



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, March 26, 2024

5:30 PM

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

**Special Meeting: Closed Session - 5:30 PM | Special Meeting: Study Session - 6 PM |
Regular Meeting - 7 PM**

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

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the City Clerk.*

As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

The Mayor may determine it would be impractical to include remote public comment during Oral Communications.

- *Online participation: You may provide audio public comment by connecting to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

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

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 961 1158 0540

*(*9 to request to speak | *6 to unmute/mute)*

- *Watch the City Council meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*

- *Submit written comments to the City Council no later than 4 hours prior to the meeting start to council@sunnyvale.ca.gov or by mail to:*

City Clerk, 456 W. Olive Ave., Sunnyvale, CA 94086

- Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>

Accessibility/Americans with Disabilities Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Office of the City Clerk may be reached at 408-730-7483 or cityclerk@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Call to Order in the Council Chambers (Open to the Public).

Roll Call

Public Comment

The public may provide comments regarding the Closed Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda. Closed Sessions are not open to the public.

Convene to Closed Session

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

- A** [24-0460](#) Closed Session Held Pursuant to California Government Code Section 54956.9 (d)(1)
CONFERENCE WITH LEGAL COUNSEL- PENDING LITIGATION
Name of Case: O'Hara, Casey v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ10063871)

Adjourn Special Meeting

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

Call to Order

Call to Order in the Council Chambers

Roll Call**Study Session**

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

B [24-0413](#) Study Session on Ambulance Services

Adjourn Special Meeting**7 P.M. COUNCIL MEETING**

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

Call to Order in the Council Chambers

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

C [24-0327](#) Arab-American Heritage Month

D [24-0325](#) Poetry Month

E [24-0326](#) Library Week

ORAL COMMUNICATIONS

The Mayor may determine it would be impractical to include remote public

comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on 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** [24-0019](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Recommendation: Approve the list(s) of claims and bills.

- 1.B** [24-0414](#) Award of Contract to Graham Contractors, Inc. in the Amount of \$781,840.41 for Slurry Seal 2024 B-SB1 Project No. ST-23-07 and Finding of Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15301(c)

Recommendation: Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$781,840.41 to Graham Contractors, Inc. of San Jose;
- Approval of a 10% construction contingency in the amount of \$78,184;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

- 1.C [24-0455](#) Authorize the Issuance of a Blanket Purchase Order in the Amount of \$300,000 to Priority 1 Public Safety Equipment, Inc. for Building and Equipping Public Safety Vehicles (F24-133)

Recommendation: Take the following actions:

- Authorize the issuance of a blanket purchase order to Priority 1 Public Safety Equipment, Inc. for building and equipping Public Safety vehicles, in the amount of \$300,000; and
- Authorize the City Manager to amend and renew the blanket purchase order for two additional one-year periods, subject to available budget and acceptable pricing and services.

- 1.D [24-0456](#) Review and Adopt Long-term Advocacy Positions (LAPs) Related to Local Law Enforcement Technology, the Fremont Union High School District (FUHSD) Districting Process, and Postal Service in Sunnyvale

Recommendation: Staff makes no recommendation. Approval of the consent calendar constitutes Council approval of three (3) new long-term advocacy positions as presented:

"Support legislation that provides local law enforcement agencies the ability to implement technology that would enhance public safety."

"Advocate for secure, reliable, and timely postal service for Sunnyvale residents."

"Advocate for Sunnyvale's communities of interest during the Fremont Union High School District (FUHSD) (re)districting process to support efforts that preserve equal Trustee representation. Advocate for Sunnyvale's communities of interest during the development of the trustee area boundary map."

- 1.E [24-0521](#) Adopt Ordinance No. 3226-24 Amending Chapter 19.73 (By-Right Approval) of Article 6 (Special Housing Issues) of Title 19 (Zoning) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3226-24 amending Chapter 19.73 (By-Right Approval) of Article 6 (Special Housing Issues) of Title 19 (Zoning) of the Sunnyvale Municipal Code.

