. 24 in the amount of \$112,000.

Prepared by: Jaqui Guzmán, Deputy City Manager

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Draft Redistricting Outreach Plan
2. Draft Second Amendment to Agreement with PlaceWorks, Inc.
3. Redistricting Webpage Link

CITY OF SUNNYVALE

Council Election Redistricting Community Outreach Plan



Table of Contents

Table of Contents.....	i
PROJECT BACKGROUND.....	1
PROJECT GOALS	1
TARGET AUDIENCE.....	2
PUBLIC INPUT STRATEGIES	3
Outreach Channels.....	3
Engaging Underserved Communities	4
REDISTRICTING PROCESS COMPONENTS	5
REDISTRICTING COMMISSION	5
Purpose of the Redistricting Commission	5
Redistricting Commission Appointee Requirements.....	5
Commission Recruitment and Appointment.....	6
DETAILED SCOPE FOR THE OUTREACH PROCESS	6
Phase 1: Education and Input on Redistricting Process	7
Phase 2: Commission Selection and Onboarding.....	7
Phase 3: Community Map Drawing and Recommendation	8
OUTREACH TASKS AND SCHEDULE	11

DRAFT

This Community Outreach Plan provides detail regarding the steps the City of Sunnyvale (City) will undertake to complete the required Council Election Redistricting process in 2021 and 2022. It provides background on Sunnyvale's district elections system, describes the goals of the outreach process, describes the target audience for community outreach, outlines the public input process, provides methods to engage underserved communities, describes the process for final district map adoption, and the overall schedule and cost for the project.

PROJECT BACKGROUND

In March 2020, Sunnyvale voters amended the City's Charter to change the at-large voting system with numbered seats for electing City Council members to a district-based election system. The adopted district-based election system resulted in a six-district Council election system with a directly elected mayor. Since the passage of Measure B in March 2020, voters in even-numbered districts elected a Council representative and all Sunnyvale voters elected the mayor in November of 2020. Voters in odd districts will elect a Council representative in November of 2022.

Prior to passage of Measure B, the City conducted a robust outreach program to solicit community input, which was conducted in three phases:

- Phase 1 (January 2019 – June 2019) consisted of educating the public on issues related to the California Voting Rights Act (CVRA), as well as gathering input on potential remedies to respond to the CVRA requirements.
- Phase 2 (July 2019 – December 2019) consisted of community mapping exercises to develop options for district boundaries for Council consideration.
- Phase 3 (January 2020 – February 2020) consisted of voter education on Measure B through two educational mailers.

The process was overseen through a nine-member Citizens Advisory Committee (CAC), appointed by the City Council in February 2019. The purpose of the CAC was to provide feedback on the outreach strategies and serve as project ambassadors, informing the Sunnyvale community about the proposed changes. The CAC was made up of Sunnyvale community members who represent the demographic makeup of the city's residents.

This robust community outreach process resulted in the Sunnyvale community voicing support for a ballot measure to vote on the switch to a district-based election system, with a district boundary map developed by Sunnyvale community members.

PROJECT GOALS

The desired outcomes for the Council election system redistricting public engagement process are twofold: First, to educate Sunnyvale residents about the City's district election system and the redistricting process and second, to have robust and diverse community participation in the process for redrawing district maps for future Council elections. The Outreach Plan's primary goals are:

- Educating City residents about redistricting requirements.
- Ensuring participation from a wide range of residents, reflecting community demographics, with special efforts to involve traditionally underrepresented and marginalized groups.

- Using a variety of tools and meeting formats to make it easy for the community to provide input.
- Seeking participation proactively to encourage broad community awareness and understanding.

Public input that the City hopes to receive during the project includes input regarding what communities of interest exist in the city, how to draw the district maps to maintain existing communities, along with any suggestions or preferences. The outreach tools identified in this Outreach Plan present a series of strategies to achieve these goals.

The outreach process will rely on multiple strategies for participation to allow as many members of the public as possible to learn about the district-based elections system and to participate in the redistricting process, regardless of their technological abilities or previous levels of civic engagement.

TARGET AUDIENCE

The target audience for the Outreach Plan includes Sunnyvale voters and potential voters, with a particular goal of engaging those in the broader community who might not otherwise participate in civic engagement processes. This Outreach Plan presents a variety of outreach and input strategies, with the understanding that multiple avenues for both outreach and input will provide greater exposure and participation.

According to the 2010 United States (US) Census, the population of Sunnyvale was 140,000 at that time. Recent estimates from the US Census Bureau's 2019 American Community Survey (ACS) suggest the population has grown to just about 153,000.¹ The two most populous demographic groups are Asian, about 47 percent, and Non-Hispanic White, about 40 percent. Hispanic/Latino, mixed race, Black, American Indian/Alaska Native, and Native Hawaiian/Other Pacific Islander represent the remainder of the population, at 17 percent, 5 percent, 2 percent, 0.5 percent, and 0.3 percent, respectively. The Asian population is predominantly made up of Indians and Chinese, with smaller percentages of Filipinos, Vietnamese, and Koreans.² Data from the California Department of Education for the 2017-18 school year indicates Spanish is the most common first language among English Language Learners at 17 percent. Chinese, Hindi, Telugu, and Hebrew are all between 1 and 2 percent for other monolingual students.³

Under the most recent estimates from the ACS, approximately 54 percent of eligible voters are Non-Hispanic White, 32 percent are Asian, 15 percent are Hispanic or Latino, 6 percent identify with more than one race, and 6 percent identified as "other."⁴ In the 2016 General Election, there were approximately 60,000 registered voters, with 83 percent casting a ballot. Participation from voters with an Asian surname was about 21 percent of voters, while 11 percent had a Spanish surname.⁵

¹ US Census Bureau. 2019 American Community Survey 5-Year Estimates.

² Zip Atlas. Sunnyvale, California Zipcode Map & Detailed Profile. Accessed on November 10, 2018. <http://zipatlas.com/us/ca/sunnyvale.htm>.

³ California Department of Education. District Summary Sunnyvale. Accessed on April 1, 2021. <http://www.ed-data.org/district/Santa-Clara/Sunnyvale>.

⁴ US Census Bureau. 2019: ACS 1-Year Estimates Subject Tables. Citizen, Voting-Age Population by Selected Characteristics, TableID S2901. Accessed on April 1, 2021. <https://data.census.gov/cedsci/table?q=citizen%20voting%20age&g=1600000US0677000&tid=ACST1Y2019.S2901&hidePreview=false>.

⁵ City of Sunnyvale. Summary of 2016 General Election.

To determine whether the outreach process is successfully reaching all parts of the Sunnyvale community, PlaceWorks will track the number of people that participate in the outreach process by collecting voluntary, self-reported demographic data, and will then compare this to Sunnyvale's overall demographics.

PUBLIC INPUT STRATEGIES

To reach the target audience, the outreach process will rely on a series of strategies that include both a variety of outreach channels as well as particular strategies to reach underserved communities.

OUTREACH CHANNELS

This section describes the channels of public input that will be implemented as part of the public engagement process. Providing different methods to provide input will give members of the public multiple opportunities to participate, thereby increasing the number of people involved in the process.

Due to the COVID-19 pandemic, some limitations may apply to hosting in-person, indoor outreach activities, so some events may be held virtually or outdoors. Decisions on COVID-19 precautions will be made while each specific event is being scheduled and planned.

The input strategies include:

- **Community Workshops.** Community workshops allow residents and other stakeholders to gather together and share input and ideas about a topic or issue. These face-to-face events provide an invaluable opportunity to find common ground when opinions differ and to find compromises that appeal to most community members. Community workshops will be held in different geographies of the city at familiar and easily accessible facilities to capture all demographics of the population. Community workshops may potentially be held virtually, as stated previously, if public health orders do not allow for in-person gatherings because of the COVID-19 pandemic. Decisions on holding either in-person or virtual community workshops will be made at the time that community workshops are being planned. All community workshops will be captured on video and a link to the video will be posted on the project website. In addition, simultaneous translation will be available in Spanish, Chinese, and Hindi, if requested 48 hours before the scheduled meeting. All meeting materials will be made available in English, Spanish, Chinese, and Hindi. To attract the most participants, workshops will be held in the evenings or on the weekends. City staff will provide food and beverages. The City and PlaceWorks will advertise this workshop using some combination of the outreach tools identified in this Outreach Plan.
- **Pop-Up Events.** Although most Sunnyvale residents might have thoughts about district-based Council elections, it is not always enticing enough to draw busy citizens to share their ideas at an evening or weekend workshop. While community workshops can be effective tools, it is important to go where people are rather than asking them to come to us. Engaging residents who are already attending another event, such as the weekly Farmers' Market or church services, with activities, such as quick, on-the-spot surveys are other venues to hear residents' input and market larger community-wide outreach events. Each interaction also provides an opportunity for the participant to learn more and sign up for the project mailing list. Pop-up events will be held in person if possible.
- **Online Engagement.** Providing the option of online engagement can capture input that might otherwise be unvoiced. Further, due to State Shelter-in-Place orders, most community engagement has had to occur online. Online engagement tools will connect residents with information, decision-makers, and other residents in a professionally facilitated community discussion that builds public awareness of and trust in

the project process, without constraints on the time, place, or method of public input. Online engagement will include the release of an Open City Hall survey to seek community feedback on the draft maps.

ENGAGING UNDERSERVED COMMUNITIES

A major goal of this Outreach Plan is to ensure that all segments of the community have the opportunity to participate in the outreach process. It will be important to target outreach opportunities at traditionally underrepresented groups, including disadvantaged/low-income communities for whom language and cultural differences may preclude or discourage involvement.

To engage underserved communities, the City and PlaceWorks will implement a variety of strategies that can be applied to all forms of both “getting the word out” and “public input strategies,” including the following:

- **Special Outreach.** It will be important to perform in-person outreach at local venues where underserved communities congregate, including churches, ethnic markets, and other community gathering places. Specifically, City staff will post flyers and PlaceWorks will solicit opinions before or after faith-based services and other community gathering spaces at locations such as:
 - Spanish-language Sunday mass at St. Cyprian’s Catholic Church
 - Shiv Durga Hindu Temple
 - Chung Tai Zen Center of Sunnyvale
 - Sunnyvale Community Center/Senior Center
 - Mobile home parks
 - Library
 - Farmers’ Market

In addition, City staff will post flyers at markets in Sunnyvale that provide service to ethnic minorities, such as Madras Groceries, Felipe’s Market, Grocery Outlet, Taj Mahal Fresh Market, Western Pacific Filipino Grocery, Chavez Supermarket, and Mi Ranchito Produce.

- **Ethnic Media.** The City may place ads and news articles about the project in ethnic newspapers, such as *El Observador*, a bilingual weekly newspaper that serves the nine Bay Area counties; *Calitoday*, a Vietnamese-language newspaper based in San Jose; *World Journal*, a global Chinese newspaper; and/or *India West*, a popular weekly newspaper catering to Indians in the US. The ads and news articles will alert readers about the project and direct them to the project website for more information.
- **Translation and Interpretation.** All meeting materials will be translated into Spanish, Chinese, and Hindi. Meeting materials include workshop and CAC presentations, workshop and CAC handouts, meeting agendas, posters and flyers, and the citywide newsletter. The City will arrange for interpretation services at all public workshops and hearings, if requested 48 hours in advance of the meeting.
- **Childcare.** Members of underserved communities often have young children and lack resources to find care for these children if they want to engage in a civic process. Therefore, events that are able to be held in person will include fun side activities that kids can participate in so parents can give feedback without distraction. PlaceWorks assumes the City will be responsible for coordinating and providing childcare at the community workshops.

- **Food.** Offering substantial food can be a draw to bring people to a meeting or event, particularly if they are coming straight from work or just need an impetus to attend. Some of the most successful meetings involving underserved communities began with serving light snacks. Therefore, the City will provide refreshments at all public workshops that are held in person.

REDISTRICTING PROCESS COMPONENTS

State law requires jurisdictions with district-based election systems to redraw their district boundaries after each Census. This ensures that population counts within each district remain relatively equal as populations change over time. While Sunnyvale drew district boundaries in 2019, the boundaries of the districts approved under Measure B were drawn based on 2010 Census population counts. Therefore, the district boundaries must be reevaluated using new data from the 2020 Census.

The City Council believes that all segment of Sunnyvale's residents must be able to play a role in deciding how they are represented, which includes giving meaningful input on the redistricting process. Therefore, the City has contracted with PlaceWorks to conduct a community outreach process regarding redistricting.

The process includes three main phases:

- Phase 1 (January 2021 to April 2021): Education and input on the redistricting process (largely completed at the time of preparation of this Outreach Plan).
- Phase 2 (April 2021 to July 2021): Redistricting Commission selection and onboarding.
- Phase 3 (August 2021 to December 2021): Community Map Drawing and Recommendation.

REDISTRICTING COMMISSION

As noted previously, the process will be overseen by a Redistricting Commission, which will be created during Phase 2 of the process. This section provides background information about the Commission. Additional information may be found in Ordinance No. 3174-21, adopted by the Sunnyvale City Council on April 6, 2021, which is the source of much of the information below.

PURPOSE OF THE REDISTRICTING COMMISSION

The Redistricting Commission will oversee the process of redrawing the district boundaries. It will hold public hearings to gather input and will review preliminary map options. Based on community input, the Commission will ultimately narrow down the map options to between three and five draft map recommendations, which will be forwarded to the City Council for consideration.

According to Ordinance No. 3174-21, Commissioners should be open-minded, impartial, and community-minded. The City Council will seek to ensure that the Redistricting Commission members represent the geographic, ethnic, and social diversity of the City of Sunnyvale.

REDISTRICTING COMMISSION APPOINTEE REQUIREMENTS

The Commission will be composed of seven members and three to six alternates, all appointed by the City Council. Commissioners are not required to be registered voters. The term of the Commissioners begins at the

time of appointment by the Council and ends when a new final district map is adopted. To be eligible for appointment to the redistricting commission, a person must, at the time of their appointment:

- Be a resident of the City of Sunnyvale;
- Have resided in the City of Sunnyvale for a minimum of one year; and
- Be at least 18 years of age by the date of the City Council election for which the redistricting will be effective (November 8, 2022).

A person is not eligible for appointment to the Redistricting Commission if:

- The person or their spouse, in the four years preceding the person's application, served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate's campaign for elective office of the local jurisdiction; and
- The person or their spouse has, in the four years preceding the person's application, contributed \$1,500 or more in a year to any single candidate other than themselves, for an elective office of the local jurisdiction.

Additional restrictions are in place during and after service as a Redistricting Commissioner, including:

- During: Unable to endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the city.
- During: Be a candidate for an elective office of the City if less than four years has elapsed since the date of the commissioner's appointment to the commission.
- For four years proceeding: Unable to receive a noncompetitively bid contract with the City.
- For four years proceeding: Accept an appointment to the office of the City Manager, City Attorney, or department head.

COMMISSION RECRUITMENT AND APPOINTMENT

Applicants for the Redistricting Commission will be recruited through several different channels. Marketing for the positions will occur through several tactics, including a Horizon article, a utility bill insert, and through an online campaign including the City's social media accounts, website, *Update Sunnyvale* e-newsletter, via email list-serves, and through targeted outreach to individuals. Presentations will be conducted with various community groups, including neighborhood associations, the Sunnyvale Rotary Club, League of Women Voters, various parent groups, the Mobile Home Alliance, and with Sunnyvale leadership groups.

The Redistricting Commission application was released on April 12, 2021, with an application close date of June 1, 2021. The City Council will review applications in early June, conduct interviews in mid-June, and make final appointments to the Commission in late June.

DETAILED SCOPE FOR THE OUTREACH PROCESS

This section describes the detailed scope of the outreach process to be completed for each of the three phases of the redistricting effort. More detail on specific components and the schedule is provided in Table 1 at the end of this document.

PHASE 1: EDUCATION AND INPUT ON REDISTRICTING PROCESS

In this phase, City staff have been conducting outreach to educate the community on redistricting requirements under federal and state election law and have engaged with the Sunnyvale City Council to approve an amendment to the Sunnyvale Municipal Code to establish a public process for redistricting.

COMMUNITY EDUCATION

City staff has established outreach tactics to ensure the Sunnyvale community is aware of the project and understands the federal and state election law requirements to redraw council districts. City staff has promoted the project through the following channels:

- Project website
- Utility bill inserts
- Dedicated project list-serve

CITY COUNCIL HEARINGS

City staff met with the Sunnyvale City Council approximately seven times between January and April 2021. During these meetings, the Council has provided direction on the process of redistricting, including outlining the role and responsibilities of the Redistricting Commission, Redistricting Commission applicant requirements and selection process, and a draft Redistricting Ordinance.

COMMUNITY OUTREACH PLAN

While City staff conducted Phase 1, PlaceWorks prepared this Community Outreach Plan, which has been reviewed by staff and will be presented to City Council in May 2021, prior to the next phase.

PHASE 2: COMMISSION SELECTION AND ONBOARDING

In this phase of the process, City staff, with assistance from PlaceWorks, will conduct outreach to advertise, recruit, and conduct the selection and onboarding for the Council-appointed Redistricting Commission.

REDISTRICTING COMMISSION

Application

City staff launched the Council-approved Redistricting Commission application on April 12, 2021. The application will remain open through June 1, 2021. The application provides background on the project, discusses the role of the Redistricting Commission, and seeks detailed applicant information.

Applicant Recruitment Campaign

City staff began advertising for open positions on the Redistricting Commission at the time the application opened. Advertisements have been made through a *Horizon* article, a utility bill insert, on the City's social media, on the project website, via *Update Sunnyvale*, through the project list-serve, and through individual outreach. City staff is conducting meeting presentations with community groups, including various neighborhood associations, the Sunnyvale Rotary Club, the League of Women Voters, various parent groups, the Mobile Home Alliance, and with Sunnyvale leadership groups.

Applicant Selection

After the close of the application period, the City Clerk will verify the qualifications of the applicants. Qualified applications will be sent to the City Council for review. The City Council's selection process will be designed to ensure that the Redistricting Commission members represent the geographic, ethnic, and social diversity of Sunnyvale. The Council will conduct interviews on June 17, 2021 and appoint members of the Redistricting Commission on June 29, 2021.

Commission Kick-off Meeting

PlaceWorks will attend the kickoff meeting of the Redistricting Commission to help orient the Commission. Part of this meeting will provide an overview of this Community Outreach Plan.

PHASE 3: COMMUNITY MAP DRAWING AND RECOMMENDATION

In this phase of the scope, City staff, PlaceWorks, and National Demographics Corporation (NDC), will conduct outreach to solicit input from Sunnyvale residents on communities of interest and potential boundaries of the updated districts. This phase will include several meetings with the Redistricting Commission and the City Council, with ultimate adoption of a final district boundary map. NDC will provide points of opportunity for the community to receive technical support for mapmaking.

As noted previously, the activities described in this section may be conducted in person or virtually, depending on the state of the COVID-19 pandemic when each event takes place.

DISTRICTING AND REDISTRICTING OVERVIEW (HEARING 1)

On July 22, 2021, City staff will engage with the Redistricting Commission and with the community to provide background information on the original 2019 districting project, the 2020 ballot measure, and the requirements for redistricting. The Redistricting Commission and community will gain an understanding of their role in the redistricting process and the various meeting points and deadlines throughout the process.

COMMUNITIES OF INTEREST IDENTIFICATION WORKSHOP

On August 5, 2021, PlaceWorks will prepare for and facilitate a community workshop to get feedback on the criteria and standards important to the community for establishing district boundaries, which may include exercises involving coloring on digital maps the areas that define their community. Community members will leave the workshop with an understanding of how their input will be used by the Council and Redistricting Commission in determining the final district map development.

COMMUNITIES OF INTEREST REDISTRICTING COMMISSION MEETING (HEARING 2)

PlaceWorks and NDC will provide an overview of the communities of interest at a meeting of the Redistricting Commission (Hearing 2). NDC will be responsible for preparing maps of the potential communities of interest and PlaceWorks will present an overview of the public input.

COMMUNITY MAP DRAWING WORKSHOP

On September 30, 2021, the City and NDC will conduct a map drawing workshop with the community to ensure questions and concerns can be addressed as the community works to draw potential district boundaries. The

workshop will include a training for the community on the map drawing tools, accompanied by the release of a virtual training video for those unable to attend the workshop.

REDISTRICTING COMMISSION CENSUS DATA REVIEW (HEARING 3)

Prior to the close of the first round of draft map submittals, the Redistricting Commission will receive a presentation from NDC with a review of the 2020 Census demographic data on November 11, 2021. The Redistricting Commission will provide feedback on considerations that the community should take while drawing district maps, based on the information released as part of the 2020 Census.

FEEDBACK ON DRAFT MAPS JOINT CITY COUNCIL REDISTRICTING COMMISSION MEETING (HEARING 4)

After the first map submission deadline of January 3, 2022, City staff and NDC will provide an overview of the initial draft maps to the City Council on January 13, 2022. Immediately following the joint meeting, the Redistricting Commission will convene to narrow the draft maps to three to five maps to focus future community input.

COMMUNITY MAP FEEDBACK/PREFERENCES WORKSHOP

On January 20, 2022, City staff, PlaceWorks, and NDC will facilitate a public workshop to present and collect feedback on the three to five focus maps selected by the Redistricting Commission. The workshop will also gather input from the community on their thoughts on their preferred maps, along with technical assistance in map drawing. The second map submission deadline will be January 31, 2022.

OPEN TOWN HALL SURVEY #1

City staff will release an Open Town Hall Survey that will be available from February 3 through February 8, 2022. The purpose of the survey will be to seek community feedback on the draft maps and determine any community preferences and the reason behind such preferences. PlaceWorks will review the administrative draft Open Town Hall Survey and provide feedback on the survey approach and wording.

REDISTRICTING COMMISSION MAP RECOMMENDATION (HEARING 5)

Following the January 31, 2022, second map submission deadline, the City and NDC will verify and graphically display the draft maps. PlaceWorks and NDC will then facilitate a meeting with the Redistricting Commission to review the draft maps on February 10, 2022. The Redistricting Commission will select between three and five maps and make a formal recommendation to the City Council on the preferred map.

POP-UPS

PlaceWorks will conduct a total of five “pop-up” events at various community activities to learn about the five to seven draft district maps and ask participants to identify their top map through dot voting. Pop-ups will occur at larger organized events, such as faith-based events or the Sunnyvale Farmers’ Market. Pop-ups will occur between February 12 and February 20, 2022.

Pop-up events may occur at the following locations:

- Farmers’ Market
- Library
- Sunnyvale Community Center/Senior Center

- Mobile Home Parks
- Sunnyvale Community Services
- St Cyprian Parish
- Shiv Durga Hindu Temple
- Chung Tai Zen Center

In the event the COVID-19 pandemic does not allow for in-person pop-ups, PlaceWorks will host meetings with targeted community groups to seek input and undertake a dot prioritization exercise. Potential groups could include:

- Mobile Home Park Alliance
- Neighborhood Associations
- Parent groups (PIQE, Fremont HS Los Padres, Black others)
- Sunnyvale Rotary Club
- SIREN
- Asian Law Alliance
- YWCA/SCS promotoras
- League of Women Voters
- Leadership Sunnyvale

OPEN TOWN HALL SURVEY #2

City staff will release a second Open Town Hall Survey to ask the community to select a preferred map from the three to five maps chosen by the Redistricting Commission. The survey will be available from February 12, 2022, to February 20, 2022.

PUBLIC INPUT SYNTHESIS REPORT

PlaceWorks will prepare a report that summarizes all input received during the pop-up events, the Open Town Hall surveys, and the workshops. The report will include a brief background of the project, outreach goals, outreach results and comments, and maps and graphics to illustrate participation rates and responses across the city.

MAP ADOPTION OR COMMENTS BACK TO REDISTRICTING COMMISSION (HEARING 6)

Once PlaceWorks' report is complete and NDC has made any final needed changes to the draft maps, NDC will provide an overview of the three to five recommended maps, and the one preferred map, to the City Council on February 22, 2022. The Council will also receive a summary of the feedback received from the community.

The City Council will decide to either adopt one final district map or send comments back to the Redistricting Commission. If the Council decides to send comments back to the Redistricting Commission, the Commission will consider Council comments and resubmit maps, as applicable. The Council will then adopt the final map in a second Hearing.

OUTREACH TASKS AND SCHEDULE

Table 1 shows each outreach task, the general timeline for task completion, and the party responsible for the task.