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 [24-0026](#) Receive Information Regarding Potential Shuttle Options and Authorize City Manager to Apply for Micro Transit Grants With 50% Maximum Local Match

Recommendation: Alternatives 1 and 2: (1) Direct City Manager to apply for micro transit grants with maximum 50% local match; and (2) pause work on Study issue DPW 23-06 until the Environmental Protection Agency (EPA) or Transit & Intercity Rail Capital Program Grants are announced. If the City is successful in obtaining either grant, Study Issue DPW 23-06 can be deemed complete.

- 3 [24-0248](#) Approve the 2023 Draft Housing Element Annual Progress Report

Recommendation: Alternative 1: Approve the 2023 Draft Housing Element Annual Progress Report and direct staff to submit it to the Governor's Office of Planning and Research and the California Department of Housing and Community Development.

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.

[24-0377](#) Tentative Council Meeting Agenda Calendar

- [24-0378](#) Board/Commission Meeting Minutes
- [24-0379](#) Information/Action Items
- [24-0441](#) Planned Study Issue Work for Continuing and 2024
Council-Ranked Study Issues (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 at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue, during normal business hours, prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located on the fourth floor of City Hall at 456 W. Olive Avenue, during normal business hours and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at 408-730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Planning a presentation for a City Council meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" available at <http://Sunnyvale.ca.gov/PublicComments>

Planning to provide materials to Council?

If you wish to provide the City Council with copies of your presentation materials,

please provide 12 copies of the materials to the Office of the City Clerk. The City Clerk will distribute your items to the Council.

Upcoming Meetings

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



City of Sunnyvale

Agenda Item

24-0460

Agenda Date: 3/26/2024

Closed Session Held Pursuant to California Government Code Section 54956.9 (d)(1)

CONFERENCE WITH LEGAL COUNSEL- PENDING LITIGATION

Name of Case: O'Hara, Casey v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ10063871)



City of Sunnyvale

Agenda Item

24-0413

Agenda Date: 3/26/2024

Study Session on Ambulance Services



City of Sunnyvale

Agenda Item

24-0327

Agenda Date: 3/26/2024

Arab-American Heritage Month



City of Sunnyvale

Agenda Item

24-0325

Agenda Date: 3/26/2024

Poetry Month



City of Sunnyvale

Agenda Item

24-0326

Agenda Date: 3/26/2024

Library Week



City of Sunnyvale

Agenda Item

24-0019

Agenda Date: 3/26/2024

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>
223	03-03-2024 through 03-09-2024	\$5,180,433.40

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 meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), 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 # 223