TABLE 1 REDISTRICTING OUTREACH PLAN TASK LIST, TIMELINE, AND RESPONSIBILITIES

Task	Timeline	Responsible Party
Phase 1: Education and Input on the Redistricting Process		
Create and maintain project webpage	Continuous	City of Sunnyvale
Utility bill advertisements	January 2021	City of Sunnyvale
Email project list-serve	January 2021	City of Sunnyvale
Council study session for Redistricting Commission	January 12, 2021	City of Sunnyvale
Council Hearing Draft ordinance	January 28, 2021	City of Sunnyvale
Council Hearing Draft ordinance	February 2, 2021	City of Sunnyvale
Council Hearing Draft ordinance	February 23, 2021	City of Sunnyvale
Council Hearing Draft ordinance	March 16, 2021	City of Sunnyvale
Council Hearing Draft ordinance and selection criteria/process for Redistricting Commission	March 30, 2021	City of Sunnyvale
Council Hearing - Adoption of ordinance	April 6, 2021	City of Sunnyvale
Council Hearing - Outreach Plan presentation	May 4, 2021	City of Sunnyvale/PlaceWorks
Phase 2: Redistricting Commission Selection and Onboarding		
Publish Horizon article - Introduce redistricting process and community mapping	March 2021	City of Sunnyvale
Utility bill advertisements	March 2021	City of Sunnyvale
Online educational video	March 2021	City of Sunnyvale
Redistricting Commission application release	April 12, 2021	City of Sunnyvale
Applicant recruitment campaign	April 12 to June 1, 2021	City of Sunnyvale
Meeting presentations with community groups	April and May 2021	City of Sunnyvale
Redistricting Commission application deadline	June 1, 2021	City of Sunnyvale
Verification of applicant qualifications	June 1 to 11, 2021	City of Sunnyvale
Application review and interviews	June 17, 2021	City of Sunnyvale

TABLE 1 REDISTRICTING OUTREACH PLAN TASK LIST, TIMELINE, AND RESPONSIBILITIES

Task	Timeline	Responsible Party
Council appointment of Redistricting Commission members	June 29, 2021	City of Sunnyvale
Publish Horizon article - Redistricting progress	July 2021	City of Sunnyvale
Redistricting Commission onboarding	July 8, 2021	City of Sunnyvale/PlaceWorks
Meeting presentations with community groups	July 2021	City of Sunnyvale
Phase 3: Community Map Drawing and Recommendation		
General outreach campaign	August to December 2021	City of Sunnyvale
Redistricting Commission - Overview and redistricting 101 (Hearing 1)	July 22, 2021	City of Sunnyvale
Workshop 1 - Communities of interest	August 5, 2021	PlaceWorks
Redistricting Commission - Communities of interest review and public input (Hearing 2)	September 9, 2021	PlaceWorks/NDC
Workshop 2 -Map training and map making	September 30, 2021	NDC
Online map-making training video	September 2021	NDC
Redistricting Commission - Census data overview, initial feedback for map makers (Hearing 3)	November 11, 2021	NDC
Technical support for map making by appointment	November 11, 2021 to January 5, 2022	NDC
Map submission deadline	January 3, 2022	City of Sunnyvale/NDC
Joint City Council and Redistricting Commission - Review maps then Redistricting Commission narrows to 3 to 5 maps (Hearing 4)	January 13, 2022	NDC
Workshop 3 - Map feedback and preferences	January 20, 2022	NDC/PlaceWorks
Technical support for map making by appointment	January 14 to 30, 2022	NDC
Second map submission deadline	January 31, 2022	City of Sunnyvale/NDC
Open Town Hall Survey #1 - Map feedback and preferences	February 3 to 8, 2022	City of Sunnyvale/PlaceWorks
Redistricting Commission - Selection of 3 to 5 maps and formal recommendation to Council with one preferred map (Hearing 5)	February 10, 2022	NDC/PlaceWorks
Pop-ups on preferred maps (5 to 10)	February 12 to 20, 2022	PlaceWorks
Open Town Hall Survey #2 - Preferred map	February 12 to 20, 2022	City of Sunnyvale

TABLE 1 REDISTRICTING OUTREACH PLAN TASK LIST, TIMELINE, AND RESPONSIBILITIES

Task	Timeline	Responsible Party
Public Input Synthesis Report	February 2022	PlaceWorks
City Council - Map adoption or comments back to Redistricting Commission (Hearing 6)	February 22, 2022	NDC
Redistricting Commission Hearing- consider Council comments and resubmit map(s) if applicable (Hearing 7)	March 3, 2022	NDC
City Council Hearing - Adoption of final map, if applicable (Hearing 8)	March 15, 2022	NDC
Send to Registrar of Voters	March 31, 2022	City of Sunnyvale
Horizon Article - New district map for 2022	Summer 2022	City of Sunnyvale
Utility bill inserts - New district map for 2022	Summer 2022	City of Sunnyvale

**DRAFT SECOND AMENDMENT TO CONSULTANT SERVICES AGREEMENT
BETWEEN THE CITY OF SUNNYVALE AND PLACEWORKS, INC. FOR COMMUNITY
ENGAGEMENT SERVICES**

This Second Amendment to Consultant Services Agreement, dated _____, is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY") and PLACEWORKS, INC. a California corporation ("CONSULTANT").

WHEREAS, on November 8, 2018, CITY and CONSULTANT entered into an agreement entitled "CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF SUNNYVALE AND PLACEWORKS, INC. FOR COMMUNITY ENGAGEMENT SERVICES" ("AGREEMENT") for development of a community outreach and engagement plan (the "Plan"); and

WHEREAS, on December 21, 2018, CITY and CONSULTANT entered into a First Amendment to Consultant Services Agreement whereby total compensation amount was increased to \$332,863; and

WHEREAS, the parties now agree that a Second Amendment to said Agreement is advisable;

NOW, THEREFORE, THE PARTIES ENTER INTO THIS SECOND AMENDMENT TO CONSULTANT SERVICES AGREEMENT:

1. Services by CONSULTANT

[Replace the first sentence with the following]:

CONSULTANT shall provide services in accordance with Exhibit "A" and Exhibit "A-1" attached and incorporated by reference.

4. Compensation

[Replace the first paragraph with the following]:

"CITY agrees to pay CONSULTANT as set forth in Revised Exhibit B and Exhibit "B-1". Total compensation shall not exceed FOUR HUNDRED THOUSAND TWO HUNDRED SEVENTY-THREE DOLLARS (\$400,273.00), including 5% contingency. CONSULTANT shall submit invoices to CITY to be paid in accordance with the procedures set forth in Revised Exhibit "B" and Exhibit "B-1" attached and incorporated by reference.

All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Agreement Amendment.

ATTEST:

CITY OF SUNNYVALE ("CITY")

By _____
City Clerk

By _____
City Manger

APPROVED AS TO FORM:

PLACEWORKS, INC. ("CONSULTANT")

By _____
City Attorney

By _____

Name and Title

By _____

Name and Title

PHASE 4 - SUNNYVALE REDISTRICTING MAPPING

OUTREACH: WORK SCOPE

This document describes the scope of services to be completed by PlaceWorks for the City of Sunnyvale as it engages in a process to redraw City Council district boundaries to reflect the 2020 Census.

Task 1. Community Engagement Plan

In this task, PlaceWorks will prepare the Community Outreach Plan and present an overview of the Plan to the City Council and Redistricting Commission.

1.1 Administrative Draft Community Outreach Plan

PlaceWorks will prepare an Administrative Draft Community Outreach Plan that describes the outreach approach for the City of Sunnyvale Redistricting Process. We will submit this Administrative Draft to City staff for initial review.

The Community Outreach Plan will:

- Identify the project purpose.
- Provide an overview of federal and State election law.
- Summarize the community's demographics.
- Describe outreach goals.
- Describe the purpose and role of the Redistricting Commission.
- Detail ways to spread the word about the redistricting process and why the City must redraw the districts at this time. The City will coordinate the preparation and distribution of the outreach materials which will include articles in Horizon, utility bill insert, social media posts, flyers, handouts, presentations, and newspaper ads.
- Identify ways to engage underrepresented groups in the community;
- Define public input "channels" such as workshops, pop-up events, presentations to community groups, and an Open City Hall survey by which to gather community opinions about redistricting boundaries.
- Identify the outreach timeline.

1.2 Public Review Draft Community Outreach Plan

Based on staff comments on the Administrative Draft Plan, PlaceWorks will revise that document to create a Public Review Draft Community Outreach Plan.

1.3 City Council Virtual Meeting

David Early will attend a virtual meeting of the Sunnyvale City Council to present the Public Review Draft Community Outreach Plan, answer questions about it and solicit City Council comment regarding any changes that should be made to the Plan.

1.4 Final Community Outreach Plan

PlaceWorks will incorporate direction from the City Council to create the Final Community Outreach Plan. Once the Final Plan is approved and finalized, PlaceWorks will provide an electronic file of the documents in Word and PDF format.

1.5 Redistricting Commission Virtual Kick-off Meeting

PlaceWorks will provide an overview of the Community Outreach Plan at the Redistricting Commission Kick-off Meeting. PlaceWorks assumes this meeting will be held virtually.

Task 2. Community Map Drawing and Review

In this task, PlaceWorks will facilitate and attend community meetings and workshops to seek input on the Council Redistricting process by allowing community members to draw their own ideas of appropriate district boundaries and to review the ideas suggested by others. As part of this outreach, PlaceWorks will collect voluntary information about participant demographics to ensure the outreach program is representative of the community.

2.1 Communities of Interest Identification Virtual Workshop

PlaceWorks will prepare for and facilitate a virtual community workshop to get feedback on the criteria and standards important to the community for establishing district boundaries, which may include exercises involving coloring on digital maps the areas that define their community. Community members will leave the virtual workshop with an understanding of how their input will be used by the Council and Redistricting Commission in determining the final district map development.

2.2 Communities of Interest Virtual City Council Meeting (Hearing 2)

PlaceWorks and NDC will provide an overview of the communities of interest identified in Task 2.1 at a virtual meeting of the City Council. NDC will be responsible for preparing maps of the potential communities of interest and PlaceWorks will present an overview of the public input.

2.3 Feedback on Draft Maps Workshop/Redistricting Commission Meeting (Hearing 6)

After the City and NDC provide review the initial draft maps and provide feedback to the mapmakers, PlaceWorks and NDC will conduct a community workshop followed directly by a Redistricting Commission meeting for the community to provide input on the draft district boundary maps. NDC will prepare and publish the draft maps in advance of the meeting.

The first portion of the meeting will be a time for attendees to provide feedback on the sample maps and to identify their top eight to ten maps.

Immediately following the public feedback phase of the meeting, the Redistricting Commission will convene to review the public feedback and recommend which eight to ten maps to move forward.

PlaceWorks assumes this meeting will be held in-person, but will also be prepared to hold this meeting virtually should the COVID-19 pandemic prohibit people to gather in-person.

2.4 Community Map Review/Redistricting Commission Meeting (Hearing 7)

Following the January 8, 2022 second map submission deadline, the City and NDC will verify and graphically display the draft maps. PlaceWorks and NDC will facilitate a meeting with the community and the Redistricting Commission to review the draft maps.

The first portion of the meeting will be allocated for public feedback on the draft maps.

Immediately following public comment portion of the meeting, the Redistricting Commission will convene to identify the top five to seven maps that should be moved forward for public review and feedback.

PlaceWorks assumes this meeting will be held in-person, but will also be prepared to hold a virtual meeting should the COVID-19 pandemic prohibit people to gather in-person.

2.5 Open City Hall Survey Review

PlaceWorks will review the administrative draft Open City Hall survey and provide feedback on the survey approach and wording. The purpose of the survey will be to seek community feedback on the draft maps.

2.6 Community Workshop on Preferred Map

After the City and NDC summarize the five to seven maps selected by the Redistricting Commission, PlaceWorks and NDC will facilitate a community workshop to provide an overview of the five to seven maps selected by the Redistricting Commission and to seek public input on which map they prefer. Participants will be asked to select a preferred map through a dot voting exercise.

PlaceWorks assumes this meeting will be held in-person, but will also be prepared to host a virtual meeting should the COVID-19 pandemic prohibit people to meet in-person.

2.7 Pop-ups

PlaceWorks will conduct a total of five “pop-up” events at various community activities to learn about the five to seven draft district maps and ask participants to identify their top map through dot voting. Pop-ups will occur at larger organized events, such as faith-based events or the Sunnyvale Farmers’ Market.

Pop-up events may occur at:

- Farmer's Market
- Library
- Sunnyvale Community Center/Senior Center
- Mobile Home Parks
- Sunnyvale Community Services
- St Cyprian Parish
- Shiv Durga Hindu Temple
- Chung Tai Zen Center

In the event the COVID-19 pandemic does not allow for in-person pop-ups, PlaceWorks will host virtual meetings with targeted community groups to seek input and undertake a virtual dot prioritization exercise. Potential groups could include:

- Mobile Home Park Alliance
- Neighborhood Associations
- Parent groups (PIQE, Fremont HS Los Padres, Black others)
- Sunnyvale Rotary Club

- SIREN
- Asian Law Alliance
- YWCA/SCS promotoras
- League of Women Voters
- Leadership Sunnyvale

2.8 Public Input Synthesis Report

PlaceWorks will prepare a report that summarizes all input received during the pop-up events held in Task 2. The report will include a brief background of the project, outreach goals, outreach results and comments, and maps and graphics to illustrate participation rates and responses across the city. PlaceWorks will prepare an Administrative and Final Draft of the Report.

2.9 Council Hearing on Maps (Hearing 8)

At this meeting, NDC will provide an overview of the draft maps to the City Council. Following NDC's presentation, PlaceWorks will provide a summary of the public feedback on the draft maps. As part of this presentation, PlaceWorks will provide an overview of the demographics of the community members who participated, as well as an overview of the feedback on the draft maps.

PlaceWorks assumes this will be an in-person City Council meeting, but will also be prepared to participate virtually should the COVID-19 pandemic prohibit people to meet in-person.

SCHEDULE AND MEETINGS

This section describes the products associated with PlaceWorks' work scope and the schedule by which each of these products will be completed. It also summarizes the meetings that PlaceWorks will attend for the project.

SCHEDULE

PlaceWorks understands that all outreach must be completed by February 2022 and the final Council Hearing by March 15, 2022 in time for the City to send the updated maps to the Registrar of Voters by March 31, 2022.

MEETINGS

David Early will attend the following meetings with City of Sunnyvale for the project:

- Three (3) City Council meetings
- One (1) Redistricting Committee meetings
- Two (2) Community Workshops
- Two (2) Community Workshops/Redistricting Commission Meetings

Carey Stone and Torina Wilson will attend the following meetings for the project:

- Two (2) Community Workshops
- Two (2) Community Workshops/Redistricting Commission Meetings

Two PlaceWorks planners will attend each of the following meetings for the project:

- Five pop (5)-up events
- Two (2) Community Workshops
- Two (2) Community Workshops/Redistricting Commission Meetings

We are available to attend additional meetings on a time-and-materials basis.

Exhibit B-1

COST ESTIMATE

As shown in Table 2, the estimated cost to complete the scope of work described in this proposal is \$67,410.

PlaceWorks recommends planning for a 5 percent to 10 percent contingency fund to cover any unforeseen out-of-scope work that might be necessary for the project.

The billing rates for each staff member are included in Table 2.

PlaceWorks bills for its work on a time-and-materials basis with monthly invoices.

ASSUMPTIONS

This scope of work and cost estimate assumes that:

- City of Sunnyvale staff will be responsible for preparing City Council and Redistricting Commission Staff Reports.
- City of Sunnyvale staff will be responsible for preparing all outreach materials (i.e. flyers, eblasts, frequently asked questions, social media posts, etc.).
- City of Sunnyvale staff will be responsible for the meeting logistics, including schedule coordination, mailing costs, and room reservations.
- City of Sunnyvale staff will procure refreshments if any are to be provided.
- The City of Sunnyvale will arrange for the interpretation of workshop materials and simultaneous interpretation into Spanish and Mandarin as appropriate. PlaceWorks can add this service at an additional cost.

TABLE 2 COST ESTIMATE

PlaceWorks
Sunnyvale Redistricting Mapping Outreach

COST PROPOSAL

		PLACEWORKS									Total Task Budget	
		David Early	Carey Stone	Torina Wilson Assistant	Angelica Garcia	Ricky Pozos	GRAPHICS					
		Principal in Charge	Project Manager	Project Manager	Project Planner	Planner		PlaceWorks Hours	PlaceWorks 2% Office Expenses	PlaceWorks Total		
Hourly Rate:		\$290	\$180	\$130	\$115	\$105	\$115					
TASK 1. Community Engagement Plan												
1	Administrative Draft Community Outreach Plan	2	4	16				22	\$68	\$3,448	\$3,448	
2	Public Review Draft Community Outreach Plan	1	2	4				7	\$23	\$1,193	\$1,193	
3	City Council Virtual Meeting	2	1	3				6	\$23	\$1,173	\$1,173	
4	Final Community Outreach Plan	0.5	1	2				3.5	\$12	\$597	\$597	
5	Redistricting Commission Virtual Kick-off Meeting	2	1	3				6	\$23	\$1,173	\$1,173	
Task 1. Subtotal		7.5	9	28	0	0	0	44.5	\$149	\$7,584	\$7,584	
TASK 2. Redistricting Community Map Drawing Outreach												
1	Communities of Interest Identification Virtual Workshop	4	8	16	16	4	8	56	\$157	\$8,017	\$8,017	
2	Communities of Interest Virtual City Council Hearing	3	1	6				10	\$37	\$1,867	\$1,867	
3	Feedback on Draft Maps Workshop/Redistricting Commission Meeting	6	10	18	18	4	8	64	\$186	\$9,476	\$9,476	
4	Community Map Review/Redistricting Commission Meeting	6	10	18	18	4	8	64	\$186	\$9,476	\$9,476	
5	Open City Hall Survey Review	2	2	2				6	\$24	\$1,224	\$1,224	
6	Community Workshop on Preferred Map	6	10	18	18	4	8	64	\$186	\$9,476	\$9,476	
7	Pop-ups (5)	2	4	8	30	30	14	88	\$211	\$10,761	\$10,761	
8	Public Input Synthesis Report	3	6	24				33	\$101	\$5,171	\$5,171	
9	Council Hearing on Maps	6	1	4	4			15	\$58	\$2,958	\$2,958	
Task 2. Subtotal		38	52	114	104	46	46	400	\$1,146	\$58,426	\$58,426	
Labor Hours Total		45.5	61	142	104	46	46	444.5				
Labor Dollars Total		\$13,195	\$10,980	\$18,460	\$11,960	\$4,830	\$5,290		\$1,295	\$66,010	\$66,010	
PlaceWorks Percent of Total Labor		10%	14%	32%	23%	10%	10%					
EXPENSES												
PlaceWorks Reimbursable Expenses											\$1,400	
EXPENSES TOTAL											\$1,400	
GRAND TOTAL												\$67,410



RTC #: 21-0472

Document Title: City of Sunnyvale Redistricting Webpage

Link: <https://sunnyvale.ca.gov/redistricting>



City of Sunnyvale

Agenda Item

21-0539

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

CONTINUED FROM APRIL 20, 2021

Discussion and Possible Direction Regarding Taking a Position on Assembly Bill (AB) 703 (Rubio, Blanca D) - Open Meetings: Local Agencies: Teleconferences

BACKGROUND

At their April 6, 2021 meeting, Council directed staff to add this report to the April 20, 2021 Council agenda to discuss whether the City should take a position on Assembly Bill (AB) 703 (Rubio, Blanca D) - Open Meetings: Local Agencies: Teleconferences.

On March 17, 2020, Gov. Gavin Newsom issued Executive Order No. N-29-20, which suspended portions of the Ralph M. Brown Act (California Government Code sections 54950-54963) that limit the use of teleconferencing for public meetings, but the Order will sunset when the COVID-19 pandemic ends. The Ralph M. Brown Act requires that all teleconference locations (i.e., the physical location that a council or board member call in from) be identified on the agenda and open to the public.

On February 16, 2021, Assembly Member Blanca Rubio introduced legislation that would codify the Executive Order's virtual meeting opportunities. It allows for virtual meetings indefinitely and permanently removes the existing Brown Act rules limiting virtual meetings or requiring public attendance at various physical locations.

On February 25, 2021, the Bill was referred to the Assembly Committee on Local Government. A Bill hearing date has not been scheduled. According to Assembly Member Rubio's staff, this measure has become a 2-year bill. Therefore, this measure will be adjusted at a later date in preparation to move in January of 2022.

In the past, Council has taken positions on specific legislation. Although staff does not make a recommendation on whether or not the Council should take a position on this topic, it does urge Council to establish a long-term policy rather than specifically endorse a certain measure. That approach will enable Council and staff to perform advocacy in the future without having to return to Council for specific approval.

EXISTING POLICY

California Government Code sections 54950-54963 (Ralph M. Brown Act)

Council Policy 7.4.14 , *Legislative Advocacy Positions*

Policy 7.3.1, *Legislative Management - Goals and Policies*

Goal 7.3C: Participate in intergovernmental activities, including national, state and regional groups, as a means to represent the City's interests, influence policy and legislation, and enhance awareness.

Policy 7.3C.1: Represent City policy in intergovernmental activities in accordance with adopted policy guidelines.

There is no existing City policy related to addressing remote Council participation.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378 (a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

DISCUSSION

Executive Order N-29-20, suspends the Ralph M. Brown Act’s requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

AB703 would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment.

The Bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

FISCAL IMPACT

There is no fiscal impact as a result of action taken by this report. If AB 703 is signed by the Governor, it would enable Sunnyvale to maintain its current meeting format of an all virtual meeting, return to an in-person only format, or to develop a hybrid meeting structure. With a hybrid structure, both public officials and members of the public could participate virtually or in person at a designated location. If a hybrid structure were adopted for Council and Commission meetings, an additional staff position would be needed to manage meeting logistics in order to support this model.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Authorize the Mayor to write a letter of support for AB703 (Rubio, Blanca D) - Open Meetings: Local Agencies: Teleconferences; and adopt a Legislative Advocacy Position in support of expanding the use of virtual participation in public meetings for councilmembers and members of the public.
2. Authorize the Mayor to write a letter of opposition to AB703 (Rubio, Blanca D) - Open

- Meetings: Local Agencies: Teleconferences.
3. Take no position on AB703 (Rubio, Blanca D) - Open Meetings: Local Agencies: Teleconferences.
 4. Other action as identified by Council.

STAFF RECOMMENDATION

Staff makes no recommendation. This report is being presented to Council to facilitate a discussion at the public hearing and for providing possible direction for the Mayor regarding AB 703.

Although staff does not make a recommendation on whether or not the Council should take a position on this topic, it does urge Council to establish a long-term policy rather than specifically endorse a certain measure. That approach will enable the Mayor to perform advocacy in the future without having to return to Council for specific approval.

Prepared by: Michelle Zahraie, Senior Management Analyst

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. California Assembly Bill 703: (Rubio, Blanca D) Open meetings: local agencies: teleconferences

ASSEMBLY BILL

No. 703

Introduced by Assembly Member Blanca Rubio

February 16, 2021

An act to amend Section 54953 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL’S DIGEST

AB 703, as introduced, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

Existing law, Executive Order N-29-20, suspends the Ralph M. Brown Act’s requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the

AB 703

— 2 —

public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

This bill would declare the Legislature's intent, consistent with the Governor's Executive Order N-29-20, to improve and enhance public access to local agency meetings into the future, and considering the digital age, by allowing broader access through teleconferencing options.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 54953 of the Government Code is
- 2 amended to read:
- 3 54953. (a) All meetings of the legislative body of a local
- 4 agency shall be open and public, and all persons shall be permitted
- 5 to attend any meeting of the legislative body of a local agency,
- 6 except as otherwise provided in this chapter.
- 7 (b) (1) Notwithstanding any other provision of law, the
- 8 legislative body of a local agency may use teleconferencing for

1 the benefit of the public and the legislative body of a local agency
2 in connection with any meeting or proceeding authorized by law.
3 The teleconferenced meeting or proceeding shall comply with all
4 *otherwise applicable* requirements of this chapter and all otherwise
5 applicable provisions of law relating to a specific type of meeting
6 or proceeding.

7 (2) Teleconferencing, as authorized by this section, may be used
8 for all purposes in connection with any meeting within the subject
9 matter jurisdiction of the legislative body. All votes taken during
10 a teleconferenced meeting shall be by rollcall.

11 (3) If the legislative body of a local agency elects to use
12 teleconferencing, it shall ~~post agendas at all teleconference~~
13 ~~locations and allow members of the public to observe the meeting~~
14 ~~and address the legislative body, and it shall give notice of the~~
15 ~~meeting and post agendas as otherwise required by this chapter.~~
16 ~~The agenda shall provide an opportunity for members of the public~~
17 ~~to address the legislative body directly pursuant to Section 54954.3.~~
18 ~~In each instance in which notice of the time of the teleconferenced~~
19 ~~meeting is otherwise given or the agenda for the meeting is~~
20 ~~otherwise posted, the local agency must also give notice of the~~
21 ~~means by which members of the public may observe the meeting~~
22 ~~and offer public comment. The legislative body shall conduct~~
23 ~~teleconference meetings in a manner that protects the statutory~~
24 ~~and constitutional rights of the parties or the public appearing~~
25 ~~before the legislative body of a local agency. Each teleconference~~
26 ~~location shall be identified in the notice and agenda of the meeting~~
27 ~~or proceeding, and each teleconference location shall be accessible~~
28 ~~to the public. During the teleconference, at least a quorum of the~~
29 ~~members of the legislative body shall participate from locations~~
30 ~~within the boundaries of the territory over which the local agency~~
31 ~~exercises jurisdiction, except as provided in subdivision (d). The~~
32 ~~agenda shall provide an opportunity for members of the public to~~
33 ~~address the legislative body directly pursuant to Section 54954.3~~
34 ~~at each teleconference location. If the legislative body uses~~
35 ~~teleconferencing to hold a meeting, the legislative body must have~~
36 ~~and implement a procedure for receiving and swiftly resolving~~
37 ~~requests for reasonable accommodation for individuals with~~
38 ~~disabilities, consistent with the federal Americans with Disabilities~~
39 ~~Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in~~
40 ~~favor of accessibility. The procedure for receiving and resolving~~

1 *requests for accommodation must be noticed each time notice of*
2 *the means by which members of the public may observe the*
3 *teleconference meeting and offer public comment is made.*

4 (4) For the purposes of this section, “teleconference” means a
5 meeting of a legislative body, the members of which are in different
6 locations, connected by electronic means, through either audio or
7 video, or both. Nothing in this section shall prohibit a local agency
8 from providing the public with additional teleconference locations.

9 (c) (1) No legislative body shall take action by secret ballot,
10 whether preliminary or final.

11 (2) The legislative body of a local agency shall publicly report
12 any action taken and the vote or abstention on that action of each
13 member present for the action.

14 (3) Prior to taking final action, the legislative body shall orally
15 report a summary of a recommendation for a final action on the
16 salaries, salary schedules, or compensation paid in the form of
17 fringe benefits of a local agency executive, as defined in
18 subdivision (d) of Section 3511.1, during the open meeting in
19 which the final action is to be taken. This paragraph shall not affect
20 the public’s right under the California Public Records Act (Chapter
21 3.5 (commencing with Section 6250) of Division 7 of Title 1) to
22 inspect or copy records created or received in the process of
23 developing the recommendation.

24 ~~(d) (1) Notwithstanding the provisions relating to a quorum in~~
25 ~~paragraph (3) of subdivision (b), if a health authority conducts a~~
26 ~~teleconference meeting, members who are outside the jurisdiction~~
27 ~~of the authority may be counted toward the establishment of a~~
28 ~~quorum when participating in the teleconference if at least 50~~
29 ~~percent of the number of members that would establish a quorum~~
30 ~~are present within the boundaries of the territory over which the~~
31 ~~authority exercises jurisdiction, and the health authority provides~~
32 ~~a teleconference number, and associated access codes, if any, that~~
33 ~~allows any person to call in to participate in the meeting and the~~
34 ~~number and access codes are identified in the notice and agenda~~
35 ~~of the meeting. (2) Nothing in this subdivision shall be construed~~
36 ~~as discouraging health authority members of a legislative body~~
37 ~~from regularly meeting at a common physical site within the~~
38 ~~jurisdiction of the authority local agency or from using~~
39 ~~teleconference locations within or near the jurisdiction of the~~
40 ~~authority. A teleconference meeting for which a quorum is~~

1 established pursuant to this subdivision shall be subject to all other
2 requirements of this section: *local agency*.