**List of All Claims and Bills Approved for Payment
For Payments Dated 03/03/2024 through 03/09/2024**

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	XXXXX6169	03/05/2024	Access Systems	280.00	13408	Service Call	280.00	0.00	\$280.00
	XXXXX6170	03/05/2024	Ace Fire Equipment & Service Co Inc	1,732.02	12473280	Stores Inventory	1,732.02	0.00	\$1,732.02
	XXXXX6171	03/05/2024	Acterra Action for a Healthy Planet	5,000.00	23-24 EV Workshops 03	2/22/24 EV Financial Clinic	5,000.00	0.00	\$5,000.00
	XXXXX6172	03/05/2024	Amazon Capital Services Inc	138.90	13YY-WPQY-PXJY	Peter Dang	138.90	0.00	\$1,069.32
				23.99	19HJ-JNRL-7LRJ	Bonnie Filipovic	23.99	0.00	
				792.63	1R19-Y7WD-7YP7	Grace Lo	792.63	0.00	
				113.80	1WVK-1RT6-RVY4	Rene Huerta	113.80	0.00	
	XXXXX6173	03/05/2024	Andrew Merovich	2,508.00	1346	Minecraft Lego 02/20-02/23	2,508.00	0.00	\$2,508.00
	XXXXX6174	03/05/2024	AT&T	1,076.52	21311675	BAN: 9391081629	1,076.52	0.00	\$1,076.52
	XXXXX6175	03/05/2024	Baker & Taylor LLC	778.72	5018631822	Library Materials	778.72	0.00	\$2,113.88
				981.22	5018658392	Library Materials	981.22	0.00	
				11.54	5018676465	Library Materials	11.54	0.00	
				65.41	5018676469	Library Materials	65.41	0.00	
				37.83	5018676475	Library Materials	37.83	0.00	
				31.42	5018676477	Library Materials	31.42	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				19.03	5018681321	Library Materials	19.03	0.00	
				29.44	5018681323	Library Materials	29.44	0.00	
				69.24	5018681325	Library Materials	69.24	0.00	
				90.03	5018681327	Library Materials	90.03	0.00	
	XXXXX6176	03/05/2024	Barcodes Inc	4,125.00	INV7258925	Zebra OneCare 1/31/24-1/30/25	4,125.00	0.00	\$4,125.00
	XXXXX6177	03/05/2024	Bell Electrical Supply	172.39	5789451	Parts	172.39	0.00	\$314.32
				141.93	5789452	Parts	141.93	0.00	
	XXXXX6178	03/05/2024	BKF Engineers	6,376.40	24020442	Sunnyvale Ped/Bicycle Improv	6,376.40	0.00	\$6,376.40
	XXXXX6179	03/05/2024	Bound Tree Medical LLC	3,759.94	85258727	Supplies	3,759.94	0.00	\$3,759.94
	XXXXX6180	03/05/2024	Cal Coast Telecom	1,470.00	S23A07932	FPO#DPW121223	1,470.00	0.00	\$1,470.00
	XXXXX6181	03/05/2024	California Department of Technology	658,028.76	DC232407L9 X	MS Subscrptn 3/28/24-3/27/25	658,028.76	0.00	\$658,028.76
	XXXXX6182	03/05/2024	California Sports Center	8,048.00	CSC0224FBC	A83CCK 2/20- 2/23/2024	8,048.00	0.00	\$8,048.00
	XXXXX6183	03/05/2024	Callander Associates Landscape Architecture	1,050.00	21051-8	Median Renovatn Thru Nov 23	1,050.00	0.00	\$1,075.09
				25.09	23014-11.	Reimbursable Amount	25.09	0.00	
	XXXXX6184	03/05/2024	Canon Solutions America Inc	3,159.20	6007229055	Copier Maintenance	3,159.20	0.00	\$3,159.20
	XXXXX6185	03/05/2024	Carbonic Service Inc	255.47	566978	Ice Machine rental	255.47	0.00	\$255.47
	XXXXX6186	03/05/2024	Carollo Engineers	114,501.28	FB43486	Secondary Treat Thru 10/31/23	114,501.28	0.00	\$464,636.08
				106,455.54	FB44156	Exist Plant Rehab	106,455.54	0.00	
				130,186.01	FB44954	Secondary Treat Thru 11/30/23	130,186.01	0.00	
				76,141.00	FB45398	Exist Plant Rehab	76,141.00	0.00	