3 (3) ~~For purposes of this subdivision, a health authority means~~
4 ~~any entity created pursuant to Sections 14018.7, 14087.31,~~
5 ~~14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare~~
6 ~~and Institutions Code, any joint powers authority created pursuant~~
7 ~~to Article 1 (commencing with Section 6500) of Chapter 5 of~~
8 ~~Division 7 for the purpose of contracting pursuant to Section~~
9 ~~14087.3 of the Welfare and Institutions Code, and any advisory~~
10 ~~committee to a county sponsored health plan licensed pursuant to~~
11 ~~Chapter 2.2 (commencing with Section 1340) of Division 2 of the~~
12 ~~Health and Safety Code if the advisory committee has 12 or more~~
13 ~~members.~~

14 SEC. 2. It is the intent of the Legislature in enacting this
15 measure to improve and enhance public access to local agency
16 meetings into the future, and considering the digital age, by
17 allowing broader access through teleconferencing options
18 consistent with the Governor's Executive Order 29-20 dated March
19 17, 2020, permitting expanded use of teleconferencing during the
20 COVID-19 pandemic.

21 SEC. 3. The Legislature finds and declares that Section 1 of
22 this act, which amends Section 54953 of the Government Code,
23 furthers, within the meaning of paragraph (7) of subdivision (b)
24 of Section 3 of Article I of the California Constitution, the purposes
25 of that constitutional section as it relates to the right of public
26 access to the meetings of local public bodies or the writings of
27 local public officials and local agencies. Pursuant to paragraph (7)
28 of subdivision (b) of Section 3 of Article I of the California
29 Constitution, the Legislature makes the following findings:

30 This act is necessary to ensure minimum standards for public
31 participation and notice requirements allowing for greater public
32 participation in teleconference meetings.



City of Sunnyvale

Agenda Item

21-0523

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Consider Approval of Draft 2021 Housing and Urban Development (HUD) Action Plan

SUMMARY OF COMMISSION ACTION

The Housing and Human Services Commission considered this item on April 14, 2021.

The Housing and Human Services Commission voted to approve the draft 2021 HUD Action Plan as shown in Attachment 2. The vote was 6-0.

FISCAL IMPACT

Estimated funding for the 2021 HUD program year is included in the FY 2021/22 Recommended Budget. Specific funding allocations in the 2021 Action Plan approved by Council will be appropriated with the FY 2021/22 Adopted Budget.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report.
2. Approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report, with modifications.

STAFF RECOMMENDATION

Alternative 1: Approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report.

Approval of the Action Plan will allow the City to receive the 2021 CDBG and HOME grants and use them to address local needs for affordable housing and related programs, consistent with the 2020-2025 Consolidated Plan. Most of these projects leverage additional funding from other sources. The Commission made its recommendations on the funding proposal at its March 24 meeting, as shown in Attachment 3, before recommending approval of the Action Plan on April 14. Once approved by the City Council on May 4, staff will forward the Action Plan to HUD no later than May 15, 2021.

Prepared by: Leif Christiansen, Housing Programs Analyst
Reviewed by: Jenny Carloni, Housing Officer
Reviewed by: Trudi Ryan, Director, Community Development
Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Report to Housing and Human Services Commission 21-0069, April 14, 2021 (without attachments)
2. Draft 2021 Action Plan
3. Excerpt of Draft Minutes of Housing and Human Services Commission Meeting of March 24, 2021
4. General Fund Human Services Proposals and HHSC Recommendations

Additional Attachments for Report to Council

5. Excerpt of Draft Minutes of Housing and Human Services Commission Meeting of April 14, 2021



City of Sunnyvale

Agenda Item

21-0069

Agenda Date: 4/14/2021

REPORT TO HOUSING AND HUMAN SERVICES COMMISSION

SUBJECT

Consider Approval of Draft 2021 Housing and Urban Development (HUD) Action Plan

REPORT IN BRIEF

The City must submit an Action Plan to HUD every year in order to receive federal entitlement grants from the Community Development Block Grant (CDBG) and the HOME Investment Partnership (HOME) Programs. The draft 2021 HUD Action Plan ("Action Plan") provided in Attachment 2 has been prepared in accordance with federal requirements governing the use of these entitlement grants, including the citizen participation requirements. HUD is the federal agency that administers and regulates these grants. The Action Plan sets forth the proposed uses of the CDBG and HOME funds projected to be available in the coming fiscal year, as shown in Table 1 in the Discussion section of this report. These funds may be used for eligible community development activities to meet the priority and/or unmet needs, primarily of lower-income residents, described in the City's HUD Consolidated Plan. A Request for Proposals (RFP) was issued for these funds in December 2020 and eight applications were received.

BACKGROUND

HUD requires entitlement grantees (i.e., cities, counties and states) to submit an application, referred to as a Consolidated Plan, every five years, to maintain eligibility for CDBG and HOME Program grants. Sunnyvale's last Consolidated Plan was approved in 2020 and covers fiscal years 2020/21 through 2024/25. In addition, every year entitlement grantees must submit an annual "Action Plan" to HUD for its approval to obtain the grant for the coming fiscal year. Action Plans are required to describe the grantees' local needs and the projects and programs to be funded with the grant funds in the coming fiscal year. Upon HUD approval, the annual Action Plans are appended to the five-year Consolidated Plan.

CDBG and HOME Programs

The CDBG program was established by the Housing and Community Development Act of 1974, Public Law 93-383; and the HOME Program was established by the National Affordable Housing Act of 1990. These programs provide annual grants to jurisdictions to enable them to "develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for low and moderate-income persons." CDBG regulations define "low and moderate" as households earning not more than 80% of area median household income, or what the City and the State of California refer to as "lower-income households." The CDBG and HOME lower-income limits are established annually by HUD and is currently set at \$112,150 for a household of four in the Sunnyvale-San Jose metropolitan area, with adjustments for larger or smaller households. To be eligible for most types of CDBG or HOME assistance, the household's gross annual income cannot exceed that amount.

21-0069

Agenda Date: 4/14/2021

CDBG Eligible Uses	HOME Eligible Uses
Activities that “principally benefit” lower-income households, such as: housing rehabilitation, public facilities and infrastructure, public services, energy conservation, economic development and job creation/retention.	Activities that fund lower-income housing efforts, including: construction, rehabilitation, and acquisition of affordable housing, first-time home buyer assistance, and tenant-based rental assistance.

EXISTING POLICY

2020-2025 HUD Consolidated Plan:

- Goal A Assist in the creation, improvement, and preservation of affordable housing for lower-income and special needs households.
- Goal B Alleviation of Homelessness.
- Goal C Support provision of essential human services, particularly for special needs populations.
- Goal D Expanding Economic Opportunities.

Human Services Policy 5.1.3

The City shall make its best efforts to provide supplemental human services, which include but are not limited to emergency services, senior services, disabled services, family services, and youth services.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” with the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378 (b) (4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment. The action is also exempt under the National Environmental Policy Act (“NEPA”) pursuant to 24 CFR 58.34 (a)(1) and (3) as it relates to the development of plans and strategies and is an administrative and managerial activity. Although site-specific projects may be identified in the Action Plan, approval of the Plan does not constitute a formal commitment for those projects.

DISCUSSION

Action Plan Development

When developing the draft Action Plan, staff analyzed the City’s ongoing programs eligible for CDBG and/or HOME funds, such as the Home Improvement Program and Tenant Based Rental Assistance (TBRA), and sought proposals from the community for programs and projects to be funded with available CDBG and HOME funds in the coming fiscal year. Funding requests for human services are considered on a competitive basis every two years with conditional funding awards made for a two-year term; capital project proposals are considered annually. The RFP for FY 2021/22 was released in December 2020 and the City received eight applications for CDBG funds.

HUD Spending Limits for Public Services and Administration

HUD regulations limit how much entitlement grantees can allocate for program administration and public (human) services activities. CDBG administration is limited to 20% and public services are

21-0069**Agenda Date:** 4/14/2021

limited to 15% of CDBG grant and program income funds

Staff estimates that no more than \$236,000 in CDBG funds can be allocated for administrative and planning (including fair housing), and no more than \$185,000 can be provided for public services, for next fiscal year. HOME regulations limit funding for administration to no more than 10% of the entitlement grant and 10% of program income received in prior years, if applicable. The amount recommended to be allocated for HOME administration complies with this requirement.

Funding Availability

The City will receive a CDBG grant of \$1,182,126 and a HOME grant of \$415,138 for FY 2021. In addition to the FY 2021 grants, staff estimates that approximately \$395,000 in HOME program income and \$50,000 in CDBG program income will be received by the end of the current fiscal year, not including amounts deposited into the Housing Rehabilitation Revolving Loan Fund (RLF). Program income consists of loan payments on prior CDBG loans, as well as interest accrued in the fund.

As shown in Table 1 below, nearly \$1.1 million in CDBG funds and approximately \$395,000 in HOME funds will be available for new activities to be implemented next fiscal year. These available amounts include FY 2021 entitlement grants, program income, and balances from prior years' grants. These totals may increase or decrease if more program income is received than the current projections. The amount of funding committed to HOME activities for FY 2021 is lower than the total amount available - as the City is exploring potential FY 2022 programs and projects that would maximize the balance of HOME funds, as the program continues to receive large amounts of program income that must be spent prior to the entitlement grant.

Table 1: Funds Available in FY 2021/22

AVAILABLE FUNDS	CDBG	HOME
FY 2021-22 Entitlement Grants	\$1,182,126	\$415,138
HOME PA (Admin Reserves)	\$0	\$0
Projected FY 2020-21 Program Income	\$50,000 *	\$395,000*
Projected Disencumbered/Fund Balance	\$150,000	\$889,811
TOTAL	\$1,382,126	\$1,699,949

* Estimate

Proposed CDBG Activities

The projects and programs proposed to be funded in 2021 are shown in Table 2 below and in **Attachment 2**. These activities are eligible for the indicated funding type and amount recommended, based on federal regulations associated with these grants, and meet one or more priority needs as identified in the City's 2020-2025 Consolidated Plan.

- *Administration and Planning:*
 - Administration includes the City's expenses for staffing and implementing the CDBG and HOME programs, including public outreach, holding hearings, publishing notices, developing the RFPs, evaluating proposals, grant contract management, tracking of grant funds and program income, sub-grantee monitoring, reporting, and compliance with federal requirements such as environmental, labor, anti-discrimination, and fair housing regulations. Indirect costs (e.g., overhead for expenses incurred by internal

21-0069

Agenda Date: 4/14/2021

service departments) and fair housing services are also included in program administration.

- *Housing Rehabilitation (Owner-Occupied)*
 - The Home Improvement Program provides grants and in-kind assistance to lower-income home owners, including mobile home owners, for minor home improvements (e.g., energy efficiency upgrades, exterior painting, emergency repairs and disabled access improvements). The Home Access Grant is also available to lower-income renters, with the landlord's consent. The RLF provides funding for larger loans to lower-income home owners and/or non-profit housing developers for major housing rehabilitation projects. The recommended allocation for home improvement grants for next year is \$50,000, based on the level of demand for this program in recent years and actual expenditures in the current fiscal year.
- *Capital Projects & Economic Development*
 - The "WorkFirst Sunnyvale" Program has been implemented for over five years by Sunnyvale Community Services, in partnership with Downtown Streets Team. The program provides homeless and at-risk clients with job readiness training, job placement services, career counseling and supportive services. It helps clients obtain long-term employment and/or increase their earnings in order to obtain housing, stability, and increased self-sufficiency. The program qualifies for CDBG funding as a Community-based Development Organization (CBDO) economic development activity.
 - The Refrigeration and Freezer Replacement Project will ensure Sunnyvale Community Services has the resources needed to continue operating and to expand their food assistance program to low-income residents of Sunnyvale at their new location at 1160 Kern Avenue.
- *Public Services (Human Services):*
 - CDBG funds may be used for various public services, as long as a majority of the clients are lower income persons, and the services address the priority needs identified in the Consolidated Plan. FY 2021/22 is the first year of the City's two-year funding cycle so the competitive award process occurred this year. Recommended funding awards include assistance to seniors, disabled adults, homeless residents, lower-income households, and at-risk youth. The agencies that applied for CDBG funds are listed in the Action Plan (Attachment 2); while the agencies that applied for General Funds are listed in Attachment 4 as General Fund awards are not a part of the Action Plan and are provided merely as reference to the Council; the final General Fund human services grants to be considered by Council will be included in the recommended City budget in June 2021.

Proposed HOME Activities

- *Tenant Based Rental Assistance*
 - The City will utilize a portion of its HOME allocation to continue serving 20- households enrolled in its TBRA program. The TBRA program provides up to two-years of rental assistance, coupled with supportive services, to low-income households in Sunnyvale. Staff will be revamping the project in the next FY and therefore does not recommend

21-0069

Agenda Date: 4/14/2021

funding all available HOME funds for 2021-22.

Table 2: Recommended Allocations in 2021 Action Plan

Category	Activity	CDBG	HOME
Administration	Planning and Administration, and Fair Housing Services	\$ 236,425	\$ 81,013
Housing Rehabilitation	Home Access Program	\$ 50,000	N/A
Rental Housing	Tenant Based Rental Assistance	N/A	\$ 400,000
Economic Development	Workfirst Sunnyvale (CBDO)	\$ 514,300	\$ 0
Capital Project	Freezer and Refrigeration Replacement	\$ 100,000	\$ 0
Public Services	Human Services Grants	\$ 185,000	\$ 0
CHDO	Community Housing Development Org. Specific Project	N/A	\$ 62,270
	Total Recommendations	\$ 1,085,725	\$ 543,283
	FY 2021-22 Funding Available	\$ 1,332,126	\$ 1,699,943
	FY 2021-22 Funds Remaining	\$ 246,401	\$ 1,156,660

FISCAL IMPACT

Approval of the Action Plan is necessary for the City to receive two federal grants (CDBG and HOME) next fiscal year. The recommended funding allocations in the Action Plan make use of these grant funds and related program income for various purposes consistent with the grant program regulations. Expenditure of these federal funds is necessary to meet timeliness requirements.

PUBLIC CONTACT

Public contact was made by posting the Housing and Human Services Commission's agenda on the City's official notice bulletin board and on the City's website. Notice of public hearings, including the 30-day public comment and review period, was posted at City Hall and published in the *Sunnyvale Sun* newspaper on April 2, 2021. A draft of the 2021 Action Plan was made available for public review, upon request, at the One Stop Counter at City Hall, and on the City's website for the required minimum 30-day review period prior to City Council action.

ALTERNATIVES

1. Recommend that the City Council approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report.
2. Recommend that the City Council approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report, with modifications.

RECOMMENDATION

Alternative 1: Recommend that the City Council approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report.

Approval of the Action Plan will allow the City to receive the 2021 CDBG and HOME grants and use

21-0069

Agenda Date: 4/14/2021

them to address local needs for affordable housing and related programs, consistent with the 2020-2025 Consolidated Plan. Most of these projects leverage additional funding from other sources. The Commission made its recommendations on the funding proposal at its March 24 meeting, as shown in Attachment 3. Once approved by the City Council on May 4th, staff will forward the Action Plan to HUD no later than May 15, 2021.

Prepared by: Leif Christiansen, Housing Programs Analyst
Reviewed by: Jenny Carloni, Housing Officer
Reviewed by: Trudi Ryan, Director, Community Development
Reviewed by: Teri Silva, Assistant City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Reserved for Report to Council
2. Draft 2021 Action Plan
3. Draft Minutes of Housing and Human Services Commission meeting of March 24, 2021
4. General Fund Human Services Proposals and HHSC Recommendations

2021-2022 Draft Action Plan City of Sunnyvale

Community Development Block Grant Program
Home Investment Partnership Program
April 2021



Sunnyvale

Table of Contents

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)	3
PR-05 Lead & Responsible Agencies – 91.200(b)	5
AP-10 Consultation – 91.100, 91.200(b), 91.215(l)	6
AP-12 Participation – 91.105, 91.200(c).....	13
AP-15 Expected Resources – 91.220(c)(1,2).....	16
AP-35 Projects – 91.220(d).....	23
AP-38 Project Summary.....	25
AP-50 Geographic Distribution – 91.220(f)	30
AP-55 Affordable Housing – 91.220(g)	31
AP-60 Public Housing – 91.220(h)	32
AP-65 Homeless and Other Special Needs Activities – 91.220(i).....	33
AP-75 Barriers to affordable housing – 91.220(j)	35
AP-85 Other Actions – 91.220(k).....	36

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b) Introduction

This FY2021/22 Action Plan serves as an application for funds under two formula grant programs administered by the U.S. Department of Housing and Urban Development (HUD). These grants provide the City of Sunnyvale (City) with an average of roughly \$1.4 million annually. For 2021, the City is receiving an allocation of Community Development Block Grant (CDBG) in the amount of \$1,182,126, and a HOME Investment Partnerships (HOME) Program grant of \$415,138. This Action Plan covers the fiscal year beginning July 1, 2021 and ending June 30, 2022, the second year of the City's 2020- 2025 Consolidated Plan (ConPlan) period. The Action Plan describes the eligible activities that the City intends to undertake in FY2021/22 to address the priority needs and implement the strategies identified in the Plan, using the City's CDBG and HOME grants. The activities described in this Action Plan are intended to primarily benefit the lower-income residents of Sunnyvale, affirmatively further fair housing choice, and meet priority needs. In addition to these grants, the City has a local Housing Mitigation Fund (HMF), which is used to support local affordable housing programs, including some that are not eligible for HUD funding. This fund is derived from fees received occasionally in varying amounts, and there is no guaranteed annual funding amount, therefore less emphasis is placed on these funds as a regular funding source in this Action Plan.

In addition to these grants, the City has a local Housing Mitigation Fund (HMF) which is used to support local affordable housing programs, including some that are not eligible for HUD funding. This fund is derived from fees received occasionally in varying amounts, and there is no guaranteed annual funding amount, therefore less emphasis is placed on these funds as a regular funding source in this Action Plan.

2. Summarize the objectives and outcomes identified in the Plan

The City has organized its priority needs based on the structure presented in HUD regulations (24 CFR 91.215): affordable housing, alleviation of homelessness, economic development, and non-housing community development. Priority is assigned based on the level of need that is demonstrated by the data that has been collected during the preparation of the Plan, specifically in the Needs Assessment and Market Analysis; the information gathered during the consultation and citizen participation process; current City policy, federal laws and regulations related to the HUD grants, and the availability of resources to address these needs. Based on these components, housing needs are considered a high priority, as well as alleviation of homelessness, economic development, and non-housing community development needs. The City's goals and objectives are organized into four categories: A. Affordable Housing (including housing for special needs households) B. Alleviation of Homelessness C. Other Community Development Efforts (Public Services, Community Facilities and Infrastructure) Page 2 D. Expanding Economic Opportunities Table 2 on page 15 summarizes the objectives and outcomes that will be addressed in this Action Plan.

3. Evaluation of past performance

The City is responsible for ensuring compliance with all rules and regulations associated with the CDBG and HOME entitlement grant programs. The City's Annual Action Plans and CAPERs, posted on the City's website, provide details about the goals, projects and programs completed by the City. The City recognizes that the evaluation of past performance is critical to ensure the City and its sub-recipients are implementing activities effectively and that those activities align with the City's overall strategies and goals. The City evaluates the performance of subrecipients on a quarterly basis. Sub-recipients are required to submit quarterly progress reports, which include client data, performance objectives, as well as data on outcome measures. Before the start of the program year, program objectives are developed collaboratively by the sub-recipient and the City, ensuring that they are aligned with the City's overall goals and strategies. The City utilizes the quarterly reports to review progress toward annual goals. During the past year, the City successfully implemented its planned programs and projects. Some projects take several years to complete, so in some cases they may not be completed in the same year in which they were initially funded, such as the Persian Drive sidewalk project. This is not unusual for projects involving major construction work.

4. Summary of Citizen Participation Process and consultation process

The City, in collaboration with other local jurisdictions and the consultant team, launched a comprehensive outreach strategy to enhance and broaden citizen participation in the preparation of the Consolidated Plan. The team informed the public that it was in the process of creating the 2020-2025 Consolidated Plan, and encouraged public participation in the process by conducting a Regional Needs Survey and hosting regional forums in collaboration with other jurisdictions in the County, and conducting local hearings. In addition to the extensive consultation conducted for the ConPlan several years ago, the City solicited additional input on this draft Action Plan. The City provides multiple opportunities for public review and comment on the Action Plan and on any substantial amendments to it. Public hearings on this Plan were held (or will be held) on April 21, 2021 and May 4, 2021. A notice of public hearings and an announcement of the 30-day public comment period was published in the Sunnyvale Sun on April 2, 2021. An initial draft of the Action Plan was released on April 2, 2021, and comments were accepted through May 4, 2021. It is the policy of the City of Sunnyvale to encourage and engage residents to participate in planning, implementation, and evaluation of its housing and community development programs.

5. Summary of public comments

All comments were accepted. Please refer to Attachment: "Proof of Publication and Citizen Participation Comments."

6. Summary of comments or views not accepted and the reasons for not accepting them

N/A

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Table 1 – Responsible Agencies

Agency Role	Name	Department/Agency
CDBG Administrator	SUNNYVALE	Department of Community Development
HOME Administrator	SUNNYVALE	Department of Community Development

The City of Sunnyvale is the Lead and Responsible Agency for HUD entitlement programs in Sunnyvale. The Housing Division (HD), a division of the City's Community Development Department (CDD), is responsible for administering the City's HUD entitlement grants, including the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) grant. In order to continue receiving these grants, the City must develop and submit to HUD a five-year Consolidated Plan (ConPlan) and Annual Action Plans listing priorities and strategies for the use of these federal funds. The ConPlan describes how the City plans to use its CDBG and HOME funds to meet the housing and community development needs of its residents in the next five years. To update its 2020-2025 ConPlan, the City collaborated with the County of Santa Clara (County) and other entitlement jurisdictions in the County to identify and prioritize housing and community development needs across the region, and to develop strategies to meet those needs. The 2021 Action Plan covers the second year of the 2020-025 ConPlan period.

Consolidated Plan & Action Plan Public Contact Information

City of Sunnyvale Housing Division

Trudi Ryan, Director of Community Development
Jenny Carloni, Housing Officer
456 W. Olive Avenue / PO Box 3707
Sunnyvale, CA 94088
Tel: (408) 730-7250
Fax: (408) 737-4906
Email: Housing@Sunnyvale.ca.gov

Housing Division website: <https://sunnyvale.ca.gov/property/housing/default.htm>

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

Consolidated Plan Development

The City has a long history of coordination and partnership with the local public housing provider, which is the Santa Clara County Housing Authority (SCCHA), and various assisted housing providers, such as Charities Housing, MidPen Housing Corp., First Community Housing, and others. The City also has a long history of coordinating with and/or providing funding to various local private and public health, mental health, and human services agencies, such as the County Mental Health Department, the local Valley Medical Center, and a variety of service providers that serve seniors, disabled clients, homeless clients, and other lower-income and at-risk clients.

In addition, in preparing the ConPlan, the City collaborated with seven other entitlement grantee jurisdictions (Entitlement Jurisdictions), including the cities of Cupertino, Gilroy, Mountain View, Palo Alto, San Jose, Santa Clara, and the County of Santa Clara (Urban County).

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

Public participation played a central role in the development of the ConPlan. The Entitlement Jurisdictions launched an in-depth, collaborative regional effort to consult with community stakeholders, many of whom represented public or assisted housing providers, health and service agencies, as well as elected officials, City and County staff, and beneficiaries of entitlement programs, to inform and develop the priorities and strategies contained within the ConPlan. The City, in partnership with Michael Baker International and the other Entitlement Jurisdictions, facilitated a comprehensive outreach process to enhance coordination with these stakeholders and discuss new approaches to using the HUD entitlement grant funds for eligible activities, projects, and programs throughout the county and/or in specific cities.

Michael Baker International, with direction from the Entitlement Jurisdictions, conducted a Regional Needs Survey to solicit input from residents, workers, and stakeholders in the region, which consisted of all of Santa Clara County. Survey respondents were informed that the purpose of this survey was to help the Entitlement Jurisdictions determine local priorities for use of their HUD entitlement funds, and that these funds must be used to fund projects or programs that primarily serve lower income residents or neighborhoods with a higher percentage of lower-income residents. The Survey polled respondents about the level of need in their respective neighborhoods for various types of improvements, projects or programs that could possibly be funded by the HUD entitlement funds.

Action Plan Development

In addition to the extensive consultation in 2019 and 2020 noted above, the City solicited additional input for the FY2021-22 Annual Action Plan from community members at public hearings held on April 21 and May 4, 2021. The City and other community development organizations in the County coordinate frequently on a variety of initiatives. City Housing staff participates in a collaborative of HUD entitlement grantees within the County.

Quarterly meetings are held to discuss activities, technical assistance issues, and identify future opportunities for coordination and cooperation. The City also coordinates with other regional agencies, such as the Housing Trust of Silicon Valley, SV@Home, Joint Venture Silicon Valley, NOVA, Page 5 the County-wide Fair Housing Task Force, and the Valley Transportation Authority, among others, to achieve the goals described within this Action Plan.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City has coordinated with the Santa Clara County Continuum of Care (CoC) for many years on its efforts to end and prevent homelessness in the County. The CoC, a group of stakeholders from throughout the County, plans and implements many of these efforts. The CoC is governed by the CoC Board, which takes a systems-change approach to preventing and ending homelessness. The City's Housing Officer participated on the CoC's Review and Rank Panel in several recent years. This panel spends about a week reviewing and ranking local proposals for HUD funding through the federal CoC program.

Members of the CoC meet monthly to plan CoC programs, identify gaps in homeless services, establish funding priorities, and pursue a systematic approach to addressing homelessness. City staff, including the Housing Officer and Housing Analyst, as well as staff of other cities, meet and consult with the County's CoC staff during the quarterly county-wide "CDBG Coordinators Group" meetings, and communicate more frequently via email and/or phone on joint efforts. Destination:Home (D:H), a public-private partnership committed to ending chronic homelessness, is the governing organization for the CoC and implements by-laws and operational protocols for the CoC. D:H is also responsible for ensuring that the CoC complies with the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH).¹

In 2019, D:H released a draft "Community Plan to End Homelessness in Santa Clara County" (Community Plan), which outlines strategies for ending homelessness in the County by 2025. These strategies were informed by those who participated in a series of community summits conducted between April and December 2019, including Sunnyvale HD staff and local stakeholders, among others. The Community Plan addresses the needs of homeless people in the County, including chronically homeless people, families with children, veterans, and youth, as well as those at risk of homelessness.

. The City's current ConPlan and 2015-2023 Housing Element incorporate many policies and programs that are consistent with the Community Plan and "Housing First" policies in general.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City is not an ESG entitlement jurisdiction.

The CoC's HMIS is administered by the County Office of Supportive Services, using Clarity Human Services software. The project meets and exceeds HUD's requirements for HMIS and complies with HUD HMIS Standards. The County's HMIS is used by many service providers to record information and report outcomes.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Abilities United
	Agency/Group/Organization Type	Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum(s) on Nov. 4, 2019 and a community meeting in October 2020.
2	Agency/Group/Organization	Bill Wilson Center
	Agency/Group/Organization Type	Counseling, Housing for Homeless Youth
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum(s) on Nov. 4, 7 and 20 – 2019.
3	Agency/Group/Organization	Catholic Charities of Santa Clara County
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum(s) on Nov. 20, 2019.
4	Agency/Group/Organization	City of Sunnyvale
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum (s) on Nov. 20, 2019.
5	Agency/Group/Organization	LIVE OAK ADULT DAY SERVICES
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum(s) in October 2020.

6	Agency/Group/Organization	Midpen Housing Corporation
	Agency/Group/Organization Type	Affordable Housing Developer
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum(s) on Nov. 20, 2019.
7	Agency/Group/Organization	PROJECT SENTINEL
	Agency/Group/Organization Type	Service-Fair Housing and Legal Services
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum (s) on Nov. 20, 2019, and October 28, 2020.
8	Agency/Group/Organization	SENIOR ADULTS LEGAL ASSISTANCE
	Agency/Group/Organization Type	Service-Fair Housing and Legal Services
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum (s) on Nov. 4 and 20, 2019.
9	Agency/Group/Organization	SUNNYVALE COMMUNITY SERVICES
	Agency/Group/Organization Type	Community/Family Services and Organizations
	What section of the Plan was addressed by Consultation?	Needs Assessment and Strategic Plan
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum (s) on Nov. 4 and 20, 2019.

Identify any Agency Types not consulted and provide rationale for not consulting

There were no agency types that were not consulted as part of the 2020-2025 Consolidated Plan process.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Table 3 – Other local / regional / federal planning efforts

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Destination:Home	The D:H plan provides strategies for ending homelessness and increasing affordable housing stock in the County. This effort aligns with the Strategic Plan's goals to increase/support Affordable Housing and Alleviate Homelessness.
City of Sunnyvale General Plan, 2015-2023 Housing	City of Sunnyvale	Two of the primary goals of each of these plans are essentially the same: Increase/Support Affordable Housing; and Addressing Homelessness. Both plans also have goals related to improving local housing stock and neighborhoods, and addressing priority needs (non-housing community development needs). About 80% of the content of the two plans are very similar.
2012-2014 Comprehensive HIV Prevention & Care Plan	Santa Clara County HIV Planning Council for Prevention and Care	This plan guides the Santa Clara County HIV Planning Council for Prevention and Care in its development of a compassionate system of HIV prevention and care for the County. This effort aligns with the Strategic Plan's goal to address Other Community Development Needs
Regional Housing Need Plan for the San Francisco B	Association of Bay Area Governments	This plan quantifies the needs of the 9-county Bay Area, which includes Sunnyvale, primarily for new housing units to address population growth projected to occur in the next 8 years. The regional housing need is further divided into an allocation or RHNA for each county and city in the region. The plan indicates Sunnyvale needs nearly 5,500 new housing units during this period. This plan aligns with the Strategic Plan's goals to increase/support Affordable Housing and Alleviate Homelessness. Sunnyvale's Housing Element describes how the City can accommodate the new units through its zoning and General Plan, and provide some affordable units by using its special funds for affordable housing.

The City ensures that all Action Plan projects and programs are consistent with the City's General Plan and the ConPlan. Regional planning efforts include Plan Bay Area and related statewide planning efforts.

Stakeholder Participation and Consultations with Agencies

The City consulted with various groups and organizations as part of the 2020-2025 Consolidated Plan process. Those stakeholders are listed in the Appendices of the ConPlan. A number of the same stakeholders participated in one or more hearings or funding workshops related to the development of the 2021 Action Plan.

Identify any Agency Types not consulted and provide rationale for not consulting

Not applicable.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Please see Table 3 provided in the Appendix of the ConPlan. The City ensures that its Action Plan projects and programs are consistent with the City's General Plan and the ConPlan. Regional planning efforts include Plan Bay Area and related statewide planning efforts.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

It is the policy of the City of Sunnyvale to encourage and engage residents to participate in planning, implementation, and evaluation of its housing and community development programs.

The City encourages low- and moderate-income residents, minorities, those with disabilities, and non-English-speaking residents to attend community meetings and/or provide written comments on its plans. The City provides a statement in the languages identified in its Language Access Plan on all public notices regarding HUD-funded activities, and sends public notices to organizations representing the groups listed above. In accordance with the Citizen Participation Plan, the City will provide translation services to any resident who requests such services in advance at such hearings and meetings. The City has translated its primary Housing Program brochures into Spanish, in accordance with the Language Access Plan.

Sunnyvale Request for Proposals

The City has a long-standing practice of issuing a request for proposals (RFP), annually for capital/housing projects and every second year for human services grants, to solicit applications for CDBG and HOME funds available to the City. This process aids in gathering community input on local needs and helps the City identify projects and programs that are eligible for and interested in HUD funding, and have demonstrated capacity for successful implementation and compliance with HUD requirements. Staff issues the RFP, evaluates proposals for eligibility, scores the proposals according to criteria approved by the Housing and Human Services Commission, and provides its scores and funding recommendations to the Commission and Council for review. The Commission holds a public hearing before making its own recommendations on the proposed funding allocations, which are advisory to the Council, which approves the final funding awards as part of the annual Action Plan hearing. These programs and projects are also addressed in the ConPlan, as it is assumed that similar types of projects are likely to be implemented in additional years, depending on funding availability.

Public Notice and Availability of the Action Plan

As required by HUD, the City provides multiple opportunities for public review and comment on the Action Plan and on any substantial amendments to it. Community members had opportunities to attend public hearings on April 21 and May 4, 2021. A notice of public hearings and an announcement of the 30-day public comment period was published in the Sunnyvale Sun on April 2, 2021. An initial draft of the Action Plan was released on April 2, 2021, and comments were accepted through May 4, 2021. The proposed Plan was available for review at City Hall, and on the City's website.

Table 4 – Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted
1	Public Meeting	Non-targeted/ broad community	The HHSC met on October 29, 2020 for a Biennial Review of Priority Needs for Human Services for Recommendation to City Council.	Attachment - "Proof of Publication and Citizen Participation Comments." Fifteen members of the public, each representing human services agencies, spoke; four agencies submitted written correspondence.	All comments were accepted
2	Public Meeting	Non-targeted/ broad community	The City council held a public hearing on December 1, 2020 and approved the list of priority needs, excerpted from the 2020-2025 ConPlan.	Attachment - "Proof of Publication and Citizen Participation Comments."	All comments were accepted.
3	Public Meeting	Non-targeted/ broad community	The Housing and Human Services Commission (HHSC) met on February 24, 2021 to hear presentations from non-profit profit agencies, in response to the Request for Proposals for CDBG and HOME funding for FY 2021.	The presenters answered questions of the commissioners and urged them to support their project/funding request.	All comments were accepted.
4	Public Meeting	Non-targeted/ broad community	The HHSC met on Mar. 24, 2021 to discuss funding recommendations for FY 2021/22 CDBG/HOME grants. The HHSC recommended funding the HS proposals and capital project proposal in the amounts recommended by staff.	15 agencies representatives spoke during this meeting. See Attachment - "Proof of Publication and Citizen Participation Comments."	All comments were accepted.
6	Newspaper Ad	Non-targeted/ broad community	A display ad was published in the Sunnyvale Sun on April 2, 2021.	Attachment - "Proof of Publication and Citizen Participation Comments."	Not applicable
7	website	Non-targeted/ broad community	Draft Action Plan posted at: https://sunnyvale.ca.gov/property/housing/default.htm	Attachment - "Proof of Publication and Citizen Participation Comments."	Not applicable

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted
8	Public Meeting	Non-targeted/b road community	The HHSC held a public hearing on April 21, 2021 to recommend to the City Council to approve the 2021 Action Plan.	No public or written comments received.	Not applicable
9	Public Meeting	Non-targeted/b road community	The City council will hold a public hearing on May 4, 2021 to consider the Action Plan, consistent with the 2020-2025 Consolidated Plan.	Attachment - "Proof of Publication and Citizen Participation Comments."	Not applicable

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

As shown in Table A below, the City will receive \$1,182,126 in 2021 entitlement CDBG funds and \$415,138 in HOME funds. In addition, the City estimates that it will also receive approximately \$395,000 in HOME Program Income and \$50,000 in CDBG program income in FY 2020, to be determined at end of fiscal year, and has approximately \$150,000 in disencumbered funds from prior years. This brings the total CDBG funding for FY 2021 to \$1,332,126. This amount may increase slightly, as additional program income may be received before the end of this fiscal year. Total available HOME funding for FY 2021 will be \$980,889, which includes the new allocation, plus estimated program income administrative reserves and unencumbered funds from the prior program year.

Local (City) Resources

The City has a local Housing Mitigation Fund (HMF) and Below Market Rate (BMR) In-Lieu Funds for the development, rehabilitation and/or acquisition of affordable housing. In 2014, \$8.1 million in HMF was provided to the development of two new affordable rental projects, Parkside Studios and Onizuka Crossing, with a total of include 117 new affordable units. In 2017, \$7.43 million in HMF, plus \$600,000 in Home Funds, was committed to the 66-unit Benner Plaza project, completed in December 2018. In 2020, the City allocated \$26 million to three developments (Sonora Ct., Orchard Gardens and Block 15), which will increase the affordable housing stock by about 200-units. In addition, the City has funds available in its Housing Successor Agency Low-Mod Housing Fund, these funds are allocated outside of the Action Plan process, but with a similar goal of expanding and preserving the City's affordable housing stock.

Other Public Resources

Low-Income Housing Tax Credit Program (LIHTC)

The LIHTC program provides federal and state tax credits for developers and investors who agree to set aside all or a percentage of their rental units for low-income households for no less than 30 years. MidPen Housing applied for and received an award of federal low-income housing tax credits in 2016 for its Benner Plaza project, a new 66-unit affordable rental housing development.

Homeless Emergency and Rapid Transition to Housing (HEARTH) and Emergency Shelter Grants (ESG)

Santa Clara County serves as lead agency for the County's Continuum of Care (CoC), which receives Hearth Act, ESG, and similar federal grants to provide shelter, housing, and supportive services to homeless people residing anywhere in the County. The City has contributed some of its local funds to various county-wide projects and programs that often receive CoC support as well, such as shelter facilities, transitional and permanent supportive housing, tenant-based rental assistance, and supportive

services.

Private Resources

Most of the City's housing and human services programs leverage various sources of private financing. The City encourages the participation of local lenders in its housing and/or community development projects as needed. The City is a founding member of the Housing Trust of Santa Clara County, which raises voluntary contributions from the public and private sectors for affordable housing projects within the County. The City has contributed some of its local housing funds to the Trust, which then uses those seed funds to seek matching contributions from corporations and various other sources.

Table 6 - Resources – Priority Table

Program	Source of Funds	Uses of Funds	Amount Available Year 5				Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Estimate Program Income: \$	Prior Year Resource : \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,182,126	50,000	150,000	1,332,126	0	Housing Rehabilitation; Public Infrastructure and Facilities; Public Services; Economic Development; Alleviation of Homelessness; Administration
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	415,138	395,000	889,805	1,699,943	0	Administration and Planning Activities To be programmed in FY 2021

Funds Available and Activities Proposed for Funding in FY 2021/22

AVAILABLE FUNDS	CDBG	HOME
FY 2021-22 Entitlement Grants	\$ 1,182,126	\$ 415,138
HOME PA (Admin Reserves)	\$ 0	\$ 0
Projected FY 2020-21 Program Income	\$ 50,000	\$ 395,000
Projected Disencumbered/Fund Balance	\$ 150,000	\$ 889,805
TOTAL	\$ 1,332,126	\$ 1,699,943

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City pursues and encourages its partner agencies to seek all available public and private funding sources in order to achieve the goals of the Consolidated Plan. Most projects and activities secure funding from a variety of sources, including public and private sector donations, grants, loans, and in-kind materials and services.

Most of the City's housing and human services programs leverage various sources of private financing. The City encourages the participation of local lenders in its housing and/or community development projects as needed. Tax credit projects such as Benner Plaza and Onizuka Crossing, required millions of dollars in private equity and financing for construction and related costs. The City requires all applicants for CDBG and HOME funds for capital projects to provide a match of at least 25% to receive funding. For CDBG public services proposals, this match may consist of in-kind materials and services. Most applicants provide a match in excess of 25%.

Matching funds may include other available financing sources, such as tax credits, other public sector loans or grants, private capital or donations, rent proceeds, and/or the value of in-kind services (i.e., volunteer and staff services or pro-bono professional services used to implement the capital project). The City often provides more local funds than CDBG or HOME funds to assist major affordable housing projects, since those local funds are often available in larger amounts than federal funds.

Discussion

In recent years, the City has made several publicly owned properties available for affordable housing development, which is one of the needs identified in this plan. These projects included the Fair Oaks Plaza, Onizuka Crossing, Habitat Homes, and Parkside Studios. Another City-owned site known as Block 15 of the Downtown Specific Plan is currently under Planning Entitlement review for 90 units of affordable housing. The Public Works Department handles all City surplus property matters.

AP-20 Annual Goals and Objectives

Goals Summary Information

Table 7 – Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding 19/20	Goal Outcome Indicator
1	Affordable Housing	2021	2022	Affordable Housing	Citywide	Affordable Housing	CDBG: \$50,000	Homeowner Housing Rehabilitated: 10 Affordable Rental Rehabilitation
2	Alleviation of Homelessness	2021	2022	Homeless	Citywide	Homeless or at Imminent Risk of Homelessness	HOME: \$400,000 CDBG: \$100,000	City currently has large Tenant-based rental assistance / Rapid Rehousing Food Bank: Refrigerator/Freezer Replacement.
3	Other Community Development Efforts	2021	2022	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Public Services or Facilities	CDBG: \$185,000	Public Service Grants
4	Expand Economic Opportunities	2021	2022	Expand Economic Opportunities	Citywide	Economic Opportunities for Lower Income People	CDBG: \$514,300	Jobs created/retained: 20 Jobs Other: 80 Other

Goal Descriptions

1	Goal Name	Affordable Housing
	Goal Description	<p>Goal A: Affordable Housing</p> <p>Needs Addressed</p> <p>Assist in the creation, improvement, and preservation of affordable housing for lower-income and special needs households by supporting affordable rental housing, providing the Home Improvement Program, and promoting fair housing choice.</p> <p>Geographic Area</p> <p>Affordable housing assistance is provided throughout the City, in order to avoid concentration of poverty, and to ensure fair access to affordable housing, rehabilitation assistance, and homeownership opportunities in all neighborhoods.</p> <p>Goal Outcome Indicator</p> <p>1. Home:</p> <ul style="list-style-type: none"> • CHDO Set-aside (statutory requirement, project site TBD) <p>2. CDBG:</p> <ul style="list-style-type: none"> • Home improvement program: 10 Units • Fair Housing Services : 25 Households • TBRA: 20 households

2	Goal Name	Alleviation of Homelessness
	Goal Description	<p>Goal B: Alleviation of Homelessness</p> <p>Needs Addressed</p> <p>Help people who are currently homeless or at imminent risk of homelessness to obtain housing, employment or other sources of income, and adequate support services/networks to achieve stability.</p> <p>Geographic Area</p> <p>City-wide</p> <p>Goal Outcome Indicator</p> <ul style="list-style-type: none"> • Assist 50 households with job training and assistance. • Assist 20 households through the Tenant Based Rental Assistance program
3	Goal Name	Other Community Development Efforts
	Goal Description	<p>Goal C: Other Community Development Efforts</p> <p>Needs Addressed</p> <p>1. The needs of very low, extremely low, and/or special needs households (seniors, disabled, homeless people, children, youth, victims of domestic violence, etc. for services and assistance to help them meet basic needs.</p> <p>Geographic Area</p> <p>City-wide</p> <p>Goal Outcome Indicator(s)</p> <p>1. Assist about 500 Households with human services.</p>

4	Goal Name	Expand Economic Opportunities
	Goal Description	<p>Goal D: Expand Economic Opportunities</p> <p>Support economic development activities that promote employment growth and help lower-income and/or homeless people secure and maintain jobs.</p> <p>Geographic Area</p> <p>City-wide</p> <p>Goal:</p> <p>55 Households assisted annually</p> <p>Job Placements: Assist 20 clients to obtain jobs.</p> <p>Job skills/classes: Assist 80 homeless or very low income clients with job training/skills and classes to enable them to obtain or improve their employment and housing opportunities.</p>

AP-35 Projects – 91.220(d)

Introduction

The activities that the City will undertake in FY 2021/22 using CDBG and HOME funds include: human services grants; rental housing rehabilitation and energy efficiency; employment development services for homeless and at-risk clients; access improvements, fair housing services, and program administration, as shown below. All of these activities are eligible for the indicated funding type based on federal regulations associated with these grants, and all of them meet one or more priority needs as identified through the City’s citizen participation process.

Projects

Table 8 - Project Information

#	Project Name
1	CDBG Administration and Monitoring
2	Minor Home Improvement Grants/Loans (Home Improvement Program)
3	Food Bank: Refrigerator/Freezer Replacement
4	WorkFirst Sunnyvale CBDO Activity
5	Public Services [5 projects]
6	Fair Housing Services
7	Home Administration and Monitoring
8	CHDO Set-Aside
9	Tenant Based Rental Assistance

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs:

Funding Priorities

The projects listed above were selected based on the needs identified in the Consolidated Plan, and in response to the proposals for funding received, and an evaluation of project feasibility.

Each year the City solicits proposals from local organizations for CDBG and HOME funding for eligible housing and community development programs or projects in Sunnyvale. The Request for Proposals sets forth the types of public services (human services) programs, capital and housing projects that are eligible for CDBG or HOME funding from the City, and explains the City’s process for evaluating and scoring proposals, determining award amounts, and approving awards. The City provides human services grants for public services which address identified priority needs and principally benefit lower-income people in Sunnyvale.

Applications for the human services grants are solicited every other year, following hearings held by the Housing and Human Services Commission (HHSC) and Council to determine the City’s current “priority

human service needs.” The “Priority Needs” for the City of Sunnyvale's Community Development Block Grant Program were determined through a series of community meetings held between April 2019 and January 2020 and were adopted as part of the 2020-2025 Consolidated Plan in accordance with regulations established by HUD.

FY 2021/22 is the first year of the two-year funding cycle for human services and the City confirmed in November 2020 that the list of Priority Needs in the 2015 Consolidated Plan continues to be valid.

Obstacles to Meeting Underserved Needs

In the past several years, the primary obstacle to meeting underserved local needs in the near term has been the significant delays and continued uncertainty regarding federal appropriations for the CDBG and HOME programs, and other HUD programs, such as the Section 8 program and public housing funding, as well as changes to the LIHTC created by the recent federal tax reform bill. The region also continues to struggle finding a qualified CHDO to allocate funds toward.

AP-38 Project Summary

1	Project Name	CDBG Administration and Monitoring
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	
	Funding	CDBG: \$211,425
	Description	Program administration for CDBG Program activities.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	N/A.
	Location Description	Citywide
2	Project Name	Minor Home Improvement Grants/Loans (Home Improvement Program)
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$50,000
	Description	Minor Improvement Grants/Loans
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Assist at least 10 households with minor home improvement grants or loans.
	Location Description	Citywide
3	Planned Activities	The Home Improvement Program provides small grants and loans for minor improvements, such as: energy efficiency upgrades, exterior painting, emergency repairs and accessibility improvements. Homes must be owned and occupied by a lower-income household to be eligible for this program.
	Project Name	Food Bank – Refrigerator and Freezer Replacement
	Target Area	Citywide

	Goals Supported	Alleviation of Homelessness
	Needs Addressed	Alleviation of Homelessness
	Funding	CDBG: \$100,000
	Description	Assist in filling a funding gap for the replacement of a refrigerator and freezer at one of the City's largest food banks.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	About 3,000 low-income households will benefit from this proposed activity, which is the amount of households served annually.
	Location Description	1160 Kern Avenue, Sunnyvale, CA 94086
	Planned Activities	The project will assist a local food bank in enhancing and expanding their food bank service by filling a funding gap to purchase and replace a refrigerator and freezer.
4	Project Name	WorkFirst Sunnyvale CBDO Activity
	Target Area	Citywide
	Goals Supported	Expand Economic Opportunities
	Needs Addressed	Economic Opportunities for Lower Income People
	Funding	CDBG: \$514,300
	Description	Economic Development/CDBO Activity
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Assist 60 homeless or very low income clients with job training and job placement services, to enable them to obtain or improve their employment and housing opportunities.
	Location Description	Citywide
	Planned Activities	This program provides work-readiness training, job placement assistance, and supportive services for homeless and at-risk clients.
5	Project Name	Public Services
	Target Area	Citywide
	Goals Supported	Other Community Development Efforts
	Needs Addressed	Public Services or Facilities
	Funding	CDBG: \$185,000

	Description	Human Services Grants to non-profit agencies
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Assist approximately 550 individuals and/or households with human services through 5 separate non-profit programs.
	Location Description	Citywide
	Planned Activities	Assist clients with basic needs, such as food, shelter, transportation, health & mental health care, employment assistance/training, legal aid, etc.
6	Project Name	Fair Housing Services
	Target Area	Citywide
	Goals Supported	Other Community Development Efforts
	Needs Addressed	Public Services or Facilities
	Funding	CDBG: \$25,000
	Description	Provide fair housing services (utilizing administrative funds) to low-income residents of Sunnyvale.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	25 low-income households of Sunnyvale will benefit from this proposed activity.
	Location Description	Citywide
	Planned Activities	Provide fair housing services to low-income households.
7	Project Name	Home Administration and Monitoring
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$81,013
	Description	Administration of HOME Activities: Planning and Monitoring (Includes authorized program income (PA))
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Citywide
	Planned Activities	Funds are used for administering the HOME program, includes costs of HOME capital project management, tracking grant funds and program income, subrecipient monitoring, reporting, and compliance with federal requirements such as environmental, labor, and anti-discrimination. Indirect costs (overhead) are also included in program administration.
8	Project Name	CHDO Set-Aside
	Target Area	Countywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$60,097
	Description	To provide funding to a qualified Sunnyvale CHDO with a project site
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	N/A. No CHDO application was received for 2021 funds.
	Location Description	TBD
	Planned Activities	Identify eligible Sunnyvale CHDO with a project site
8	Project Name	Tenant Based Rental Assistance
	Target Area	Countywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$400,000
	Description	Rental assistance for families earning 50% of the AMI or less.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	About 20-households will continue to benefit from this program.
	Location Description	Citywide
	Planned Activities	To provide rental assistance couple with supportive services and employment assistance to households earning 50% AMI or less.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed:

Investments will be allocated citywide for affordable housing services and related capital projects, homeless services, fair housing, and public services.

Geographic Distribution

Table 5 - Geographic Distribution

Target Area	Percentage of Funds
Citywide	100%

Rationale for the priorities for allocating investments geographically

Most of the CDBG and/or HOME-funded programs and services are provided on a city-wide basis to income-eligible and/or special needs households. Certain capital projects are assisted at a specific site, based on the location of the project, but projects may be proposed in any area of the City. Projects that qualify for CDBG funding based on the area benefit method are limited to areas with the required proportion of lower- and moderate-income residents as determined by HUD.

Human services are supported in a number of facilities and locations throughout the City, and in some cases just outside the City, as long as Sunnyvale residents are being served by the program. Affordable housing assistance is generally provided anywhere in the City, as opportunities arise, in order to avoid concentration of poverty, and to ensure fair access to affordable rental housing, rehabilitation assistance, and homeownership opportunities in all neighborhoods. The City does not have any blighted areas requiring major redevelopment, and private development is occurring throughout the City.

AP-55 Affordable Housing – 91.220(g)

Introduction

The City's housing programs are intended to prevent and/or end homelessness, improve the quality, affordability, and/or accessibility of housing, and preserve, maintain, and extend the useful life of existing affordable housing. The goals below include only the new CDBG and HOME activities to be funded in FY 2021/22. Other activities funded in prior years' Action Plans through non-HUD programs, will continue to be funded using carry-over funds, and will assist additional households.

Table 6 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households to be Supported	
Homeless	20
Non-Homeless	10
Special-Needs	
Total	30

Table 7 - One Year Goals for Affordable Housing by Support Type

One Year Goals for the Number of Households Supported	
Rental Assistance	20
The Production of New Units	0
Rehab of Existing Units	10
Acquisition of Existing Units	0
Total	30

AP-60 Public Housing – 91.220(h)

Actions planned during the next year to address the needs to public housing

Not applicable.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

Needs of Public Housing

This section is not applicable as there is currently no official public housing in Sunnyvale. The City collaborates with the SCCHA on its efforts to provide Section 8 vouchers, mortgage credit certificates, supportive services and other assistance to Sunnyvale residents. The City also supports the HACSC in its efforts to increase federal appropriations for Section 8 and other affordable housing programs in Sunnyvale and in the County.

The City has partnered with the Housing Authority on several efforts in recent years, including a joint TBRA program for clients on the Section 8 waiting list, and several Sunnyvale housing projects which were awarded project-based vouchers, including the Fair Oaks Senior Housing project, two senior group homes, Parkside Studios, Onizuka Apartments, and Edwina Benner Plaza.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

This Action Plan includes a planned allocation of \$514,300 for a program that helps homeless people obtain jobs (WorkFirst Sunnyvale), as well as funding for various public services, several of which address homelessness. The City continues to participate in the county-wide efforts to end homelessness throughout the County. Recently, the City approved over \$26 million in funds to assist the development of Block 15, Sonora Ct., and Orchard Gardens, which will increase the affordable housing supply by about 200-units.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The WorkFirst Sunnyvale programs include outreach to unsheltered homeless clients and assessment of their needs. To assess the needs of each client – Downtown Streets Team (DST) and Sunnyvale Community Services (SCS) facilitate outreach at local encampments, and areas where the unhoused reside and/or congregate. If an individual is open to services and support – then DST and SCS will conduct the VI-SPDAT, which is the vulnerability assessment utilized by the County, and other jurisdictions. Once a client is assessed, then the team will create a plan of action based on the need of each individual.

Addressing the emergency shelter and transitional housing needs of homeless persons

Several of the public services sub-recipients (YWCA, Next Door and Bill Wilson Center), provide emergency shelter, transitional housing, and services to homeless clients and victims of domestic violence. In addition, the County operates a year round Shelter Program facility in Sunnyvale with 175 beds that takes referrals and receives supportive services from a number of the City's CDBG sub-recipients.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Several of the activities funded help homeless clients and families transition to permanent housing, including: WorkFirst Sunnyvale, and the human services grants to YWCA and Next Door. The total CDBG

funding planned for these activities is about \$560,000 in 2021.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

See discussion below.