				37,352.25	FB46378	Plant Rehab Thru	37,352.25	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
						12/31/23			
	XXXXX6187	03/05/2024	CH2O Inc	450.00	344221	BW Labor	450.00	0.00	\$450.00
	XXXXX6188	03/05/2024	Charge Across Town	11,400.00	1361	EV March 16 Ride and Drive	11,400.00	0.00	\$11,400.00
	XXXXX6189	03/05/2024	Chemtrade Chemicals US LLC	4,297.96	90082356	Chemicals	4,297.96	0.00	\$4,297.96
	XXXXX6190	03/05/2024	Cintas Loc #38K	15.00	4179877502	Uniform	15.00	0.00	\$15.00
	XXXXX6191	03/05/2024	Comcast	327.80	ITD7	AC#: 8155 10 018 3074099	327.80	0.00	\$327.80
	XXXXX6192	03/05/2024	Core & Main LP	3,955.78	U260629	Parts	3,955.78	0.00	\$3,955.78
	XXXXX6193	03/05/2024	Core & Main LP	386.42	U225315	Parts	386.42	0.00	\$386.42
	XXXXX6194	03/05/2024	DataBank Holdings LTD	20,111.01	240621	AC#BAN-24865B Feb 2024	20,111.01	0.00	\$20,111.01
	XXXXX6195	03/05/2024	David J Powers & Assoc Inc	255.00	30587	800 Carlisle Way Thru 1/31/24	255.00	0.00	\$9,173.50
				870.00	30600	S Wolfe Road	870.00	0.00	
				8,048.50	30622	898 Fremont Gas Stn Thru1/31	8,048.50	0.00	
	XXXXX6196	03/05/2024	David Meinhardt	8,141.23	DMeinhardt02 24	Adv Disability Pension Feb 24	8,141.23	0.00	\$8,141.23
	XXXXX6197	03/05/2024	Early Horizons Preschool	4,450.00	32723-20514	Utility Credit Balance Refund	4,450.00	0.00	\$4,450.00
	XXXXX6198	03/05/2024	Elliot McDonald	2,511.00	EM2024JF	AD5OZB 1/8-2/26/2024	2,511.00	0.00	\$2,511.00
	XXXXX6199	03/05/2024	Endress & Hauser Inc	7,072.42	6002542039	Parts	7,072.42	0.00	\$7,072.42
	XXXXX6200	03/05/2024	EOA Inc	3,485.50	SU62-1123	GSI Plan&Stormwater Svc Nov	3,485.50	0.00	\$11,827.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				8,341.50	SU62-1223	GSI Plan&Stormwater Svc Dec	8,341.50	0.00	
	XXXXX6201	03/05/2024	FailSafe Testing LLC	700.00	13308	Apparatus E-246 Pump Testing	700.00	0.00	\$700.00
	XXXXX6202	03/05/2024	FedEx	64.37	8-248-74686	FedEx Express Services	64.37	0.00	\$321.67
				14.22	8-321-16140	FedEx Express Services	14.22	0.00	
				161.00	8-395-96067	Mail	161.00	0.00	
				22.78	8-403-14601	Mail	22.78	0.00	
				21.54	8-410-41894	Mail	21.54	0.00	
				37.76	8-410-65716	FedEx Express Services	37.76	0.00	
	XXXXX6203	03/05/2024	FedEx	447.43	270774221496	Freight Wiper Blades	447.43	0.00	\$447.43
	XXXXX6204	03/05/2024	Fisher Scientific Co LLC	576.92	0010830	Parts	576.92	0.00	\$2,236.55
				424.16	0010831	Parts	424.16	0.00	
				150.96	9671778	Parts	150.96	0.00	
				230.15	9671779	Parts	230.15	0.00	
				92.18	9671780	Parts	92.18	0.00	
				43.31	9753502	Parts	43.31	0.00	
				95.20	9791109	Parts	95.20	0.00	
				459.67	9827338	Parts	459.67	0.00	
				164.00	9865197	Parts	164.00	0.00	
	XXXXX6205	03/05/2024	FitGuard Inc	341.40	0000210757	Parts	341.40	0.00	\$341.40
	XXXXX6206	03/05/2024	Fix Air	80.75	3121035	Cr Memo 1173669	80.75	0.00	\$705.13
				705.13	3121916	Parts	705.13	0.00	
				-80.75	3121917	Inv 31210355	-80.75	0.00	
	XXXXX6207	03/05/2024	Fluid Components International LLC	438.45	1156787	Flow Meter Repair	438.45	0.00	\$438.45
	XXXXX6208	03/05/2024	Foster Bros Security	180.06	4770	Parts	180.06	0.00	\$745.85