Discussion

Several of the Human Services grants will support the provision of services intended to prevent homelessness of Sunnyvale residents including the grants to Sunnyvale Community Services, YWCA, and Bill Wilson Center. In addition, the fair housing services provided can also help tenants avoid eviction and/or homelessness by addressing discrimination practices. In addition to the activities funded with CDBG, the City also provides assistance to other programs that aim to prevent homelessness using local funds or previous year HOME funds. These include grants to Senior Adults Legal Services, funding for tenant-landlord mediation programs, and the Homelessness Prevention and Rapid Re-Housing Program funded with general funds and prior year HOME funds.

AP-75 Barriers to affordable housing – 91.220(j)

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City does not impose any public policies that unreasonably constrain housing development. There are no growth limitations or rent control policies, and property tax policies are largely set by the State. The City's land use designations and zoning are supportive of development of a wide variety of housing types, including single- and multi-family housing, ownership and rental, mobile homes, manufactured/modular housing, and so on. The City follows the State building code, and its fees and charges are reasonable and consistent with prevailing prices in the region. Between 2006 and 2015, a total of 4,933 new housing units were issued building permits. This equaled an average of 493 new units per year, slightly higher than the City's historic annual average which is closer to 300 annually. Fifty-five percent of the new units permitted during that ten-year period were in multi-family rental projects. Since 2018, 3,329 residential units have been constructed with 470 of those affordable to very low, low, or moderate income households.

In 2014, the City updated the Constraints Analysis of its Housing Element, as required under California Housing Element law (Government Code 65580), to analyze city policies and land use regulations to determine if they had any negative effects on development. The State determined, with its certification in January 2015 of the City's 2015-2023 Housing Element, that the City does not currently implement policies that create barriers to affordable housing. Additional detail is available in the City's Housing Element, available on the City's website and in the Sunnyvale Library. As noted above, thousands of new dwelling units of various types and price points have been developed and additional units renovated in recent years, in most cases without any direct assistance from the City. This demonstrates that the City's policies do not unduly constrain residential development. In addition, the City has successfully assisted a number of affordable housing developments in recent years, which demonstrates that City policies do not have negative effects on assisted housing production. Non-governmental barriers, primarily market factors such as high land costs, construction costs, and high prevailing market prices for housing, have been the primary challenges facing jurisdictions in the region, including Sunnyvale, in recent years, not city land use policies. These barriers are addressed, within the City's limited ability to address them, through the housing activities listed above and through the goals and policies listed in the Housing Element.

AP-85 Other Actions – 91.220(k)

Introduction:

This section discusses the City's efforts in addressing the underserved needs, expanding and preserving affordable housing, reducing lead-based paint hazards, and developing institutional structure for delivering housing and community development activities.

Actions planned to address obstacles to meeting underserved needs

The City has addressed obstacles to meeting underserved needs by adopting programs to generate local funds for affordable housing through impact fees or new development of affordable units (inclusionary zoning). The primary obstacle to meeting unmet needs is the continued decline in federal appropriations for affordable housing and community development programs. The City has established local policies to address needs to the extent possible with local resources.

Actions planned to foster and maintain affordable housing

Please see AP-35 (i.e., Affordable Housing Rehabilitation, Fair Housing Services, and Home Improvement Program).

Actions planned to reduce lead-based paint hazards

The City provides financial assistance to income-eligible homeowners to abate lead-based paint hazards through its Home Improvement Program. Paint grants and loans, as well as housing rehabilitation loans, are provided, as well as free lead-based paint testing and education services. Lead-based paint hazards in rental housing can also be addressed through housing rehabilitation loans.

Actions planned to reduce the number of poverty-level families

In 2014 the City adopted a new minimum wage ordinance increasing the local minimum wage, it is currently \$16.05/hour. It will be adjusted annually thereafter by the CPI. This action alone will help many local low-wage workers increase their household incomes to above the federal poverty levels.

The North Valley Workforce and Investment Board ("NOVA") helps prepare lower-income and unemployed residents of Sunnyvale for career growth and stable employment. NOVA provides employment and training services to low-income workers and dislocated professionals within Sunnyvale and the surrounding region under the federal Workforce Investment Act (WIA), with a goal of helping these clients obtain jobs and improve career prospects. In addition, many of the human services supported by the City help impoverished families meet their basic needs in the short term, or help them achieve living-wage employment.

The WorkFirst Sunnyvale Program is also a major anti-poverty program that helps Sunnyvale residents

who are currently homeless or at imminent risk of homelessness increase their incomes through job training and placement, and other employment-supportive services.

Actions planned to develop institutional structure

The institutional structure for carrying out the City's housing and community development activities consists of the City's cooperative relationships within its departments and other government agencies, local residents, non-profit organizations, and other institutions involved in the activities described herein.

Actions planned to enhance coordination between public and private housing and social service agencies

The City and other community development organizations in the County coordinate frequently on a variety of initiatives. The City Housing Division staff participates in a collaborative of HUD entitlement grantees within the County, which holds quarterly meetings to discuss activities, technical assistance issues, and identify future opportunities for coordination and cooperation between local governments, housing providers, social service agencies, and the Housing Authority.

The City also participates in the County's Continuum of Care (CoC), comprised of governmental agencies, homeless service and shelter providers, homeless persons, housing advocates, affordable housing developers, and various private parties, including businesses and foundations. The CoC prepares the Countywide Homelessness Continuum of Care Plan, which seeks to create a comprehensive and coordinated system of affordable housing and supportive services for the prevention, reduction, and eventual end of homelessness. The Plan provides a common guide for the County, cities, service providers, the faith community, the business sector, philanthropy, and the broader community to follow in addressing local housing and the goals and services needs for homeless people. The actions included in this Plan to address housing needs and homelessness are consistent with the CoC's plans and policies. The City's Housing Officer has served on the CoC's "Review and Rank" panel, evaluating and scoring applications for CoC funding, for the past three years.

Sunnyvale also coordinates with other regional agencies, such as the Housing Trust of Silicon Valley, Joint Venture Silicon Valley, NOVA, the County-wide Fair Housing Task Force, and the Valley Transportation Authority, and a number of other non-profit or public agencies, to achieve the goals described within this Action Plan.

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Overall Benefit: FY 2021-2022

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total ESTIMATED amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	50,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	50,000

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income in FY 2021/22.	90.00%
Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	

HOME Investment Partnership Program (HOME) Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows: N/A
2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Not applicable: The City has not allocated any HOME funds for homebuyer program activities since 2014. The City does not plan to fund any home buyer loans with HOME funds for the foreseeable

future, since market-rate home prices in the City are far too high for such a program to be feasible, and the City has enough local (non-federal) Housing funds to meet demand for down payment assistance loans related to its inclusionary housing program.

For several years prior to 2014, the City allocated HOME funds for a First-Time Home Buyer (FTHB) Program, but only a very small number of HOME loans were made, and those were used to buy price-restricted affordable homes through the City's inclusionary home buyer program. These homes are subject to a thirty-year resale restriction. Currently there are four outstanding FTHB loans made with HOME funds at that time. These four loans are subject to the "resale" restriction rather than the "recapture" provision, consistent with the City's First Time Home Buyer Program guidelines, and the inclusionary program's resale restrictions. These restrictions are also included in the HOME loan documents and affordability covenants recorded against the home. The FTHB Program Guidelines, available online, and the provisions of the City's HOME Promissory Note and Loan Agreement comply with the resale provisions and requirements set forth in 24 CFR 92.254, and were approved by HUD in 2011. For the four participants who purchased inclusionary homes, the "resale option" was used to meet HOME program requirements. Although the market-rate home purchase option was made available for the several years during which the HOME FTHB program operated, and during that time the City had loan documents and guidelines available to impose the "recapture" provisions, the City never made any HOME loans to assist with purchase of market-rate homes, as none ever progressed to an escrow closing. The City does not plan to allocate HOME funds to home buyer activities in the future because the unpredictability of such transactions occurring in any given year does not mesh well with the expenditure deadlines imposed by the HOME regulations, and because there is no inventory of market-rate homes affordable to lower-income buyers.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Please see above. The City's FTHB program has not been funded with HOME funds since 2014 and the City does not intend to fund such activities in the future. The four outstanding HOME-funded FTHB loans made before 2014 used the resale method, which is a 30-year price restriction imposed through the City's inclusionary housing program (a.k.a. Below Market Rate Home Ownership Program, Sunnyvale Municipal Code 19.67) documents and is also included in the FTHB loan documents. For more information about the FTHB guidelines and the BMR Program, please see the information on the City's website: <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=22887> [note that Guidelines still reference HOME funds as a possible funding source, although the City is no longer

allocating HOME funds to this program.]

Chapter 19.67 of Sunnyvale Municipal Code:

http://qcode.us/codes/sunnyvale/view.php?topic=19-5-19_67-19_67_070&frames=off

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Not Applicable. The City has not and does not plan to use HOME funds to refinance existing debt on multi-family housing.

The City does not use any of the methods addressed in Questions 1-4 above in administering its HOME programs.

Attachments

Proof of Publication and Citizen Participation Comments

Map of CDBG Eligible Neighborhoods



City of Sunnyvale

Meeting Minutes - Draft (excerpt) Housing and Human Services Commission

Wednesday, March 24, 2021

7:00 PM

Telepresence Meeting: Web Stream

- 2** [21-0283](#) Evaluations and Funding Recommendations for FY 2021/22
and FY 2022/23 Human Services Grants and FY 2021/22
CDBG/HOME Capital Project Loans

Leif Christiansen, Housing Programs Analyst, gave the staff report.

After clarifying questions of staff, Chair Hiremath opened the public hearing at 7:33 p.m.

The following agency representatives spoke on behalf of their programs, thanked the commissioners for past support and expressed support for the funding recommendations.

- Pat Lawson-North and Frank Hernandez for Vision Literacy Program
- Pilar Furlong for Bill Wilson Center counseling services
- Marie Bernard for Sunnyvale Community Services Food Program, and for WorkFirst Sunnyvale in partnership with Downtown Streets Team
- Amanda Olson for Downtown Streets Team WorkFirst Sunnyvale project
- Anne Petersen for Live Oak Adult Day Services
- Ann Marquart for Project Sentinel Fair Housing Services
- Teresa Johnson for The Health Trust Meals-on-Wheels Program
- Jordan Dancer for Next Door Solutions for Domestic Violence
- Georgia Bacil for Senior Adults Legal Assistance

Chair Hiremath closed the public hearing at 7:52 p.m.

After a lengthy discussion and additional clarifying questions, Chair Hiremath asked for a motion.

MOTION: Commissioner Gilbert moved and Chair Hiremath seconded the motion to approve Alternative 1: Recommend that City Council fund the CDBG capital project and human services proposals in the amounts shown in Attachments 2 to the report,

and the General Fund human service proposals show in Attachment 3 to the report with the following modifications:

1. Any allowable portion of additional CDBG program income received shall be allocated to the CDBG public services applicants based proportionally on their funding gap (difference between amount requested and amount funded via staff recommendation); and
2. Recommend that the City Council increase the General Fund supplement for human services funding from \$135,000 to \$200,000 for the CDBG public service applicants, to be allocated proportional to their funding gap (difference between amount requested and amount funded via staff recommendation).

The motion carried by the following vote:

Yes: 6 - Chair Hiremath
Vice Chair Stetson
Commissioner Gilbert
Commissioner Kwok
Commissioner Sell
Commissioner White

No: 0

General Fund Human Services Draft Recommendations

Agency Name	Program	Final Rank	Average Staff Rating	Funding Amount Requested	STAFF RECOMMENDATION
Catholic Charities	Older Adult Ombudsman Program	1	100	\$ 10,000	\$ 10,192
SALA	Legal Assistance for Older Adults	2	99	\$ 15,000	\$ 15,192
The Health Trust	Meals On Wheels	3	98	\$ 24,000	\$ 24,195
Silicon Valley Independent Living Center	Emergency Assistance and Housing	4	95	\$ 24,494	\$ 24,686
AbilitiesPath	Support for Adults w/ Developmental Disabilities	5	94	\$ 12,400	\$ 12,592
Friends for Youth	Mentor Program	6	91	\$ 15,000	\$ 15,192
Next Door	Domestic Violence Support and Counseling	7	91	\$ 10,000	\$ 10,192
Live Oaks Adult Day Program	Adult Day Program Services (Dependent Seniors)	8	90	\$ 10,000	\$ 10,192
Vision Literacy	ESL Program for Adults	9	84	\$ 12,375	\$ 12,567
Total Funding Recommendations					\$ 135,000
Total Funds Available					\$ 135,000
Remaining Funds *					\$ -



City of Sunnyvale

Excerpt Meeting Minutes - Draft Housing and Human Services Commission

Wednesday, April 14, 2021

7:00 PM

West Conference Room, City Hall, 456 W.
Olive Ave., Sunnyvale, CA 94086

Special Meeting

CALL TO ORDER

Chair Hiremath called the meeting to order at 7 p.m.

ROLL CALL

Present: 6 - Chair Ken Hiremath
Vice Chair Elinor Stetson
Commissioner Diana Gilbert
Commissioner Minjung Kwok
Commissioner Linda Sell
Commissioner Emily White

- 2** [21-0069](#) Consider Approval of Draft 2021 Housing and Urban
Development (HUD) Action Plan

Leif Christiansen, Housing Programs Analyst, provided the staff report.

After clarifying questions of staff, Chair Hiremath opened and closed the public hearing at 7:28 p.m. No members of the public asked to speak.

After a short discussion, Chair Hiremath asked for a motion.

MOTION: Vice Chair Stetson moved and Commissioner Gilbert seconded the motion to approve Alternative 1: Recommend that the City Council approve the 2021 HUD Action Plan as shown in Attachment 2 of the staff report.
The motion carried by the following vote:

Yes: 6 - Chair Hiremath
Vice Chair Stetson
Commissioner Gilbert
Commissioner Kwok
Commissioner Sell
Commissioner White

No: 0



City of Sunnyvale

Agenda Item

21-0518

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

CONTINUED FROM APRIL 6, 2021

Introduce an Ordinance Making Minor Amendments to Chapters 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), 19.24 (Office and Public Facilities Zoning Districts), and 19.79 (Accessory Dwelling Units) of the Sunnyvale Municipal Code and Amending Chapter 19.98 (General Procedures) of the Sunnyvale Municipal Code to Create a Procedure for Appealing Incompleteness Determinations, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA

SUMMARY OF COMMISSION ACTION

The Planning Commission considered this item on April 12, 2021.

The Planning Commission voted to approve Alternative 1: Forward a Recommendation to Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA with a 5-0 vote with one absence and one abstention. The report to the Planning Commission is Attachment 1.

Ordinance Modification Subsequent to the Planning Commission Hearing

After the Planning Commission hearing on the ordinance modifications, it was realized that two of the sites with the general plan designation of Village Mixed Use are zoned Office (O) while the other parcels designated as future village centers are zoned Neighborhood Business (C-1). Due to this realization, language has been added to Section 19.24.040 (Uses requiring use permits; office zoning district) that is similar to the language modifications in Chapter 19.20 (Commercial zoning districts) that specifies what density or residential zoning standards apply when the site's zoning designation is not residential, but the general plan designation allows residential. The specific language can be found in the updated Attachment 2.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that

- these Actions are Exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Introduce an Ordinance with modifications. Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission with modifications, and Find that these Actions are Exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
 3. Do not introduce the Ordinance and do not amend the fee schedule.

STAFF RECOMMENDATION

Alternative 1: Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.24, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from the California Environmental Quality Act (CEQA) pursuant to the California Environmental Quality Act Guidelines Section 15061(b)(3).

Making the proposed changes to the Sunnyvale Municipal Code will help staff provide information to the community and applicants that is clear and understandable. The modifications associated with the Village Center properties will help protect existing neighborhoods by allowing compatible residential development, and the City by creating an appeal process for incompleteness determinations. Staff has seen an increase in the number of applications for Accessory Dwelling Units and has struggled with explaining the sections proposed for amendment to the public. These changes will clarify the standards for staff and the public and make the process more seamless.

Prepared by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Assistant Director, Community Development

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Report to Planning Commission 21-0380, April 12, 2021 (without attachments)
2. Draft Ordinance
3. Draft Fee Resolution

Additional Attachments for Report to Council

4. Excerpt of Final Minutes of the Planning Commission Meeting of April 12, 2021



City of Sunnyvale

Agenda Item

21-0380

Agenda Date: 4/12/2021

REPORT TO PLANNING COMMISSION

SUBJECT

Recommend that the City Council Introduce an Ordinance Making Minor Amendments to Chapters 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), and 19.79 (Accessory Dwelling Units) of the Sunnyvale Municipal Code and Amending Chapter 19.98 (General Procedures) of the Sunnyvale Municipal Code to Create a Procedure for Appealing Incompleteness Determinations, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA

BACKGROUND

In recent years the State legislature has adopted numerous bills that affect how local agencies must handle applications for residential development. Zoning code modifications were adopted by the City Council to address:

- Residential Development in Non-residential Zoning Districts (Ordinance Introduced November 5, 2019, RTC No. 19-1162)
- Accessory Dwelling Unit (ADU) regulations (Ordinance introduced December 10, 2019, RTC No. 19-1249)

Staff has been able to address additional State requirements administratively; however, based on more experience with these State codes, staff finds that it is prudent to adopt amendments to the Zoning Code to more clearly address the State provisions. The proposed Ordinance makes several minor changes to the Sunnyvale Municipal Code (SMC), Title 19 (Zoning), primarily affecting residential development:

- Authorize the Director of Community Development to create forms and requirements for processing Density Bonus applications.
- Clarify that a residential project on a commercially zoned site will be subject to residential zoning standards.
- Make minor technical amendments and clarifications to the City's Accessory Dwelling Unit Ordinance.
- Create a process for appealing a staff determination that a development application is incomplete.

The City Council is scheduled to consider this item on May 4, 2021.

EXISTING POLICY

SUNNYVALE GENERAL PLAN

Land Use and Transportation Element

21-0380

Agenda Date: 4/12/2021

Policy LT-4.2b - Amend the Zoning Code and Zoning Map to incorporate mixed-use zoning districts in appropriate portions of Village Centers and Corridor Mixed-Use designations.

Policy LT-4.3 - Enforce design review guidelines and zoning standards that ensure the mass and scale of new structures are compatible with adjacent structures, and also recognize the City's vision of the future for transition areas such as neighborhood Village Centers and El Camino Real Nodes.

Goal LT-5 - Creation, preservation, and enhancement of Village Centers and neighborhood facilities that are compatible with residential neighborhoods. Support the development of Village Centers that create an identity and "sense of place" for residential neighborhoods, provide neighborhood gathering places, and allow a vibrant mix of public, commercial, and residential activities. Through development review and other permitting processes, ensure adequate protection is provided to residential neighborhoods when new uses and development projects are considered.

Housing Element

Policy HE-4.7 - Take advantage of existing infrastructure and public improvements to provide additional housing by allowing accessory living units within residential neighborhoods.

ENVIRONMENTAL REVIEW

The actions being considered do not require environmental review pursuant to California Environmental Quality Act Guidelines Section 15061(b)(3) because the proposed amendments are technical and administrative in nature and do not change the uses or intensity of development allowed within the City. Therefore, it can be seen with certainty that there is no possibility that the proposed actions will have an impact on the environment.

DISCUSSION

Staff is proposing several minor modifications to SMC Sections of Chapter 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), 19.79 (Accessory Dwelling Units), and 19.98 (General Procedures) of Title 19 (Zoning). The draft Ordinance can be reviewed in Attachment 2. In addition, staff is also proposing to create a new fee for appeals of incompleteness decisions (Attachment 3). The proposed changes are described below in detail.

Density Bonus Application Guidelines

Historically, Sunnyvale received very few requests for incentives, concessions or waivers under the Density Bonus Law (Government Code Section 65915). However, many residential projects in Sunnyvale now include a Density Bonus component, most of which include minor concessions or waivers. In order to facilitate staff's ability to process these requests, and to ensure that the City's requirements are clear and understood by developers, staff proposes an amendment to SMC Section 19.18.025 that will authorize the Director of Community Development to establish guidelines, forms and requirements for the filing, processing, and consideration of Density Bonus applications. The proposed amendment will also remove a reference to a maximum 35% density bonus, as this is no longer consistent with state law.

Residential Projects in Commercial Zones

In 2017, when the City updated the Land Use and Transportation Element (LUTE) of the General Plan, certain properties within the C-1 (Neighborhood Business) zoning district were designated for future mixed-use Village Centers. At the LUTE adoption, the properties were not rezoned to a compatible residential or mixed-use zoning designation because it was anticipated that the rezoning

21-0380

Agenda Date: 4/12/2021

would occur during the process for future area plan preparation and redevelopment of the property. Provisions in the State Legislature's 2019 housing package (Senate Bill 330) included limitations for the ability of a jurisdiction to deny residential projects on sites that have been designated for residential under the jurisdiction's General Plan, even if the underlying zoning does not permit residential uses. Sunnyvale's Land Use and Transportation Element (adopted 2017) contemplated the preparation of area plans for the Village Centers which would establish development standards for each site. Under the California Housing Accountability Act (as amended in 2017), a local agency cannot deny an application for a residential development unless it is inconsistent with the agency's objective development standards. SB 330 broadened this requirement to state that a residential project is allowed if it is consistent with either the General Plan designation or zoning. Although the LUTE contemplated future adoption of Village Center plans before a residential project would be approved, the LUTE designated the Village Centers for residential development at an average density of 18 dwelling units per acre. Although this aspect of SB 330 has not yet been tested in court, adoption of a Village Center plan likely does not meet the definition of an "objective standard" under the Housing Accountability Act because the requirements are not knowable to the developer. Therefore, the proposed amendment to Sunnyvale Municipal Code Section 19.20.040 clarifies that when state law requires the City to allow a residential project on a commercially zoned site, the project is subject to the compatible residential standards that apply to a project of equivalent density.

Accessory Dwelling Units

The State Legislature's 2019 housing package included major changes to the Accessory Dwelling Unit (ADU) law (Government Code Section 65852.2). In response, the City Council adopted new ADU regulations in early 2020, codified as SMC Chapter 19.79. Over the past year, staff has identified several items of the ADU Ordinance that need to be clarified. The proposed revisions include the following:

- Amend SMC Section 19.79.020(d) to clarify that applicants are not required to replace covered parking spaces that are removed or demolished as a result of the construction of an ADU (such as a garage conversion). Staff intended to mirror the text of the state law, but inadvertently omitted the word "covered".
- Add a definition of "multi-family dwelling structure" to SMC Section 19.79.030(a) to be consistent with the state law governing ADUs on multi-family properties. Sunnyvale's Zoning Code defines a multi-family dwelling as a building with three or more units, and duplexes are a separate category. For purposes of ADU regulations, state law defines a multi-family dwelling structure as a building with two or more attached dwelling units.
- Amend SMC Section 19.79.030(b) to clarify that *at least one* ADU may be created from non-liveable interior space in a multi-family dwelling structure. Also, clarify that only standard ADUs (SADUs) are allowed in multi-family dwellings, not junior ADUs (JADUs).
- Amend the first line of SMC Section 19.79.030(c) to clarify that the requirements in that subsection apply to ADUs that are converted from interior space in accessory structures as well as in single family homes.
- Amend SMC Section 19.79.030(c)(6) to clarify that a JADU may be included with either an existing or proposed single family dwelling.
- Add a reference to "required rear yard maximum lot coverage" in SMC Section 19.79.040 to clarify that this is one of the zoning standards that applies to non-streamlined ADUs.
- Correct a typographical error in SMC Section 19.79.060.

Appeals of Incompleteness Determinations

21-0380

Agenda Date: 4/12/2021

When a development application is received, staff reviews the application to determine if it contains all the required submittal information. If required submittal material is missing, staff notifies the applicant that the application is "incomplete." Once this determination is made, the project does not move forward in the process until the applicant submits the missing information or otherwise corrects the deficiencies in their application.

The Permit Streamlining Act (Government Code Section 65943) requires agencies to provide a way for applicants to appeal a determination that their application is incomplete. Sunnyvale never adopted a specific appeal process for incompleteness determinations because these appeals were very rare. State law historically gave city staff broad discretion to determine what information was needed in an application, so developers had little to gain by appealing. However, as a result of the recent changes to state housing law, staff has less discretion and must comply with stricter processing requirements for residential applications. For example, the items listed on the notice of incompleteness must be based on objective standards that were disclosed to the applicant on the City's submittal checklist. As a result, residential developers may be more inclined now to appeal incompleteness determinations. Recently, staff was faced with this situation, but was able to resolve the issue without an appeal hearing.

SMC Section 19.8.070 allows any person aggrieved by a decision of the Director of Community Development to appeal the decision to the Planning Commission. Furthermore (unless modified by another section of the Code), any decision of the Planning Commission can be appealed or called up by City Council. Under the Permit Streamlining Act, appeals of incompleteness determinations must be decided within 60 days, *including* any subsequent appeal to a higher body. This creates a very short timeline for both hearings. Depending on the Planning Commission and City Council schedules, the City may have to call special meetings to meet the 60-day deadline.

The proposed Ordinance would add a new appeal process to SMC Chapter 19.98 (General Procedures). Applicants will be required to file a written appeal within 15 days of being notified that the application was incomplete. The appeal will be heard by the Planning Commission within 60 days as required by state law. The Planning Commission's decision shall be final (i.e., there would be no further appeal to the City Council). The proposed Ordinance includes findings that mirror the requirements set forth in the Permit Streamlining Act.

Fees for Appealing Decisions to Planning Commission

The City's Master Fee Schedule does not include a specific fee for appealing a decision of the Director of Community Development to the Planning Commission, such as an appeal of an incompleteness determination. Staff proposes to amend the Fee Schedule to add a fee of \$206 for such appeals (plus the appellant would be subject to the Technology Surcharge fee of \$22.25 which applies to any Planning application filed). This fee is the same amount as "Appeal of Non-Public Hearing Decision of staff" which is considered by the Planning Commission.

FISCAL IMPACT

A small amount of revenue may be generated by the proposed fee depending on the number of appeals filed. Appeal fees have typically been kept lower than actual cost to enable community members to participate in the discretionary review process. The staff is currently working on a comprehensive update to the Development Services fees and all appeal fees, including this new fee, will be examined as part that effort.

21-0380

Agenda Date: 4/12/2021

PUBLIC CONTACT

As of the date of staff report preparation, staff has received no comments on the item.