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
			Systems Inc	297.91	4789	Parts	297.91	0.00	
				267.88	4811	Parts	267.88	0.00	
	XXXXX6209	03/05/2024	General Datatech LP	90,326.05	90549802	SMARTnet 11/7/23-12/31/24	90,326.05	0.00	\$90,326.05
	XXXXX6210	03/05/2024	ICAND Promotions	609.62	9087	Hats	609.62	0.00	\$609.62
	XXXXX6211	03/05/2024	Imperial Dade	63.81	15999401	Stores Inventory	63.81	0.00	\$63.81
	XXXXX6212	03/05/2024	Inhouse Commercial Recyclers LLC	887.00	01247SJ	Jan 2024	887.00	0.00	\$1,642.00
				755.00	1192SD	Dec 2023	755.00	0.00	
	XXXXX6213	03/05/2024	Inside Source Inc	3,732.08	58064	PM Services	3,732.08	0.00	\$11,589.08
				7,857.00	58068	PM Services	7,857.00	0.00	
	XXXXX6214	03/05/2024	Intex Auto Parts	253.21	2-84505-15	Stores Inventory	253.21	0.00	\$253.21
	XXXXX6215	03/05/2024	James Perrone	7,410.35	JPerrone0224	Adv Disability Pension Feb 24	7,410.35	0.00	\$7,410.35
	XXXXX6216	03/05/2024	Jason Pistor	8,006.06	JPistor0224	Adv Disability Pension Feb 24	8,006.06	0.00	\$8,006.06
	XXXXX6217	03/05/2024	Johnson Roberts & Associates Inc	312.00	152792	Jan 2024 PHQ Reports	312.00	0.00	\$312.00
	XXXXX6218	03/05/2024	Kent D Steffens	686.82	EXP000057162176	Travel Hollywood 020724	686.82	0.00	\$686.82
	XXXXX6219	03/05/2024	Kimley Horn & Assoc Inc	49,617.00	27257371	Tasman Dr Bike/Ped Thru 1/31	49,617.00	0.00	\$49,617.00
	XXXXX6220	03/05/2024	Lawson Products Inc	855.13	9311335459	Supplies	863.06	7.93	\$855.13
	XXXXX6221	03/05/2024	LC Action Police Supply	230.25	461154	Supplies	230.25	0.00	\$230.25
	XXXXX6222	03/05/2024	Lehr	393.58	SI96395	Parts	393.58	0.00	\$2,816.56
				875.00	SI97588	Labor	875.00	0.00	
				500.00	SI98084	Labor	500.00	0.00	
				1,047.98	SI98245	Parts	1,047.98	0.00	
	XXXXX6223	03/05/2024	Liebert Cassidy	352.00	260340	Legal Services	352.00	0.00	\$352.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
			Whitmore						
	XXXXX6224	03/05/2024	Makai Solutions	550.00	2721	2/13 Svc Call & Lift Inspection	550.00	0.00	\$550.00
	XXXXX6225	03/05/2024	Mallory Safety & Supply LLC	204.28	5835023	Stores Inventory	204.28	0.00	\$204.28
	XXXXX6226	03/05/2024	Mario Castro	712.05	054983	Business License Tax Refund	712.05	0.00	\$712.05
	XXXXX6227	03/05/2024	McMaster Carr Supply Co	67.86	22797368	Supplies	69.04	1.18	\$432.53
				345.43	22858620	Supplies	352.27	6.84	
				19.24	22953671	Supplies	19.42	0.18	
	XXXXX6228	03/05/2024	MediWaste Disposal LLC	50.00	38649	Disposal Svc	50.00	0.00	\$50.00
	XXXXX6229	03/05/2024	Mitali Gupta	691.20	MG2024JF	AD5HAM 1/8-2/26/24	691.20	0.00	\$691.20
	XXXXX6230	03/05/2024	MNS Engineers	8,992.50	84687	Sanitary Sewer System Oct 23	8,992.50	0.00	\$8,992.50
	XXXXX6231	03/05/2024	Motorola Solutions Inc	994.56	8330271361	2/5/2024 Field Svc	994.56	0.00	\$994.56