Notice of Public Hearing

- Published in the *Sun* newspaper

Staff Report

- Posted on the City's website

Agenda

- Posted on the City's official notice bulletin board
- Posted on the City's website

ALTERNATIVES

Recommend that the City Council:

1. Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA.
2. Introduce an Ordinance with modifications.
3. Do not introduce the Ordinance and do not amend the fee schedule.

STAFF RECOMMENDATION

Alternative 1: Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from the California Environmental Quality Act .

Making the proposed changes to the Sunnyvale Municipal Code will help staff provide information to the community and applicants that is clear and understandable. The modifications associated with the Village Center properties will help protect existing neighborhoods by allowing compatible residential development, and the City by creating an appeal process for incompleteness determinations. Staff has seen an increase in the number of applications for Accessory Dwelling Units and has struggled with explaining the sections proposed for amendment to the public, these changes will clarify the standards for staff and the public and make the process more seamless.

Prepared by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Assistant Director, Community Development

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. *Reserved for Report to Council*
2. Draft Ordinance
3. Draft Fee Resolution

21-0380

Agenda Date: 4/12/2021

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND CHAPTER 19.18 (RESIDENTIAL ZONING DISTRICTS), CHAPTER 19.20 (COMMERCIAL ZONING DISTRICTS), CHAPTER 19.24 (OFFICE AND PUBLIC FACILITIES ZONING DISTRICTS), CHAPTER 19.79 (ACCESSORY DWELLING UNITS), AND CHAPTER 19.98 (GENERAL PROCEDURES) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE.

WHEREAS, the City of Sunnyvale desires to amend certain sections of Title 19 (Zoning) of the Sunnyvale Municipal Code.

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

SECTION 1. Section 19.18.025 AMENDED. Section 19.18.025 of Chapter 19.18 (Residential Zoning Districts) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.18.025. Density bonus.

A density bonus ~~of up to thirty-five percent~~ above the maximum allowable density of a residential zoning district may be granted under California Government Code Sections 65915 through 65918 and through other development incentives adopted by the city council. An application for a density bonus and any associated incentives, concessions, waivers of development standards, or modified parking ratios shall be submitted with the application for a discretionary permit for the development. The director of community development may establish guidelines, forms, and submittal requirements for the filing, processing, and consideration of density bonus applications.

SECTION 2. Section 19.20.040 AMENDED. Section 19.20.020 of Chapter 19.20 (Commercial Zoning Districts) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Section 19.20.040. Uses requiring use permit; all commercial zoning districts.

(a) [Text unchanged]

(b) If state law requires the city to allow a residential use on a commercially zoned site, such use shall require a use permit, or, if required by Chapter 19.90 of this code, a special development permit. The project shall comply with the residential density and other residential standards applicable to the site in the General Plan. The project shall also comply with all zoning standards that apply to residential uses in the

lowest density residential zoning district that is equivalent to the density of the proposed project.

SECTION 3. Section 19.24.040 AMENDED. Section 19.24.020 of Chapter 19.24 (Office and Public Facilities Zoning Districts) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Section 19.24.040. Uses requiring use permit; office zoning district.

(a) – (b) [Text unchanged]

(c) Any residential project that is allowed with a use permit in an office zoning district that has a General Plan Land Use Designation of Village Center shall comply with the residential density and other residential standards applicable to the site in the General Plan. The project shall also comply with all zoning standards that apply to residential uses in the lowest density residential zoning district that is equivalent to the density of the proposed project.

SECTION 4. Section 19.79.020 AMENDED. Section 19.79.020 of Chapter 19.79 (Accessory Dwelling Units) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.79.020. Requirements applicable to all accessory dwelling units.

(a) – (c) [Text unchanged]

(d) Parking. No off-street parking spaces are required for an accessory dwelling unit, and the applicant shall not be required to replace any covered parking spaces that are removed or demolished as a result of the construction of the accessory dwelling unit.

(e) – (g) [Text unchanged]

SECTION 5. Section 19.79.030 AMENDED. Section 19.79.020 of Chapter 19.79 (Accessory Dwelling Units) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.79.030. Streamlined approval of certain accessory dwelling units.

(a) The lot contains an existing or proposed single-family dwelling or an existing multi-family dwelling structure. For purposes of this chapter, a duplex shall be treated as a multi-family dwelling structure.

(b) Number of Units Allowed.

(1) [Text unchanged]

(2) Multi-Family. On lots that contain an existing multi-family dwelling structure,

(A) [Text unchanged]

(B) At least one standard ~~One or more~~ accessory dwelling units may be created within a multi-family dwelling structure by converting interior non-livable space under subsection (e) of this section. The maximum number of accessory dwelling units so created shall not exceed twenty-five percent of the total number of dwelling units in the existing multi-family structure prior to the addition of any accessory dwelling units.

(c) Interior space within a single-family dwellings ~~or accessory structure~~.

(1) – (5) [Text unchanged]

(6) Junior Accessory Dwelling Units. The following additional requirements apply to junior accessory dwelling units.

(A) A junior accessory dwelling unit shall be no more than five hundred square feet gross floor area in size and must be contained entirely within the walls of an existing or proposed single-family dwelling.

(B) – (E) [Text unchanged]

(d) – (g) [Text unchanged]

SECTION 6. Section 19.79.040 AMENDED. Section 19.79.040 of Chapter 19.79 (Accessory Dwelling Units) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

(a) – (e) [Text unchanged]

(f) All other applicable zoning requirements in Title 19 shall be satisfied, including, but not limited to, lot coverage, required rear yard maximum lot coverage, floor area ratio, open space, and design review, as long as those requirements permit construction of an accessory dwelling unit that is at least eight hundred square feet gross floor area in size, at least sixteen feet in height measured from within five feet of the structure from the ground to the highest point on the roof, with at least four-foot side and rear setbacks, and which complies with all other applicable development standards.

(g) [Text unchanged]

SECTION 7. Section 19.79.060 AMENDED. Section 19.79.060 of Chapter 19.79 (Accessory Dwelling Units) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

(a) [Text unchanged]

(b) The following accessory dwelling units shall be exempt from any requirement to install a new or separate utility connection and to pay any associated connection or capacity fees or charges:

(1) Junior accessory dwelling units.

(2) Standard accessory dwelling units converted from interior space under Section ~~19.79.020(e)~~ 19.79.030(c), unless the unit is constructed with a new single-family home

SECTION 8. Section 19.98.040 AMENDED. Section 19.98.040 of Chapter 19.98 (General Procedures) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

Table 19.98.040
Public Notice

In the table, the words and symbols are defined as follows:

“Yes” = Required

“-” = Not required

Decision Procedure	Mailing	On-Site Posting	Bulletin	Newspaper	Minimum Days before Decision
Director Decision with Public Notice and No Hearing	Yes	Yes	-	-	14 days or per CEQA
Public Hearing for Site-Specific Application	Yes	Yes	Yes	Yes	10 days or per CEQA
Public Hearing on Legislative Action (such as a zoning text amendment)	-	-	Yes	Yes	10 days or per CEQA
Public Hearing for Appealed Decision	Yes	-	Yes	-	10 days
<u>Public Hearing for Appeal of Incompleteness Determination</u>	<u>-</u>	<u>-</u>	<u>Yes</u>	<u>-</u>	<u>3 days</u>

SECTION 9. Section 19.98.075 ADDED. Section 19.98.075 of Chapter 19.98 (General Procedures) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby added to read as follows:

19.98.075. Appeals of incompleteness determinations.

(a) An applicant for a development project that is subject to Section 65920 et seq. of the California Government Code (known as the Permit Streamlining Act) may appeal a determination that the zoning application is incomplete.

(b) The appeal shall be in writing and shall state the facts and basis for the appeal, and the relief or action sought, and shall be accompanied by the required fee.

(c) The appeal shall be filed with the community development department by 5:00 p.m. of the fifteenth day after the applicant is notified of the determination that the application is incomplete.

(d) The appeal shall be heard by the Planning Commission no later than sixty days after the filing of the appeal.

(e) After receiving an appeal from the determination that the application is incomplete, and following a public hearing, the planning commission, whose decision is final, by the affirmative vote of a majority of its voting members, shall determine whether the application is complete or incomplete. In order to determine that an application is incomplete, the planning commission must make all of the following findings:

(1) The item or items identified as incomplete by the city were included in the city's submittal requirement checklist.

(2) The city provided the applicant with a notice of the incomplete item or items within thirty calendar days after the city received the applicant's application.

(3) The notice specified those parts of the application that were incomplete and indicated the manner in which they could be made complete, including a list and thorough description of the specific information needed to complete the application.

(4) The applicant resubmitted the application.

(5) The materials provided by the applicant with the resubmitted application did not include information identified and described in the notice of incompleteness.

(f) The city shall provide the applicant a written notice of the planning commission's decision following the hearing and before the expiration of the sixty day period for hearing the appeal.

SECTION 10. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 11. 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 12. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 13. 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 _____, 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:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AMENDING RESOLUTION NO. 1002-20,
THE CITY'S FEES, RATES AND CHARGES RESOLUTION,
PERTAINING TO APPEALS OF INCOMPLETENESS
DETERMINATIONS**

WHEREAS, the City Council of the City of Sunnyvale ("City") adopted Resolution No. 1002-20, the Master Fee Schedule, on June 23, 2020; and

WHEREAS, Government Code Section 65943 requires agencies to provide a process for applicants to appeal a determination that their application for a development permit is incomplete; and

WHEREAS, Government Code Section 65943 further requires appeals of incompleteness determinations to be decided within sixty days, including any subsequent appeal to a higher body; and

WHEREAS, under certain circumstances, in order to hear appeals of incompleteness determinations in the timeline required by Government Code Section 65943, the City may have to call special meetings, which would result in additional expenses that are not covered by the existing fee for appeals of Planning Commission decisions; and

WHEREAS, the City Council is empowered to impose reasonable fees, rates, and charges to offset the costs for municipal services; and

WHEREAS, the City desires to implement a new fee for the appeals of incompleteness determinations as set forth in Exhibit "A."

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SUNNYVALE AS FOLLOWS:**

1. Section 4.02(g), "Planning Commission Hearings" of the Master Fee Schedule, is hereby adopted as set forth in Exhibit "A", attached hereto and incorporated herein.
2. The establishment of fees herein is exempt from the requirements of the California Environmental Quality Act pursuant to Public Resources Code 15378(b)(4) because it is related to the creation of government funding mechanisms or other fiscal activities which do not involve any commitment to any specific project.
3. All other provisions of Resolution No. 1002-20 shall remain in effect.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

	Fiscal Year <u>2020/21</u>	FY 2020/21 SDP	FY 2020/21 Charge Code	FY 2021/22 Oracle Prog	Object Level OL 3&4 Combined <u>3 & 4</u>		Natural Account
<u>4.02(c) STAFF LEVEL PERMITS AND REVIEWS - NO PUBLIC HEARINGS</u>							
Design Review: Except SFH/DUP (Architecture, Landscaping, Lighting, etc.)	<u>\$416.00</u>	234.15 - Zoning Design Review	234150	10413	1650	1650-00	432019
Short-Term Rental Director Review	<u>\$70.00</u>	234.09 - Zoning Administration	234090	10409	1650	1650-00	432019
Extension of Time: Major/Minor Permits and Tentative Maps	<u>\$917.00</u>	234.09 - Zoning Administration	234090	10409	1650	1650-00	432019
Family Day Care - Large (not within 300 ft. of another)	<u>No Fee</u>						
Miscellaneous Plan Permit Residential <3 units (MPP or Unspecified)	<u>\$206.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Miscellaneous Plan Permit Residential 3 or more and non-residential (MPP or Unspecified)	<u>\$412.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Mobile Vendor Permit	<u>\$416.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Preliminary Project Review	<u>\$1,030.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Re-Naming of Private Streets	<u>\$917.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Temporary and Unenclosed Uses	<u>\$171.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Transportation Demand Management Plan - New or Revised Plan	<u>\$917.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Tree Removal Permit	<u>\$310.00</u>	234.16 - Zoning Tree Removal Permits	234160	10414	1650	1650-00	432019
Tree Removal Permit with Certified Arborist Report	<u>\$171.00</u>	234.16 - Zoning Tree Removal Permits	234160	10414	1650	1650-00	432019
Tree Removal Permit (PG&E)	<u>No Fee</u>	234.16 - Zoning Tree Removal Permits	234160	10414	1650	1650-00	432019
Waiver of Undergrounding	<u>\$1,727.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Zoning Exception	<u>\$141.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Appeal of a Decision of the Community Development Director to Planning Commission	<u>\$206.00</u>	234.09 - Zoning Administration	234090	10409	1351 - 1	1351-01	430715
Appeal of Non-Public Hearing Decision	<u>\$206.00</u>	234.09 - Zoning Administration	234090	10409	1650	1650-00	432019

3. [21-0380](#) Recommend that the City Council Introduce an Ordinance Making Minor Amendments to Chapters 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), and 19.79 (Accessory Dwelling Units) of the Sunnyvale Municipal Code and Amending Chapter 19.98 (General Procedures) of the Sunnyvale Municipal Code to Create a Procedure for Appealing Incompleteness Determinations, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA

Commissioner Rheaume recused himself due to a conflict of interest.

Assistant Director Andrew Miner presented the staff report.

Commissioner Harrison asked staff to explain the change being proposed for residential proposed projects on village center properties. Assistant Director Miner clarified that residential developments on village center properties would be subject to R-3 zoning district residential standards, the standards which are most closely related to the 18 dwelling units per acre density allowed for village centers. Commissioner Harrison confirmed with Assistant Director Miner that the ordinance does not propose rezoning village centers. Commissioner Harrison asked how accessory dwelling units would be built in multi-family dwelling structures when the interior non-livable space would most often be required storage areas or parking garages shared by tenants. Senior Assistant City Attorney Rebecca Moon stated that existing State law allows multi-family accessory dwelling units in interior non-livable spaces and that section of the proposed ordinance only seeks to align the language with State law to specify that every multi-family property can have at

least one accessory dwelling unit. Senior Assistant City Attorney Moon stated that State law requires the accessory dwelling units to be within the multi-family dwelling structure and that accessory dwelling units in underground parking structures would probably not be attractive to developers because they would not meet building code standards and would decrease parking availability. Assistant Director Miner added that most Covenants, Conditions and Restrictions prohibit converting non-livable space into accessory dwelling units. Commissioner Harrison confirmed with Senior Assistant City Attorney Moon that the State legislature's intention is to allow accessory dwelling units in multi-family parking garages.

Chair Howard asked if multi-family storage areas must be maintained at a certain size per unit which would prevent converting some or part of them to accessory dwelling units. Senior Assistant City Attorney Moon stated that the City does not have any discretion to prevent the conversion of multi-family storage areas to accessory dwelling units and can only enforce building codes standards for habitable dwelling units.

Chair Howard opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Olevson seconded the motion to approve Alternative 1 - Introduce an Ordinance to Amend Certain Sections of Chapter 19.18, 19.20, 19.79, and 19.98 of Title 19 (Zoning) of the Sunnyvale Municipal Code, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA.

Commissioner Olevson commented that the proposed ordinance's frequent reference to State law helps clarify the reasons for the recommended changes.

The motion carried by the following vote:

Yes: 5 - Chair Howard
Commissioner Harrison
Commissioner Howe
Commissioner Olevson
Commissioner Weiss

No: 0

Absent: 1 - Vice Chair Simons

Recused: 1 - Commissioner Rheaume

Assistant Director Miner stated this recommendation will be forwarded to the City Council for consideration at the May 4, 2021 meeting.



City of Sunnyvale

Agenda Item

21-0377

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Proposed Project:

GENERAL PLAN AMENDMENT INITIATION (GPI): Consideration of initiating amendment of the Lakeside Specific Plan to modify the timing of development for the required hotel (approved under Project 2015-7576) and to consider alternative community benefits.

Location: 1250 Lakeside (APNs: 216-43-014, -016, -017, -037, -038, -039 and -040)

File #: 2021-7296

Zoning: Lakeside Specific Plan

Applicant / Owner: Sunnyvale Partners Ltd Co. (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).

Project Planner: Trudi Ryan, (408) 730-7444, tryan@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Lakeside Specific Plan

Existing Site Conditions: Partially Developed Residential and Hotel

Surrounding Land Uses

North: U.S. Highway 101

South: Lake, restaurant and office uses

East: Residential (Avalon apartments)

West: Hotel (Residence Inn)

Issues: Timing of hotel construction

Staff Recommendation: Initiate a General Plan Amendment (Specific Plan Amendment) study to amend the Lakeside Specific Plan and to analyze alternative community benefits related to changing the timing of the hotel construction and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15378(a).

BACKGROUND

General Plan Amendment Initiation (GPI) requests from the public are considered on a quarterly basis through a recommendation from the Planning Commission and then action by the City Council. Specific Plan Amendments are handled the same as GPIs and General Plan Amendments (GPAs). The staff may bring a GPI to the City Council and the City Council may on its own initiate a General Plan Amendment without an application and without a recommendation of the Planning Commission.

Although the property owner/developer filed an application for a GPI, staff is requesting the initiation to streamline the process in consideration of other issues with the timing of hotel construction. In this case, if the City Council approves the GPI, a formal application for a GPA and related entitlement requests may then be filed by the property owner/applicant. GPAs must be considered by both the

Planning Commission and City Council.

The City Council policy is to take action on a proposed GPA and related rezoning before a specific project is considered. The potential amendment, in this case, is tied to other entitlements such as a modification to the Special Development Permit and entering into a Post Entitlement Development Agreement. Staff recommends that City Council approve the initiation and that all related requests be considered together (Specific Plan Amendment, Amendment to the Special Development Permit Conditions of Approval, and a Development Agreement).

Description of Proposed Project

The project site is 8.83 acres in size and currently has construction of 250 apartments nearing completion; the site also has approval for a 263 room hotel with conference and banquet space, a restaurant and other hotel amenities. The project includes public access along the lake in partial satisfaction of the park dedication requirements for new residential development. The Lakeside Specific Plan (LSP) and the Special Development Permit approving the development proposal require that the hotel be completed at substantially the same time as the residential development.

See Attachment 2 for more details about the approved project (SDP 2015-7576).

Previous Actions on the Site

The site was formerly developed as a hotel with amenities (including small conference and banquet facilities), which was in operation from 1979 to 2006.

The Lakeside Specific Plan was adopted in 2005 and subsequently amended in 2016 (RTC No. 16-1094). The original LSP established the ability to develop a mixed-use project of a hotel and residential uses. The 2016 amendment included switching the location of the residential and hotel orientation on the property (placing them both adjacent to similar nearby uses), an increase in allowable height (seven feet) for the residential component, and inclusion of 3.44-acre publicly accessible park area, adjacent to the lake.

Special Development Permit 2015-7576 was approved at the same time as the amendment to the Lakeside Specific Plan, in December 2016 (addressed in the same Report to Council No. 16-1094).

EXISTING POLICY

General Plan Goals and Policies:

LAND USE AND TRANSPORTATION ELEMENT

GOAL LT-11 SUPPORTIVE ECONOMIC DEVELOPMENT ENVIRONMENT - Facilitate an economic development environment that supports a wide variety of businesses and promotes a strong economy within existing environmental, social, fiscal, and land use constraints.

Policy LT-11.2 Support a full spectrum of conveniently located commercial, mixed-use, public, and quasi-public uses that add to the positive image of the community.

Policy LT-11.3 Promote business opportunities and business retention in Sunnyvale.

- *LT-11.3a Encourage conveniently located retail, restaurant, and other supportive land uses near business areas.*

GOAL LT-12 A BALANCED ECONOMIC BASE - Develop a balanced economic base that can resist downturns of any one industry and provides revenue for City services.

Policy LT-12.4 Attract and retain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy and provide a range of job opportunities.

- *LT-12.4b Ensure that rezoning of industrial or commercial areas and sites will not significantly hurt the community's economic base.*

Policy LT-12.5 Encourage land uses that generate revenue while preserving a balance with other community needs, such as housing.

- *LT-12.5a Monitor revenues generated by different economic sectors on an ongoing basis.*

Policy LT-12.9 Consider the importance of tax generation (retail, hotel, auto, and business-to-business uses) to support the fiscal health of the community and to fund municipal services.

GOAL LT-14 SPECIAL AND UNIQUE LAND USES TO CREATE A DIVERSE AND COMPLETE COMMUNITY - Provide land use and design guidance so that special and unique areas and land uses can fulfill their distinctive purposes and provide a diverse and complete community fabric.

Existing Plans

Policy LT-14.2 Support the following adopted specialized plans and zoning tools, and update them as needed to keep up with evolving values and new challenges in the community:

Downtown Specific Plan, **Lakeside Specific Plan**, Arques Campus Specific Plan, Lawrence/101 Site Specific Plan, Precise Plan for El Camino Real, Moffett Park Specific Plan, Peery Park Specific Plan, and Lawrence Station Area Plan. (*emphasis added*)

Community Benefits

Policy LT-14.8 Ensure that development projects provide appropriate improvements or resources to meet the city's future infrastructure and facility needs, and provide development incentives that result in community benefits and enhance the quality of life for residents and workers.

- *LT-14.8c Include a discussion of community benefits in area plans and specific plans that defines the City's priorities and outlines an implementation program.*

GOAL LT-6 PROTECTED, MAINTAINED, AND ENHANCED RESIDENTIAL NEIGHBORHOODS -

Ensure that all residential areas of the city are maintained and that neighborhoods are protected and enhanced through urban design which strengthens and retains residential character.

LAKESIDE SPECIFIC PLAN GOALS AND POLICIES:

The Lakeside Specific Plan (LSP) implements goals and policies of the General Plan for the project site. The purpose of the LSP is to facilitate the development of a mixed-use hotel and residential project for the 8.83-acre site located at 1250 Lakeside Drive. The site is recognized as being of significant economic benefit to the City and to the implementation of adopted goals for housing and neighborhood sensitivity.

- The goals for this site as summarized in the LSP:
 - ♦ Create a landmark project that showcases the City at this important gateway site.

- ♦ Maintain a successful hotel that is an important part of the City's economy and business environment.
- ♦ Increase the City's supply of housing stock and improve the jobs/housing ratio.
- ♦ Residential should only be allowed if a high quality residential project is created.

Quotes from the LSP

"Maintaining a successful hotel operation for the property is an important part of the City's economic development objectives."

"the hotel must be a required condition for approval of residential use on the larger portion of the Lakeside Specific Plan site"

6.0 Implementation

The Specific Plan project is not dependent on any public improvements or financing. All funding will be developer driven. On-site maintenance also will be developer financed.

The project may be phased only in the sense that demolition and new construction may require a particular sequence of actions. However, the development of residential units cannot occur without replacement of the hotel use, as planned.

Special Development Permit 2015-7576

- 250 residential units (ranging from 443 to 1,417 sf)
- 263 hotel guest rooms + 3,000 sf restaurant and on-site amenities indoor meeting and banquet space, a fitness room, bar and lounges; and outdoor dining, meeting, and function space including a pool area, dining patios, and a rooftop garden and bar
- Onsite Improvements: Open space with a lakeside promenade, passive recreational space, and outdoor spaces for meetings and special events

Conditions of Approval

GC-11. PROJECT PHASING:

The project shall not be phased during construction. The residential portion of the project shall be constructed at substantially the same time as the hotel portion of the project.

ENVIRONMENTAL REVIEW

The decision to initiate a GPA study does not require environmental review under the California Environmental Quality Act (CEQA) because the mere initiation of a study does not constitute a project under CEQA pursuant to CEQA Guidelines Section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. If initiated, it is anticipated that the proposed GPA would be within the scope of the existing Environmental Impact Report; however, staff will undertake appropriate CEQA review prior to Council final approval of the Project.

DISCUSSION

The Lakeside Specific Plan and the Conditions of Approval for this site require that the residential and hotel components be constructed at substantially the same time. Residential construction is nearing completion whereas permits for foundation and vertical construction of the hotel have not been issued.

Development of the site commenced in July 2019, when the building permit was issued for the residential component of the Project and site improvements for the entire property. A Building Permit application for the hotel was submitted in December 2019; the developer requested that staff wait until March 2020 to review the plans pending submittal of additional materials for the application. Public Health orders for Santa Clara County placed restrictions on construction activity; construction on this site was paused from March 29, 2020 to April 28, 2020. The additional building permit application materials for the hotel were not submitted until September 2020; staff reviewed the plans and provided plan check comments to the applicant in October 2020. No revised plans have been submitted. While permits have not yet been issued for the hotel structure, much of the site work for that portion of the property has been completed under other permits. The Developer expects that the first phase of residential units will be complete and ready for occupancy in June 2021.

Staff and the Developer have been discussing the timing requirements since early 2020, and in more depth since January 2021. The Developer has indicated that delays on the hotel construction are due to a variety of factors including embargos on pre-fab construction (an earlier concept that would have allowed quicker construction of the hotel) and the pandemic uncertainties in the hospitality industry.

Present Site Conditions

Construction of the residential portion of the site is nearing completion. Site work including grading, managing contaminated soils, and some of the utility infrastructure have been completed for the hotel side of the project. The applicant has obtained approval from Santa Clara County Health Department (the agency overseeing the soil remediation requirements) to isolate contaminated soils under the future hotel and hotel garage structures and, for the interim, to fence off the area and to provide a soil cap to the area that will be covered with structures once the hotel is constructed.

Timing of Hotel and Specific Plan Amendment

Staff recommends that the study of a potential amendment to the LSP Plan would focus solely on the timing of the hotel and alternative community benefits until its construction. While the study could examine eliminating the timing requirement entirely, this approach would be a much larger study and could require re-evaluation of the findings of overriding consideration for environmental impacts identified in the EIR (for traffic impacts which could not be feasibly mitigated). Those findings noted the economic benefit of the hotel. If an alternative community benefit were provided, the environmental review could be more streamlined.

FISCAL IMPACT

There is no fiscal impact to initiating a study to consider amending the Lakeside Specific Plan. The applicant would pay a fee that would cover staff time associated with the study. Fiscal impacts associated with the amendment would be included in the staff report on the specific plan amendment study.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

Notice of Public Hearing, Staff Report and Agenda:

- 1 Published in the *Mercury News* newspaper
- 2 Posted on the City of Sunnyvale's Web site

- 3 Agenda posted on the City's official notice bulletin board
- 4 Notices mailed to property owners and tenants within 300 feet

See Attachment 1 for Vicinity and Noticing Map.

As of the date of staff report preparation, staff has received no comments from the public.

ALTERNATIVES

- 1. Initiate a Specific Plan Amendment study to amend the Lakeside Specific Plan and to analyze alternative community benefits related to changing the timing of the hotel construction and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15378(a).
- 2. Do not initiate a Specific Plan Amendment study.