	XXXXX6232	03/05/2024	Municipal Maintenance Equipment Inc	327.89	018741	Parts	327.89	0.00	\$327.89
	XXXXX6233	03/05/2024	Music for Families Inc	300.00	M4FAM-SVLB2	2/26/24 Presentation	300.00	0.00	\$300.00
	XXXXX6234	03/05/2024	Occupational Health Centers of California	129.00	82244701	Medical Services	129.00	0.00	\$129.00
	XXXXX6235	03/05/2024	ODP Business Solutions LLC (f/k/a Office Depot Business Solutions LLC)	31.58	355750367001	Celena Ruiz	31.58	0.00	\$527.49
				82.02	355833043001	Rick Cotter	82.02	0.00	
				259.63	355856881001	Rick Cotter	259.63	0.00	
				154.26	357178888001	Michelle Chuck	154.26	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6236	03/05/2024	Pacific Gas & Electric Co	2,187.45	0008272217-4	1444 Borregas Ave/WPCP Departing Load	2,187.45	0.00	\$159,119.62
				42.16	1393150584-9 0124	Parks & Fields	42.16	0.00	
				37,305.15	3272592818-1 0124	Parks & Fields	37,305.15	0.00	
				37,411.50	6022590556-5 0124	H2O Supply	37,411.50	0.00	
				82,173.36	8100862765-5 0124	City Owned St & Hwy Lighting	82,173.36	0.00	
	XXXXX6237	03/05/2024	Pavithra Ramesh Jayaraman	2,527.20	PR2024JF	AD5HAC 1/5-2/25/2024	2,527.20	0.00	\$2,527.20
	XXXXX6238	03/05/2024	Peach Park LLC	6,000.00	1621	Pet Waste Video 50%Quot Bal	6,000.00	0.00	\$6,000.00
	XXXXX6239	03/05/2024	Priority 1 Public Safety Equipment	600.00	9595	Labor	600.00	0.00	\$6,922.00
				6,322.00	9597	Labor	6,322.00	0.00	
	XXXXX6240	03/05/2024	Ranger Pipelines Inc	290,703.48	SCWPSitePre p#19	UY-20-02	290,703.48	0.00	\$290,703.48
	XXXXX6241	03/05/2024	San Diego Police Equipment Co	1,398.86	660202	FPO#FY24-066	1,398.86	0.00	\$1,398.86
	XXXXX6242	03/05/2024	Santa Clara Lighting Inc	115.51	31170	Supplies	115.51	0.00	\$261.08
				145.57	31360	Supplies	145.57	0.00	
	XXXXX6243	03/05/2024	Secure Solutions	100.00	000863	Polygraph Exam	100.00	0.00	\$7,336.51
				100.00	000895	Polygraph Exam	100.00	0.00	
				1,848.40	000914	Background Investigation	1,848.40	0.00	
				400.00	000918	Background Investigation	400.00	0.00	
				1,885.92	000921	Background Investigation	1,885.92	0.00	
				2,202.19	000924	Background Investigation	2,202.19	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				400.00	000932	Background Investigation	400.00	0.00	
				400.00	000933	Background Investigation	400.00	0.00	
	XXXXX6244	03/05/2024	SHI International Corp	198.64	B17962333	Adobe Acrobat Pro	198.64	0.00	\$198.64
	XXXXX6245	03/05/2024	SmithGroup Inc	15,246.59	0176868	Civic Ctr 12/20/23-1/26/24	15,246.59	0.00	\$15,246.59
	XXXXX6246	03/05/2024	Solitude Lake Management LLC	84,900.00	PSI043975	Service 1/2-30/2024	84,900.00	0.00	\$84,900.00
	XXXXX6247	03/05/2024	Spartan Tool LLC	2,605.69	IN00142564	Stores Inventory	2,605.69	0.00	\$2,605.69
	XXXXX6248	03/05/2024	Stacy Robert Macfarlane	300.00	1033	Polygraph Exams	300.00	0.00	\$300.00
	XXXXX6249	03/05/2024	Staples Inc	40.91	3560666077	Bill 8073425027 Terri Furton	40.91	0.00	\$1,972.70
				102.40	3560666082	Bill 8073425027 Terri Furton	102.40	0.00	
				44.70	3560666084	Bill 8073425027 Terri Furton	44.70	0.00	
				84.44	3560666087	Bill 8073425027 R Montalvo	84.44	0.00	
				81.76	3560666089	Bill 8073425027 Terri Furton	81.76	0.00	
				107.61	3560666093	Bill 8073425027 Lisa Mason	107.61	0.00	
				1,510.88	3560666097	Bill 8073425027 Lisa Mason	1,510.88	0.00	
	XXXXX6250	03/05/2024	Stearns, Conrad and Schmidt Consulting Engineers Inc	1,695.00	0492320	Jan 2024 Svc	1,695.00	0.00	\$2,723.50
				1,028.50	0493403	Jan 2024 Svc	1,028.50	0.00	
	XXXXX6251	03/05/2024	Steven C Dolezal PhD	2,850.00	January 2024	Psychological Services	2,850.00	0.00	\$2,850.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6252	03/05/2024	Sunnyvale Ford Inc	777.38	234056 FOW	Stores Inventory	777.38	0.00	\$777.38
	XXXXX6253	03/05/2024	The Goodyear Tire & Rubber Co	1,122.54	184-1100482	Tires	1,122.54	0.00	\$3,109.28
				1,986.74	184-1100483	Tires	1,986.74	0.00	
	XXXXX6254	03/05/2024	U.S. Bank	173,172.41	WPCPScdry Treatmnt&Dw trng#04	UY-21-07	173,172.41	0.00	\$173,172.41
	XXXXX6255	03/05/2024	Vehicle Service Group LLC	9,452.59	1007341	Tire Changer & Accessories	9,452.59	0.00	\$10,315.14
				862.55	7000246	Invoice 1007341 Sales Tax	862.55	0.00	
	XXXXX6256	03/05/2024	Weck Laboratories Inc	307.76	W4B2257	Lab Services	307.76	0.00	\$307.76
	XXXXX6257	03/05/2024	Witmer Tyson Imports Inc	1,253.60	T15325	K-9 Trng Jan 24 & Misc	1,253.60	0.00	\$1,253.60
	XXXXX6258	03/05/2024	Wood Rodgers Inc	1,393.75	177917	Pavement Rehab Thru 1/31/24	1,393.75	0.00	\$1,393.75
	XXXXX6259	03/05/2024	Ying Wu	166.36	179339-58224	Utility Credit Balance Refund	166.36	0.00	\$166.36
	XXXXX6260	03/05/2024	Zalco Laboratories	450.00	2402139	Gas Analysis	450.00	0.00	\$450.00
	XXXXX6261	03/05/2024	Zanker Road Resource Management LLC	211,215.19	202401511	Organic Waste Processing	211,215.19	0.00	\$211,215.19
	XXXXX6262	03/05/2024	ZAP Manufacturing Inc	4,321.75	8439	Sign	4,321.75	0.00	\$4,321.75
	XXXXX6263	03/07/2024	Bay Area Air Quality Management District	1,103.00	T166071	Permit application invoice for Corp. Yard Gas Dispensing Alteration	1,103.00	0.00	\$1,103.00
	XXXXX6264	03/07/2024	Stericycle Inc	152.74	8006435771	Customer 3000150336	152.74	0.00	\$152.74
	XXXXX6265	03/07/2024	22nd Century Technologies Inc	17,600.00	1420715	Martin Duy Vo Jan 2024	17,600.00	0.00	\$17,600.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6266	03/07/2024	Airgas Inc	712.79	5506436764	Gas cylinder rentals	712.79	0.00	\$712.79