STAFF RECOMMENDATION

Alternative 1: Initiate a Specific Plan Amendment study amend the Lakeside Specific Plan and to analyze alternative community benefits related to changing the timing of the hotel construction and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15378(a).

The current economic situation has added uncertainty in the hotel industry. Considering alternative community benefits to the timing of hotel construction should be explored. If the City Council initiates the Specific Plan Amendment staff would schedule the public hearings for Planning Commission and City Council to consider the amendment and related actions for May and June 2021.

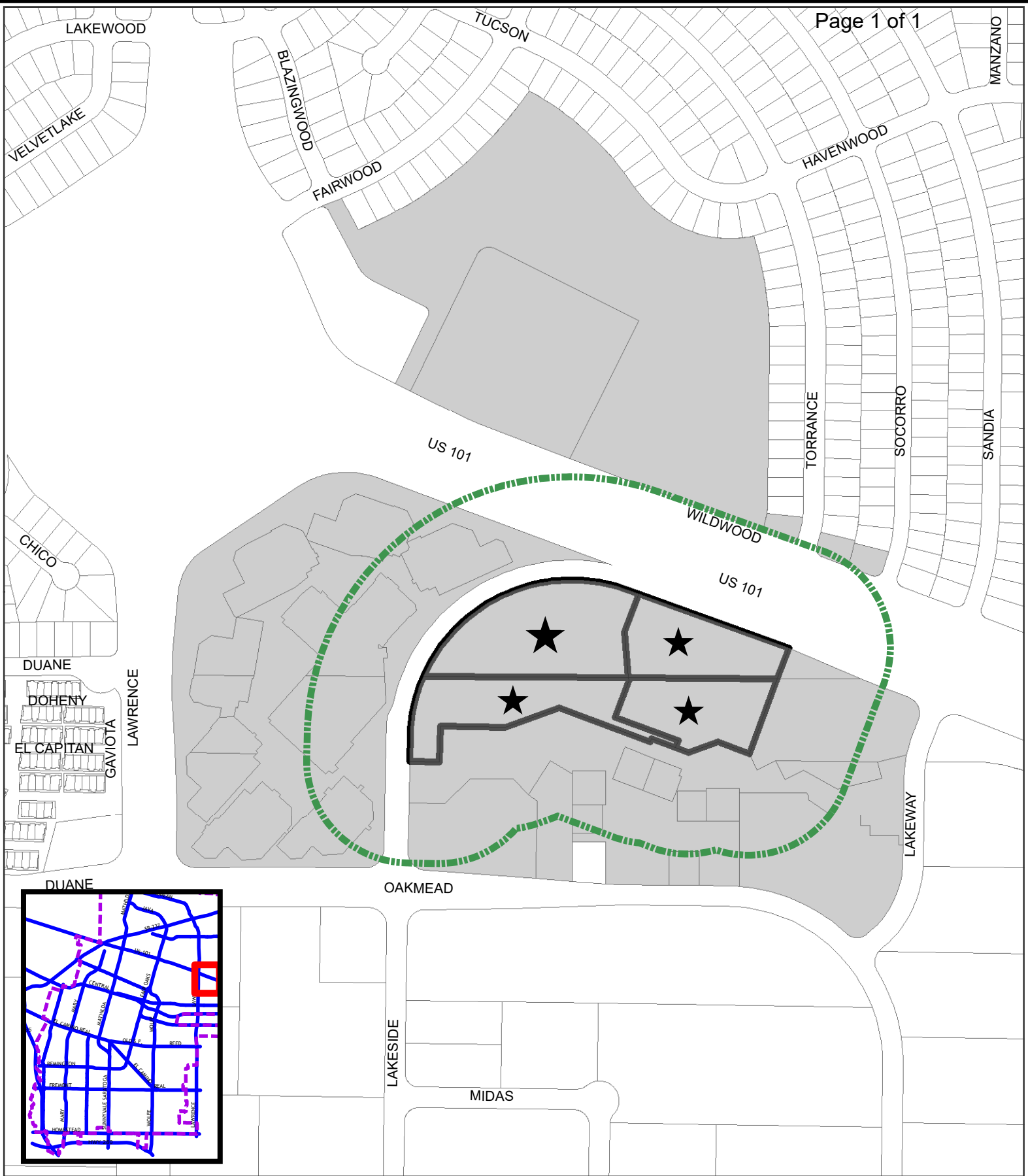
Prepared by: Trudi Ryan, Director, Community Development

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

- 1. Vicinity and Notice Map
- 2. Summary of Lakeside Special Development Permit



2021-7296
 1250 Lakeside Dr (APNs: 216-43-035 and 216-43-036)
 GENERAL PLAN AMENDMENT INITIATION
 300-ft Area

0 120 240 480 Feet



Special Development Permit 2015-7576

Project Description:

Hotel

- 263 rooms;
- Six stories and 85 feet in height (with elements to 100 feet in height);
- Three-level above-grade parking garage and small surface parking lot for a total of 255 parking spaces on the hotel site;
- Attached 3,000 square foot restaurant (open to the public);
- In addition to the restaurant, the hotel would include indoor meeting and banquet space, a fitness room, bar and lounges; and outdoor dining, meeting, and function space including a pool area, dining patios, and a rooftop garden and bar.

Residential:

- 250 apartment units;
- Unit mix is 70 studio units, 110 one-bedroom and 70 two-bedroom units ranging from 443 to 1,417 square feet in size;
- Seven stories and 82 feet in height (with elements to 88 feet in height);
- Podium parking structure with 439 spaces (429 standard spaces and 10 tandem spaces) and three surface parking spaces
- Each unit has 300 cubic feet of lockable storage within the building;
- Proposed residential amenities include a community room (beyond the minimum size required), lounges, fitness rooms, a pool, and outdoor recreation and lounge space.

On-site improvements:

- Open space on the man-made lake-facing side of the project with a lakeside promenade;
- Passive recreational space, and outdoor spaces for meetings and special events;
- Improvements to the existing open space area and pathway system along the entire man-made lake;
- On-site improvements include frontage enhancements along Lakeside Drive;
- The applicant proposes to subdivide the existing site into two lots for each land use, consistent with the LSP.



City of Sunnyvale

Agenda Item

21-0476

Agenda Date: 5/4/2021

Tentative Council Meeting Agenda Calendar



City of Sunnyvale Tentative Council Meeting Agenda Calendar

Monday, May 10, 2021 - City Council

Study Session

21-0115 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews

Tuesday, May 11, 2021 - City Council

Study Session

21-0114 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews

Thursday, May 20, 2021 - City Council

Workshop

21-0116 8:30 A.M. SPECIAL COUNCIL MEETING (Workshop)
Budget Workshop

Tuesday, May 25, 2021 - City Council

Closed Session

21-0442 6 P.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session Held Pursuant to California Government Code Section
54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

Public Hearings/General Business

21-0546 Recommend a Land Use Option for the Development of Proposed
Amendments to the Moffett Park Specific Plan and Analysis in the
Environmental Impact Report (EIR).

21-0371 Accept the findings of a Post-Construction Report and to Retain the Existing
Configuration of the Maude Avenue Class II Bike Lanes between Borregas
Avenue and Fair Oaks Avenue

21-0117 Board and Commission Appointments

21-0528 Approve to Transfer Five General Fund owned parcels to the Housing

Mitigation Fund for the Downtown Special Plan Area Block 15 Development for \$13,667,569 and Approve Budget Modification No. 22 in the amount of \$4,667,569

- 21-0208** Award Two Contracts to Zanker Road Resource Management, Ltd and Sustainable Organic Solutions, LLC for Organic Material Processing at the SMaRT Station® (F21-024)

Tuesday, June 8, 2021 - City Council

Special Order of the Day

- 21-0118** SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members
- 21-0351** SPECIAL ORDER OF THE DAY - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month

Public Hearings/General Business

- 21-0212** Annual City Council Public Hearing on FY 2021/22 Budget and Resource Allocation Plan and Establishment of Appropriations Limit and Sunnyvale Financing Authority Public Hearing on FY 2021/22 Budget
- 21-0437** Consideration of Undergrounding Additional Overhang Services Related to 365 S. Mathilda Avenue
- 21-0500** Consider Approval of the First Substantial Amendment to the 2020 HUD Annual Action Plan

Tuesday, June 15, 2021 - City Council

Public Hearings/General Business

- 21-0213** City Council Adoption of the FY 2021/22 Budget, Fee Schedule and Appropriations Limit, and Sunnyvale Financing Authority Adoption of the FY 2021/22 Budget

Thursday, June 17, 2021 - City Council

Study Session

- 21-0517** 4 P.M. SPECIAL COUNCIL MEETING (Study Session)
Redistricting Commission Interviews

Tuesday, June 29, 2021 - City Council

Special Order of the Day

- 21-0352** SPECIAL ORDER OF THE DAY - Parks and Recreation Month

Public Hearings/General Business

- 21-0082** SMaRT MOU with Mountain View
- 21-0072** Introduce an Ordinance to amend Chapter 19.77 "Inclusionary Below Market Rate Rental Housing" and 19.69 "Below Market Rate Ownership Housing" in Title 19 ("Zoning") of the Sunnyvale Municipal Code to modify the City's Inclusionary Housing Programs
- 21-0090** Proposed Utility Rate Increases for FY 2021/22 Rates for Water, Wastewater, and Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries; Finding of CEQA Exemption Pursuant to Public Resource Code Section 21080(b)(8) and CEQA Guidelines Section 15273
- 21-0343** Redistricting Commission Appointments
- 21-0420** Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy and Collect an Annual Assessment for The Downtown Parking Maintenance District for Fiscal Year 2021/22
- 21-0496** Introduce and Ordinance to Amend Certain Sections of Chapter 12.12 of Title 12 (Sewer Use Regulations)
- 21-0037** Approval of the 2020 Urban Water Management Plan

Tuesday, July 13, 2021 - City Council

Public Hearings/General Business

- 21-0074** Housing Strategy Implementation: Consider Draft Mobile Home Park Memorandum of Understanding
- 21-0443** Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2021/22 County of Santa Clara Property Tax Roll, and Find that this Action is Exempt from CEQA
- 21-0499** Introduce an Ordinance Amending Section 2.28.030 of the Sunnyvale Municipal Code to set Reduce the Number of Signatures Required for District Council Candidates Submitting In-Lieu Petitions for Subsidy of City-Paid Publication Costs of City Council Candidate Statements

Tuesday, July 27, 2021 - City Council

Public Hearings/General Business

- 21-0086** Ordinance Updates for Mandatory Organics Collection Regulation (SB 1383)

Tuesday, August 10, 2021 - City Council

Special Order of the Day

21-0438 SPECIAL ORDER OF THE DAY - Department of Public Safety Special Awards

Public Hearings/General Business

21-0201 Second Quarter General Plan Initiation Requests

Tuesday, August 17, 2021 - City Council

Study Session

21-0161 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, August 31, 2021 - City Council

Study Session

21-0023 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Recreation Administrative Fee and Revenue Policy

Special Order of the Day

21-0353 SPECIAL ORDER OF THE DAY - Library Card Sign-Up Month

Public Hearings/General Business

21-0162 Board and Commission Appointments (as needed)

Tuesday, September 14, 2021 - City Council

Study Session

21-0048 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Consider the Creation of a Formal Process for City Council Colleague Memorandums (Study Issue)

Special Order of the Day

21-0164 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members (as needed)

21-0354 SPECIAL ORDER OF THE DAY - Hispanic Heritage Month

21-0355 SPECIAL ORDER OF THE DAY - POW/MIA Recognition Day

Public Hearings/General Business

21-0163 Agenda Items Pending - to be scheduled

Tuesday, September 28, 2021 - City Council

Special Order of the Day

21-0356 SPECIAL ORDER OF THE DAY - Breast Cancer Awareness Month

21-0357 SPECIAL ORDER OF THE DAY - Active Aging Week and Arts and
Humanities Month

Public Hearings/General Business

21-0166 Agenda Items Pending - to be scheduled

Tuesday, October 12, 2021 - City Council

Study Session

21-0204 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Creation of a Human Relations Commission (Study Issue)

Special Order of the Day

21-0358 SPECIAL ORDER OF THE DAY - Freedom from Workplace Bullying Week

Public Hearings/General Business

21-0167 Agenda Items Pending - to be scheduled

Tuesday, October 26, 2021 - City Council

Public Hearings/General Business

21-0168 Agenda Items Pending - to be scheduled

Tuesday, November 9, 2021 - City Council

Public Hearings/General Business

21-0202 Third Quarter General Plan Initiation Requests

Tuesday, November 16, 2021 - City Council

Study Session

21-0170 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Special Order of the Day

21-0359 SPECIAL ORDER OF THE DAY - Picture Book Month

21-0360 SPECIAL ORDER OF THE DAY - Small Business Saturday

Tuesday, November 30, 2021 - City Council

Public Hearings/General Business

21-0172 Board and Commission Appointments (as needed)

Tuesday, December 7, 2021 - City Council

Special Order of the Day

21-0174 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members (as needed)

Public Hearings/General Business

21-0175 Agenda Items Pending - to be scheduled

Tuesday, December 14, 2021 - City Council

Study Session

21-0186 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Discussion of Upcoming Selection of Vice Mayor

Public Hearings/General Business

21-0176 Agenda Items Pending - to be scheduled

Tuesday, January 4, 2022 - City Council

Special Order of the Day

21-0187 SPECIAL ORDER OF THE DAY - Recognition of Outgoing Vice Mayor

Public Hearings/General Business

21-0189 Selection of Vice Mayor for a One-Year Term Effective January 4, 2022

21-0190 Determine the 2022 Seating Arrangements for City Council

21-0276 Appoint Councilmembers to Intergovernmental Assignments; Ratify Appointments of Councilmembers made by Outside Agencies; Take Action to Modify, Create, or Terminate Council Subcommittees

Tuesday, January 25, 2022 - City Council

Special Order of the Day

21-0188 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Vice Mayor

Public Hearings/General Business

21-0278 Annual Public Hearing-Discussion of Potential Council Study Issues and Budget Issues for Calendar Year 2022

21-0279 Approve the Proposed 2022 Priority Advocacy Issues and Review Long-term Legislative Advocacy Positions (LAPs)

Thursday, January 27, 2022 - City Council

Workshop

21-0179 8:30 A.M. SPECIAL COUNCIL MEETING (Workshop)
Strategic Planning Workshop

Tuesday, February 1, 2022 - City Council

Public Hearings/General Business

21-0203 Fourth Quarter General Plan Initiation Requests

Tuesday, February 8, 2022 - City Council

Study Session

21-0181 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, February 15, 2022 - City Council

Public Hearings/General Business

21-0182 Board and Commission Appointments (as needed)

Thursday, February 17, 2022 - City Council

Workshop

21-0183 8:30 A.M. SPECIAL COUNCIL MEETING (Workshop)
Budget Issues and Study Issues Workshop

Date to be Determined - City Council

Public Hearings/General Business

-
- 21-0091** Adopt a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2021/22 County of Santa Clara Property Tax Roll
- 21-0030** El Camino Real Specific Plan
- 21-0050** Adopt Updated Lawrence Station Area Plan and Related Actions
- 21-0065** Approval of Assessment of Fair Housing Plan



City of Sunnyvale

Agenda Item

21-0483

Agenda Date: 5/4/2021

Board/Commission Meeting Minutes



City of Sunnyvale

Meeting Minutes - Draft

Sustainability Commission

Monday, March 15, 2021

7:00 PM

Telepresence Meeting: City Web Stream

CALL TO ORDER

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Chair Wickham called the meeting to order at 7:01 p.m. via teleconference.

ROLL CALL

Present: 7 - Chair Kristel Wickham
Vice Chair Douglas Kunz
Commissioner Stephen Joesten
Commissioner Shana Padgett
Commissioner Bruce Paton
Commissioner Murali Srinivasan
Commissioner Tonya Veitch

Council Liaison – Councilmember Fong (absent)

Chair Wickham, Vice Chair Kunz, and all Commissioners attended via teleconference.

ORAL COMMUNICATIONS

Tim Oey, Sunnyvale resident, stated that Bike Month will be celebrated in May and encouraged everyone to bike. He expressed appreciation for the Commission's work on sustainability.

CONSENT CALENDAR

[21-0402](#) Approve the Sustainability Commission Meeting Minutes of February 16, 2021

Commissioner Padgett moved, and Commissioner Joesten seconded, a motion to approve the consent calendar. The motion carried by the following vote:

Yes: 7 - Chair Wickham
Vice Chair Kunz
Commissioner Joesten
Commissioner Padgett
Commissioner Paton
Commissioner Srinivasan
Commissioner Veitch

No: 0

PUBLIC HEARINGS/GENERAL BUSINESS

[21-0229](#) Single Use Plastics Strategy (Study Issue ESD 19-01):
Recommend that the City Council Direct Staff to Develop Two
Ordinances to Reduce Use of Single-Use Plastic Foodware
and Condiment Containers and Return to City Council for
Approval after Completion of CEQA Review.

David Krueger, Solid Waste Division Manager, and Karen Gissibl, Environmental Programs Manager, presented the findings of Study Issue ESD 19-01 on Single Use Plastics (SUPs) Strategy. They gave an overview of the challenges with disposal of SUPs and best practices for reducing SUPs through local ordinances and bans. Commissioners asked clarifying questions, and staff provided responses.

Chair Wickham opened the Public Hearing.

Tim Oey asked questions and provided comments about specific materials, best practices for incentivizing and reducing waste, and recommended a few local resources.

Barbara Brunasso asked if restaurants will be supplied with resources to enable them to comply with the proposed ordinances. She also asked a clarification question about the microfiber containers.

Staff responded to questions from the public.

Chair Wickham closed the Public Hearing.

The Commission discussed the two alternative recommendations.

MOTION: Vice Chair Kunz moved, and Commissioner Veitch seconded, a motion to

recommend a new Alternative 3, which would combine Alternatives 1 and 2.

FRIENDLY AMENDMENT: Commissioner Paton offered a friendly amendment to revise the wording in Alternative 2 from "an updated recommendation" to "additional recommendations."

Vice Chair Kunz accepted the friendly amendment.

Ramana Chinnakotla, Director of Environmental Services, clarified that the Alternatives were mutually exclusive and cannot be combined. He explained that Alternative 2 recommended doing nothing on this topic until the impacts of the COVID-19 pandemic had passed.

Vice Chair Kunz withdrew his motion.

MOTION: Vice Chair Kunz moved, and Chair Wickham seconded, a motion to recommend to City Council Alternative 1, with the modification that staff return to City Council to recommend future phases of the program, after the impacts of the COVID-19 pandemic have passed.

Commissioners discussed the motion.

FRIENDLY AMENDMENT: Commissioners Paton and Veitch offered a friendly amendment to revise the motion to recommend Alternative 1 to City Council, with the modification that staff return to City Council in late 2022 with a Phase 3 proposal that includes additional recommendations for the program.

Vice Chair Kunz accepted the friendly amendment.

The motion carried by the following vote:

Yes: 7 - Chair Wickham
Vice Chair Kunz
Commissioner Joesten
Commissioner Padgett
Commissioner Paton
Commissioner Srinivasan
Commissioner Veitch

No: 0

STUDY SESSION

21-0400 Climate Action Playbook Quarterly Update

Nupur Hiremath, Environmental Programs Manager, and Madeline Willett, Environmental Engineering Coordinator, presented Climate Action Playbook implementation and planning updates. Staff discussed progress on key moves, the current Game Plan extension, and the process for drafting the next Game Plan. Commissioners asked clarifying questions, and staff provided responses.

Chair Wickham opened public comments.

Barbara Brunasso indicated that the Sunnyvale Neighborhood Association group would like to learn more about programs and events put on by the City. Staff clarified where to find this information on the City's website.

Chair Wickham closed the public comments.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

No new Study Issues were submitted.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Chair Wickham shared that she attended the City Council Study Issues and Budget Workshop in February. Study Issue ESD 17-01 was ranked and DPW 20-04 was dropped by Council. She shared that the online calendar of Board, Commission and Council meetings is now available. She reminded Commissioners that the last two Sustainability Speaker Series events will be held on March 17, 2021, from 7 to 8:30 p.m. and May 19, 2021, from 7 to 8:30 p.m. The March event will feature Meghan Weir who will discuss decarbonizing transportation, and the May event will feature Karen Gissibl and Mark Bowers from the City's Solid Waste Division.

Commissioner Veitch shared that the County of Santa Clara's Sustainability Master Plan website is live at www.sccgov.org/sustainabilityplan.

-Staff Comments

Ms. Willett shared that the Sustainability Speaker Series proposal for FY 2021/22 was approved by Council on February 23, 2021. She announced that the City is cohosting a webinar with the Bay Area Water Supply and Conservation Agency on

March 24, 2021, from 7 to 8:30 p.m. She reminded Commissioners that the City will be hosting virtual Earth Week events from April 17-24, 2021. She noted that the Single Use Plastics Strategy Study Issue report presented to the Commission at this meeting is scheduled to go to Council on April 20, 2021.

INFORMATION ONLY REPORTS/ITEMS

[21-0401](#) Updated Annual Work Plan March 2021

ADJOURNMENT

The meeting was adjourned at 9:35 p.m.



City of Sunnyvale

Meeting Minutes - Draft

Parks and Recreation Commission

Wednesday, April 14, 2021

7:00 PM

Telepresence Meeting: City Web Stream

TELECONFERENCE NOTICE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 10, 2020, the meeting was conducted telephonically.

CALL TO ORDER

Chair Kenton called the meeting to order at 7:00 p.m. via teleconference.

ROLL CALL

Present: 5 - Chair Ralph Kenton
Vice Chair Prakash Giri
Commissioner Daniel Bremond
Commissioner Gregory Dibb
Commissioner Mike Michitaka

Council Liaison Hendricks (Present)

PRESENTATION

A [21-0454](#) Aquatics Report

Recreation Services Coordinator II, Jesus Raygoza provided a presentation on Aquatics. Highlights included: pool locations, pre-COVID programming, current programming, aquatic statistics, Summer plans and scheduled expansion.

Commissioners inquired and staff responded:

Are lap swim prices at Fremont Pool standard? Yes, the City used neighboring cities' price points as benchmarks and found that lap swim prices are similar when priced per minute.

Has a monthly lap swim pass been considered? Yes, although the City will assess a year's worth of aquatics data before adjusting any fee structures.

Does any other aquatics location in the City have a zero-entry pool? No, Washington Pool is the only site that has zero-depth entry; however, all other sites have either ladders, steps or an elevator chair.

Chair Kenton opened public comment.

Colin Dixon, Sunnyvale resident, asked if the City could provide cheaper rates during non-full time slots.

Chair Kenton closed public comment.

B [21-0453](#) Capital Improvement Projects Update

Superintendent of Parks and Golf, Jim Stark provided a presentation on Capital Improvement Projects. Highlights included: Plaza Del Sol II, playground equipment replacement, John W. Christian Greenbelt Pathway rehabilitation, De Anza Park Pathway rehabilitation, AMD/Redwood Place Park, construction projects, Fair Oaks/Magical Bridge, and the Murphy Tot Lot project.

Commissioners inquired and staff responded:

Would staff be able to provide a list of parks that were most recently renovated? Staff will send the Commission a spreadsheet of the City's 20-year plan and provide a list of recent projects the City has worked on. Will send spreadsheets in the coming weeks.

Vice Mayor Hendricks asked staff to provide City Council with a graph of newly added parks, including acreage.

Chair Kenton opened public comment.

Colin Dixon, Sunnyvale resident, asked if the City has viewed Mountain View's dog off-leash policy? The City has had numerous meetings on dog off-leash policies, but did not pursue a pilot program due to liability and staff availability.

Chair Kenton closed public comment.

ORAL COMMUNICATIONS

Chair Kenton provided an announcement of Commission vacancies and application

deadline.

Chair Kenton opened oral communications and there was no public testimony, closed oral communications.

CONSENT CALENDAR

Commissioner Bremond moved and Commissioner Michitaka seconded the motion to approve the consent calendar as presented.

The motion carried by the following vote:

Yes: 5 - Chair Kenton
Vice Chair Giri
Commissioner Bremond
Commissioner Dibb
Commissioner Michitaka

No: 0

- 1 [21-0455](#) Approve the Parks and Recreation Commission Meeting Minutes of March 10, 2021

Approve the Parks and Recreation Commission Minutes of March 10, 2021 as submitted.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

Standing item. No study issues approved in previous meeting were proposed.

- 2 [21-0456](#) Parks and Recreation Commission Proposed Study Issues, Calendar Year: 2022

INFORMATION ONLY REPORTS/ITEMS

- 3 [21-0504](#) Las Palmas Park Empty Pond Space

Chair Kenton thanked the resident for their proposal to expand the park's usage.

Commissioners inquired and staff responded:

Will staff respond to the resident's inquiry? Yes, the Parks department will respond and invite the patron to attend a future outreach session.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Chair Kenton provided the Commission with an update on the Boards and Commission Subcommittee meeting and the Quarterly Neighborhood Association meeting. He also informed the Commission that the Sunnyvale Tennis Club will offer two \$500 grants for patrons interested in playing tennis.

-Staff Comments

Jim Stark shared with the Commission that most outdoor activities are permitted in the orange tier. He informed the Commission that currently the City will not activate the water fountains and spray pools, until the County is in the yellow tier. Lastly, Jim announced that the City is now taking picnic reservations.

Damon Sparacino informed the Commission that we are scheduled to have a joint meeting with the Arts Commission on May 19, 2021 to review the recommended budget, but may pivot to a regular meeting depending on the Finance Department's availability. Moreover, that Recreation Services is gathering registration data and will share results to Commission and City Council once complete. Lastly, Damon provided an update that the City is planning to have the State of the City event in-person, but on a smaller scale to conform to the pandemic's social distancing guidelines.

ADJOURNMENT

Chair Kenton adjourned the meeting at 8:59 p.m.



City of Sunnyvale

Meeting Minutes - Draft

Bicycle and Pedestrian Advisory Commission

Thursday, April 15, 2021

6:30 PM

Telepresence Meeting: City Web Stream

CALL TO ORDER

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Vice Chair Mehlman called the meeting to order at 6:32 p.m. via teleconference.

ROLL CALL

Present 7 - Chair Richard Mehlinger
Vice Chair Leia Mehlman
Commissioner John Cordes
Commissioner Arwen Davé
Commissioner Dan Hafeman
Commissioner Timothy Oey
Commissioner Scott Swail

Dennis Ng, Transportation and Traffic Manager, Lillian Tsang, Principal Transportation Engineer and Ralph Garcia, Senior Transportation Engineer attended via teleconference.

Chair Mehlinger requested Vice Chair Mehlman to serve as Chair for the remainder of the meeting.

Council Liaison Melton (absent).

PRESENTATION

A [21-0508](#) Annual reporting on collisions involving pedestrians and cyclists

Lieutenant Dzanh Le gave the annual presentation on collisions involving pedestrians and cyclists. Lt. Le showed and explained slides on the following:

- 5 year Pedestrian and Bicycle Injury Collisions
- Pedestrian and Bicycle Injury Collisions 2021
- 2020 Major Collisions
- Common Violations
- The Three E's - Engineering, Education and Enforcement

Chair Mehlinger asked about the following:

- Fatalities in 2020
- Charges filed
- Numbers for Jay walking citations and moving violations to cyclists
- Speeding increases in the last year

Lt. Le addressed the questions.

Commissioner Oey asked about the following:

- Thanked staff for sending presentations in advance
- The three E's and where they could be improved on the major collisions slide
- More detail in the slides by adding explanations for the collisions and improvements to achieve Vision Zero goals
- Following up on enforcement issues
- Reports on bad motorists behavior from citizens or video
- 5 year Pedestrian and Bicycle Injury Collisions slide and how much real traffic is on the road now

Lt. Le and Ms. Tsang addressed the questions.

Commissioner Cordes asked about the following:

- Enforcement operations and how many tickets were issued
- Data on sending letters or visiting citizens who have been reported as bad drivers

Commissioners Davé asked about the following:

- Improper turning due to the driver

Commissioner Hafeman asked about the following:

- Meaning of RW and Auto RW violation
- Meaning of signs and signals under common violations for bicycles

Commissioner Swail asked about the following:

- Are totals for both fatalities and injuries on slide 2

Vice Chair Mehlman asked about the following:

- 2019 pedestrian fatalities
- Inter relationships between safety and traffic volumes

Chair Mehlinger commented and asked about the following:

- Thanked staff for the csv files
- Downward turn in fatal collisions over the years
- Data on enforcement actions and how many resulted in use of force
- In the future to include total number of stops broken down by driver, cyclist and pedestrian as well as the total number of use of force that resulted from those stops

Lt. Le addressed the questions.

Commissioner Oey commented on the following:

- Break down by age group

Vice Chair Mehlman asked if there could be some kind of multi-lingual education program on paying attention when backing out of a driveway to know where your kids/pets are. Lt. Le stated that would fall into their bicycle and pedestrian safety program and they will include in future outreach brochures.

Commissioner Hafeman asked why lights on bicycles aren't included in the data for collisions. Lt. Le stated that it is not one of the factors being tabulated as part of the collision data collection.

Vice Chair opened for Public Comment.

Vice Chair closed for Public Comment.

ORAL COMMUNICATIONS

Vice Chair Mehlman opened for Public Comment.

Vice Chair Mehlman closed for Public Comment.

Vice Chair Mehlman announced the following openings for Boards and Commissions:

- Arts Commission (2)

-
- Bicycle and Pedestrian Advisory Commission (3)
 - Boards of Building Codes Appeals (2)
 - Boards of Library Trustees (2)
 - Heritage Preservation Commission (1)
 - Housing and Human Services Commission (4)
 - Parks and Recreation Commission (2)
 - Personnel Board (1)
 - Planning Commission (1)
 - Sustainability Commission (2)

Applications are due by 5:00 p.m on Friday, April 30 in order to be scheduled for an interview with City Council on May 10 and May 11.

General eligibility requirements include:

- Sunnyvale residency
- Voter registration

For more information visit sunnyvale.ca.gov and search Board and Commissions or call the office of the City Clerk at 408-730-7483 to request an application.

Applications are accepted on a continuous basis and applications received after the deadline will be considered for future openings.

CONSENT CALENDAR

- 1A.** [21-0489](#) Approve the Bicycle and Pedestrian Commission Meeting Minutes of March 18, 2021.

Approve the Bicycle and Pedestrian Commission Meeting Minutes of March 18, 2021 as submitted.

Commissioner Cordes moved and Chair Mehlinger seconded to approve item 1.A.

The motion carried the following vote:

Yes 7 - Chair Mehlinger
 Vice Chair Mehلمان
 Commissioner Cordes
 Commissioner Davé
 Commissioner Hafeman
 Commissioner Oey
 Commissioner Swail

No 0

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [21-0200](#) Recommend to City Council to Accept the findings of a Post-Construction Report and to Retain the Existing Configuration of the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue

Lillian Tsang, Principal Transportation Engineer, discussed the Maude Avenue Post-Construction Parking Study. The following topics were discussed:

- Project Limits - Maude Avenue between Borregas Avenue and Fair Oaks
- Background of Maude Avenue Bikeways and Streetscapes Project
- On-Street Parking Study Area
- Pre and Post-Construction Parking Study: 11:00 p.m. to 12:30 a.m.
- Pre and Post-Construction Parking Study Results

Ms. Tsang has asked the BPAC to make a recommendation to City Council with two Alternatives to consider. They are as follows:

Alternative 1: Recommend to City Council to Accept the findings of a Post-Construction Report and to retain the existing configuration of the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue.

Alternative 2: Recommend to City Council to Not Accept the findings of a Post-Construction Report on the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue and provide alternate direction to staff.

Staff Recommends:

Alternative 1: Recommend to City Council to Accept the findings of a Post-Construction Report and to retain the existing configuration of the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue.

Vice Chair Mehlman commented on the following:

- Concerned of the accuracy of the samples during Covid 19 and the impact of nearby neighborhoods taken during this time
- Recommends a third sampling

Dennis Ng, Transportation and Traffic Manager, stated the study that staff

conducted was a very conservative study where the majority of residents were home. The study was done late at night during the week so the study would reflect the highest on-street parking usage in a residential neighborhood.

Commissioner Cordes asked why was a big chunk of the history of the project left out of the presentation where buffered bike lanes were proposed but are now gone. Ms. Tsang stated the construction bid was over the budgeted amount, therefore the design had to be reconfigured. The buffered bike lane can be implemented when Maude Avenue is scheduled for slurry sealed in the future.

Commissioner Cordes asked when the slurry seal will begin. Ms. Tsang stated it will be in the next Fiscal Year.

Commissioner Davé asked parking for the on-site daycare at the Bishop Elementary School. Ms. Tsang stated that there has been a site modification at Bishop Elementary School to improve the circulation for the location.

Chair Mehlinger asked if the City has received an official communication from SNAIL Neighborhood Association expressing any preference on an Alternative since the conversation with them back in March. Ms. Tsang stated she has not received any communication from the SNAIL Neighborhood Association.

Commissioner Hafeman asked if vacancy data has been looked into at the multi-family residential units on Maude Avenue to see if it is a factor and whether it would be possible to do so before going to City Council. Ms. Tsang stated they did not look into the vacancy data.

Vice Chair Mehlman opened for Public Comment.

Vice Chair Mehlman closed for Public Comment.

Commissioner Cordes moved and Chair Mehlinger seconded to vote yes for Alternative 1: Recommend to City Council to Accept the findings of a Post-Construction Report and to retain the existing configuration of the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue with a recommendation to go to Council to implement the buffered bike lanes at the next slurry seal opportunity on Maude Avenue. Chair Mehlinger seconds the motion.

Commissioner Hafeman supports the motion because it is a very important bicycle facility.

FRIENDLY AMENDMENT: Commissioner Hafeman recommends to add a second recommendation that City staff attempt to get vacancy data for the multi-family residential units along Maude Avenue before the Council vote in May. Commissioner Cordes and Chair Mehlinger accepts the amendment.

Commissioner Oey supports the motion. The bike lane on Maude is a very important bike lane connector. Looks forward to it becoming a buffered bike lane.

Chair Cordes commented on how Maude Avenue is much more pleasant now that there is no more on-street parking. There is no need for so much on-street parking.

Chair Mehlinger agreed with Chair Cordes's comments, and what is currently in place is a very ergonomic solution.

The motion carried the following vote:

Yes 7 - Chair Mehlinger
Vice Chair Mehلمان
Commissioner Cordes
Commissioner Davé
Commissioner Hafeman
Commissioner Oey
Commissioner Swail

No 0

3 [21-0399](#) Recommend to City Council a Project for the application of Transportation Development Act (TDA) Article 3 Funding for Fiscal Year 2021/22

Ralph Garcia, Senior Transportation Engineer, discussed the Transportation Development Act (TDA) Article 3 Funding for FY 21/22. The following topics were discussed.

Program Details and Requirements

- Proposed projects shall be in compliance with MTC resolution No. 4108
- For FY 2021/22, Sunnyvale's share is anticipated at \$156,554
- City may bank the funds to reserve the money for future use

Project 1: Helena Drive and Kennewick Drive Class IIIB and Intersection Improvements

- Class IIIB improvements on Helena Drive
- Class IIIB improvements on Kennewick Drive
- Pedestrian improvements at the intersection of Helena Drive and Kennewick Drive
- Approximate cost: \$150,000

Project 2: El Camino Real and Cezanne Drive Intersection Improvements

- Install north-south left-turn phasing
- Install smaller radius corners, directional curb ramps, and striping improvements
- Approximate cost: \$575,000

Project 3: Pedestrian Hybrid Beacon (HAWK) Installation near Fremont High School

- Install HAWK on west leg of Fremont Avenue and Sydney Drive
- Remove existing in-roadway lights and beacon
- Approximate cost: \$590,000

Project 4: Pedestrian Hybrid Beacon (HAWK) Installation near Vargas Elementary School

- Install HAWK on south leg of Mary Avenue and Carson Drive
- Approximate cost \$590,000

Project 5: Las Palmas Park Access from Crawford Drive

- Widen 31-inch fence opening at Crawford Drive and Spinosa Drive to accommodate wide bicycles
- Approximate cost: \$180,000 - \$200,000

Project 6: Pedestrian/Bicycle Pathway Spot Improvements

- Columbia Park access from Alturas Avenue
- Pathway between Evelyn/Reed and Cassia Way
- Pathway between Bluebonnet Drive and Reed Avenue
- Approximate cost: \$105,000

Alternatives are as follows:

1. Recommend to City Council to use the TDA Article 3 grant fund for Project No. 1 - Helena Drive and Kennewick Drive Class IIIB and Intersection Improvements.
2. Recommend to City Council to use the TDA Article 3 grant fund for Project No. 6 - Pedestrian/Bicycle Pathway Spot Improvements.
3. Recommend to City Council to bank the TDA Article 3 grant fund for FY 2021/22 for future consideration to use for Projects No. 2, 3, 4, or 5.
4. Recommend to City Council to use the TDA Article 3 grant fund for a project not listed.

Staff Recommendation:

Alternative 1: Recommend to City Council to use the TDA Article 3 grant fund for Project No. 1 - Helena Drive and Kennewick Drive Class IIIB and Intersection Improvements. Staff recommends this alternative for the following reasons:

- Helena Drive provides direct access for students going to/from Cupertino Middle School (CMS)
- Kennewick Drive provides direct access for students going to/from Homestead High School
- Kennewick Drive is uncontrolled at Helena Drive
- Improvement requests from parents of CMS students

Vice Chair Mehlman asked what the proposed changes on Helena/Kennewick would be visually.

Mr. Garcia addressed the question.

Commissioner Oey asked about the following:

- Description of the IIIB improvements on Helena/Kennewick. Mr. Garcia stated there would be shoulder striping and a center line stripe improvement to narrow the lane. Also, sharrows and improved signage.
- Las Palmas/Crawford Drive and if one fence post could be moved. Mr. Garcia stated the City Arborist would have to take a look at that.
- Pedestrian/Bicycle Spot Improvements - get rid of chicanes fences. Widen fence opening to Columbia Park. Mr. Garcia stated the consultants would need to look further into it.
- Any other sources of funds besides TDA Funding for easy and less expensive changes. Mr. Garcia stated there are other grant options available.

Chair Mehlinger asked about the following:

- City Arborists doing an evaluation of the entrance to Las Palmas Park. Mr. Garcia stated staff will ask the City Arborists if they can do an evaluation of the entrance.
- Purchase a bike lane sized street sweeper with TDA Article 3 funding. Mr. Ng stated the purchase of a street sweeper would fall under the TDA funding however the staffing needs required to operate the street sweeper would not.

Commissioner Swail asked if the main objective is to match the funding with the cost of the project. Mr. Garcia stated the BPAC could recommend to bank the funds or choose projects that meet the funding.

Commissioner Swail is in favor of the staff recommendation Alternative 1. However,

recommends a HAWK Beacon at the Sydney intersection.

Commissioner Hafeman asked about the following:

- 4 way stop sign on Helena/Kennewick. Mr. Garcia stated there is no guarantee a 4 way stop sign will be required based on a stop sign warrant analysis.

Chair Mehlinger asked what it would cost to do the warrant study on Kennewick Drive. Mr. Ng stated it would cost approximately \$500.

Vice Chair Mehlman asked when HAWK crossings are installed are there plans to have raised pedestrian crossings. Mr. Garcia stated raised pedestrian crossings are used as a traffic calming device so they have to be used where it is not a fire truck route or emergency vehicle route. It is a possibility for certain locations but not on Mary Avenue nor Fremont Avenue.

Vice Chair Mehlman opened for Public Comment.

Vice Chair Mehlman closed for Public Comment.

Mr. Garcia has asked the BPAC to make a recommendation to City Council with four Alternatives to consider. Staff recommendation is as follows:

Alternative 1: Recommend to City Council to use the TDA Article 3 grant fund for FY 2021/22, guaranteed amount of \$156,554, for Project No. 1 - Helena Drive and Kennewick Drive Class IIIB and Intersection Improvements.

Chair Mehlinger moved and Commissioner Oey seconded to vote yes for Alternative 2: Recommend to City Council to use the TDA Article 3 grant fund for Project No. 6-Pedestrian/Bicycle Pathway Spot Improvements with the following modifications:

1. Recommend the replacement of the chicanes with a bollard
2. Provide a Stop Warrant Study for project 1
3. City Arborist to provide a preliminary estimate on work required for project 5, and to implement Project 5 if and only if funds allow.
4. Recommend projects 1 and 5 for future BPAC's for TDA funding in the future

Chair Mehlinger commented on the following:

- Need more certainty around projects 1 & 5
- Choosing Project 6 would then be able to bank approximately \$50,000

- Thanked staff for an excellent presentation

Commissioner Oey is in favor of this motion because it accomplishes a lot with very little money.

FRIENDLY AMENDMENTS: Commissioner Oey recommends removal of the chicanes and have Project 5 move forward if and only if remaining funds allow. Chair Mehlinger accepts the friendly amendment.

FRIENDLY AMENDMENT: Commissioner Cordes recommends to add "if funds allow". Chair Mehlinger accepts the friendly amendment.

Dennis Ng suggested to the BPAC to narrow down to a project and don't put in "if" as he is worried funds could be lost.

FRIENDLY AMENDMENT: Chair Mehlinger recommends to remove the conditional Project 5. Commissioner Oey accepts the friendly amendment.

Commissioner Cordes commented on the following:

- Thanked staff for an excellent TDA presentation
- Supports the motion with the amendments

Commissioner Hafeman asked if BPAC votes for Project 5 can they bank the extra funds or do they lose it. Mr. Ng stated that they can designate a project and tell VTA and MTC how much the City needs and bank the remaining.

Commissioner Hafeman commented on the following:

- Thanked staff for the excellent presentation
- Getting the slides out ahead of time to read through them

Vice Chair Mehلمان commented on the following:

- Thanked staff for a detailed presentation
- Supports the motion because something could be done sooner than later and bank the rest

Chair Mehlinger moved and Commissioner Oey seconded to vote yes for Alternative 2: Recommend to City Council to use the TDA Article 3 grant fund for Project No. 6-Pedestrian/Bicycle Pathway Spot Improvements with the following modifications:

1. Recommend the replacement of the chicanes

2. Provide a Stop Warrant Study for project 1
3. Have the City Arborist provide a preliminary estimate on work required for project 5
4. Recommend projects 1 and 5 to future BPAC's for TDA funding in the future

The motion carried the following vote:

Yes 7 - Chair Mehlinger
Vice Chair Mehلمان
Commissioner Cordes
Commissioner Davé
Commissioner Hafeman
Commissioner Oey
Commissioner Swail

No 0

- 4** [21-0509](#) Report and Discussion of Recent Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) Meeting

Vice Chair Mehلمان called for a recess at 8:51 p.m.

Vice Chair Mehلمان reconvened the meeting at 9:00 p.m.

Commissioner Oey, VTA BPAC Sunnyvale Representative, gave the meeting summary report regarding the following topics:

- Meeting was cancelled
- List of projects submitted for the Quick Strike Program

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

- 5** [21-0510](#) Parking Standards for Personal Electric Vehicles (Potential Study Issue)

Lillian Tsang, Principal Transportation Engineer, stated that Chair Mehlinger submitted the Study Issue Paper which would be placed on the Potential Study Issue List if voted on and then it would be considered for sponsorship in September 2021.

Chair Mehlinger discussed the Study Issue Paper with the following key points:

- Personal electric vehicles (PEVs) and why they are useful

- Becoming more popular
- Need a place to charge
- Fire hazards
- Identify parking standards for PEVs at commercial and multi family developments
- Including fire safety standards

Vice Chair Mehlman commented on the following:

- Difficult to find charging stations

Commissioner Oey asked if theft was a major issue with the electric mobility devices. Chair Mehlinger stated that scooters and skateboards are very hard to lock up and very easy to carry away but doesn't have any data on theft.

Commissioner Cordes asked if staff will have separate recommendation for e-skateboards and scooters. Chair Mehlinger stated new apartments are providing a secure bike rooms. The details would be for staff to work out if this Study Issue is prioritized.

Commissioner Cordes agrees with staff's concerns regarding parking standards.

Vice Chair opened for Public Comment.

Vice Chair closed for Public Comment.

Commissioner Oey will be supporting the Study Issue because there is a need for secure parking and bike lockers are great that serves both bikes and mobility devices.

Chair Mehlinger moved and Commissioner Oey seconded to approve the Parking Standards for Personal Electric Vehicles as a Potential Study Issue.

Chair Mehlinger stated he recognizes the concerns that it is rapidly evolving and every electric device will need some sort of charger and there will be a need for security and fire safety standards and should be kept broad.

The motion carried the following vote:

Yes 7 - Chair Mehlinger
Vice Chair Mehلمان
Commissioner Cordes
Commissioner Davé
Commissioner Hafeman
Commissioner Oey
Commissioner Swail

No 0

6 [21-0511](#) BPAC 2022 Proposed Study Issues

Lillian Tsang, Principal Transportation Engineer, stated this is a Study Issue that was placed on the proposed Study Issue List and will come back to it in September when they go through the sponsorship process.

Chair Mehlinger asked if the deferred Study Issues could be added to the list. Ms. Tsang stated she would discuss with the City Manager's office on how to include it.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Commissioner Cordes commented on the following:

- Sunnyvale SVBC Team renamed to Bike Sunnyvale, website called bikesunnyvale.org and Facebook page
- April 16, 10am-3pm - Free bicycle tune up repair clinic
- April 20 - City Council meeting - voting to identify a Proposed Option for the Mary Avenue Overcrossing EIR

Commissioner Oey commented on the following:

- Bike to Wherever Day 2021, bikesiliconvalley.org/btwd
- Sign up to run an energizer station

Vice Chair Mehلمان commented on the following:

- Thanked staff for all their hard work with the BPAC meetings

Chair Mehlinger commented on the following:

- Thank staff for all their hard work and thanked Chair Mehلمان for acting as Chair for the meeting

-Staff Comments

Dennis Ng, Transportation and Traffic Manager, announced Ralph Garcia will be leaving the City of Sunnyvale to work for the City of Santa Clara.

Lillian Tsang, Principal Transportation Engineer, commented on the following:

- VTA representative will be presenting the Tasman Drive Complete Streets Corridor Study to City Council on April 20, 2021 at 6:00 p.m.
- Application for the East Channel Trail Study has been submitted to the VTA Measure B Planning Grant.

Chair Mehlinger asked for the April 20 meeting be agenized for the BPAC meeting so there is no Brown Act violation. Ms. Tsang stated it is a public meeting so anyone could attend and it is a Study Session.

INFORMATION ONLY REPORTS/ITEMS

[21-0512](#) BPAC 2021 Annual Work Plan

[21-0513](#) Active Items List April 2021

[21-0514](#) Annual Slurry Seal List 2021

Commissioner Oey thanked staff for the map and the striping improvement list.

ADJOURNMENT

Vice Chair Mehlman adjourned the meeting at 9:33 p.m.



City of Sunnyvale

Meeting Minutes - Draft

Arts Commission

Wednesday, April 21, 2021

7:00 PM

Telepresence Meeting: City Web Stream

TELECONFERENCE NOTICE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 10, 2020, the meeting was conducted telephonically.

CALL TO ORDER

Chair Eskridge called the meeting to order at 7:00 p.m. via teleconference.

ROLL CALL

Present: 4 - Chair Dawna Eskridge
Vice Chair Sue Serrone
Commissioner Susannah Vaughan
Commissioner Agnes Veith
Absent: 1 - Commissioner Jeremie Gluckman

Commissioner Gluckman's absence is unexcused.

Council Liaison Klein (Present)

PRESENTATION

A [21-0457](#) Hands on the Arts Festival (Finalize Project and Plans)

Kristin Dance, Recreation Services Coordinator II, provided a presentation on the Hands on the Arts Festival. Highlights included: scope of string project, scale of art piece, registrant's interaction with the art piece, date/time of the event, and staff/commissioner schedule.

Commissioners inquired and staff responded:

How can Commissioners assist staff with prep? Staff are preparing 200 Hands on the Arts take-home kits that will contain materials for various projects. Commissioners can help on-site or take items home to work on.

Chair Eskridge opened public comment.

Lucie Ramos, Sunnyvale resident, informed staff that she would be interested in volunteering and has craft materials to donate to the City.

Chair Eskridge closed public comment.

ORAL COMMUNICATIONS

Chair Eskridge provided an announcement of Commission vacancies and application deadline.

Chair Eskridge opened oral communications and there was no public testimony, closed oral communications.

CONSENT CALENDAR

Commissioner Veith moved and Commissioner Serrone seconded the motion to approve the consent calendar as presented.

The motion carried by the following vote:

Yes: 4 - Chair Eskridge
Vice Chair Serrone
Commissioner Vaughan
Commissioner Veith

No: 0

Absent: 1 - Commissioner Gluckman

1 [21-0459](#) Approve the Arts Commission Meeting Minutes of March 17, 2021

Approve the Arts Commission Minutes of March 17, 2021 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [21-0458](#) Public Art Project Discussion

Trenton Hill, Recreation Services Manager, provided a presentation on the Public Art Project. Highlights included: public survey results for functional art projects, whimsical small-scale projects, temporary/rotating art projects, and estimated budget for each project.

Commissioners inquired and staff responded:

Do we know how much money can be spent? The Public Art Fund currently has \$500,000. Spending amount for this project is fluid, but will most likely fund one project from each category this cycle.

Would unranked items be removed from future consideration? No, staff recommendation will include alternative recommendations that may include unranked items. Furthermore, unranked items will be available for voting at future ranking cycles.

Chair Eskridge opened public comment.

Winnie Lam, Sunnyvale resident, informed the Commission that she would like to propose a Winter arts event.

Staff will work with Winnie to agendize her presentation at a future Arts Commission meeting.

Chair Eskridge closed public comment.

Staff conducted a voice vote and tallied Commissioner's rankings for functional art projects, whimsical small-scale projects, and temporary/rotating art projects. Staff will provide Commissioners with the ranking results at the next Arts Commission with final recommendation and estimated budget figures.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

3 [21-0460](#) Arts Commission Proposed Study Issues, Calendar Year: 2022

Standing item. No study issues approved in previous meeting were proposed.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Sue Serrone asked if staff could provide an update on the Public Art website? Image gallery is a work in progress, but will add more as funding allows.

Mayor Klein asked if residents find mistakes on the Public Art website, what would be the best way to inform staff? Patrons can email their input to

PublicArt@sunnyvale.ca.gov.

-Staff Comments

None.

ADJOURNMENT

Chair Eskridge adjourned the meeting at 8:13 p.m.



City of Sunnyvale

Agenda Item

21-0484

Agenda Date: 5/4/2021

Information/Action Items

Information/Action Items - Council Directions to Staff

Date Requested	Directive/Action Required	Dept	Due Date	Completed
2/7/19	Produce quarterly report on staff vacancies and include, actual staff total numbers for each department, including part-time positions.	HRD	May 2021	
5/21/20	Provide a quarterly status report of vacant positions that were frozen.	OCM	Apr 2021	4/6/21
2/23/21	Include in the budget workshop an update on CIP projects costs and include how we are using the money that we have and potential impacts on increased costs for the solid waste fund.	FIN	May 2021	
2/23/21	Provide a separate project for the new cleanwater project reserve fund.	FIN	May 2021	
3/30/21	Communicate with Sunnyvale Business Park and provide update to Council on the status of the parking situation in the area both Pre and Post COVID.	DPW	May 2021	
3/30/21	Engage with Valley Water on Recycled water and provide Council with an update.	ESD	May 2021	
4/6/21	Include information on a fee survey of other golf courses and what they charge for a round of golf with approval of master fee schedule.	DPW	Jun 2021	
4/6/21	Provide information on the sales tax pool and how the distribution of sales tax applies to Sunnyvale.	FIN	May 2021	
4/6/21	Discuss vacancies and frozen positions in the City at the budget workshop, to include any vacancies that we are not actively recruiting.	FIN	May 2021	
4/6/21	Include public hearing item on AB703 for Council consideration on taking a position.	OCM	Apr 2021	4/20/21

New Study/Budget Issues Sponsored by Council

Date Requested	Study/Budget Issue Topic	Requested By	Dept	Approved by City Manager
	N/A			

Initial Sponsor in **Bold**.

Following approval by the City Manager, study issues papers are posted to:

<https://sunnyvale.ca.gov/government/council/study/studyissues.htm>

Printed on 4/29/2021



City of Sunnyvale

Agenda Item

21-0505

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Notice of Public Works Director's Decision on Final Maps (Information Only)

BACKGROUND

In accordance with Sunnyvale Municipal Code Section 18.20.270, this is notice of the Public Works Director's pending approval on the following Final Map(s):

Tract	10493
Location	669 Old San Francisco Road
Developer	Ghadir Nejat and Fereshteh Nejat, Trustees of the Nejat Family Revocable trust dated September 26, 2000
Lots/Units	7 lots (6 developable, 1 common lot)

ENVIRONMENTAL REVIEW

Approval of final subdivision map is a ministerial action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15268(b)(3).

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

Prepared by: Arnold Chu, Senior Engineer

Prepared by: Jennifer Ng, Assistant Director of Public Works

Reviewed by: Chip Taylor, Director of Public Works