	XXXXX6267	03/07/2024	Amazon Capital Services Inc	-69.29	11TJ-MYYV-CPPH	Credit inv 1JLY-HPD7-Q6KM	-69.29	0.00	\$3,794.93
				240.08	144H-4XDP-6NL1	Stephen Napier	240.08	0.00	
				-240.02	163H-GXYG-3T94	Credit inv 1J6V-YPRP-GQ7V	-240.02	0.00	
				95.68	17CV-HQ7Q-641M	Terri Furton	95.68	0.00	
				206.24	17XY-K944-1VC7	Mark Witt	206.24	0.00	
				130.92	19HJ-JNRL-G9J1	Devin Diazoni	130.92	0.00	
				201.70	1F9R-117W-M1DK	Terri Furton	201.70	0.00	
				64.87	1FW9-P7T4-4T3G	Jose Carrillo	64.87	0.00	
				31.54	1FW9-P7T4-FWTC	Grace Lo	31.54	0.00	
				579.40	1GPD-WX9G-69MT	Michelle Chuck	579.40	0.00	
				240.02	1J6V-YPRP-GQ7V	Grace Lo	240.02	0.00	
				138.58	1JLY-HPD7-Q6KM	Grace Lo	138.58	0.00	
				73.11	1MGW-KDH4-D1TF	Stacy De Benedetti	73.11	0.00	
				27.24	1NFC-KNG4-77KH	Nan Choi	27.24	0.00	
				997.40	1Q9M-W7N7-F1GJ	Frances Morales	997.40	0.00	
				558.96	1TCG-J1H9-	Jose Carrillo	558.96	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
					7NFR				
				75.78	1TPP-GD9Q-36QF	Mark Witt	75.78	0.00	
				442.72	1YD1-XMDD-6Q34	Tim Kashitani	442.72	0.00	
	XXXXX6268	03/07/2024	AmfaSoft Corp	362.50	JosephStaws hi-02	Stawski, Joseph #22-03-501	362.50	0.00	\$362.50
	XXXXX6269	03/07/2024	AT&T	19.29	21360326	Services 02/01/2024 - 02/29/2024	19.29	0.00	\$19.29
	XXXXX6270	03/07/2024	Axon Enterprise Inc	7,974.86	INUS232909	Battery Pack	7,974.86	0.00	\$7,974.86
	XXXXX6271	03/07/2024	Bay Area Air Quality Management District	5,211.00	4JT20 01.04.2024 Bal	Appl#30949 Permit Renewal	5,211.00	0.00	\$5,211.00
	XXXXX6272	03/07/2024	Bear Electrical Solutions Inc	53,937.56	Dartshire&Wo lfe#04	TR-19-04	53,937.56	0.00	\$114,996.24
				61,058.68	Dartshire&Wo lfe#05	TR-19-04	61,058.68	0.00	
	XXXXX6273	03/07/2024	Benchmark Environmental Engineering	210.00	E24-351	1220 Vienna #536 Lead Insptn	210.00	0.00	\$210.00
	XXXXX6274	03/07/2024	Best Best & Krieger LLP	427.50	989325	Services through 2/29/2024	427.50	0.00	\$427.50
	XXXXX6275	03/07/2024	Biggs Cardosa Assoc Inc	7,787.42	87946	Project 2012238 - Dec. 31, 2023	7,787.42	0.00	\$7,787.42
	XXXXX6276	03/07/2024	Biocom California Institute	21,000.00	001-540-23-07	Jan 24	21,000.00	0.00	\$21,000.00
	XXXXX6277	03/07/2024	California Newspapers Partnership	216.00	0006806602	AC#2083317 Stmt0001405738	216.00	0.00	\$3,641.52
				99.00	0006808128	AC#2083317, Stmt 0001405738	99.00	0.00	
				290.00	0006809688	AC#2083317 Stmt0001405738	290.00	0.00	

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				2,927.52	0006810145	AC#2083317 Stmt0001405738	2,927.52	0.00	
				109.00	0006810187	AC# 2083317, Stmt 0001405738	109.00	0.00	
	XXXXX6278	03/07/2024	Callaway Golf Co	178.48	937753156	Golf store	178.48	0.00	\$178.48
	XXXXX6279	03/07/2024	Carlos Ceballos	58.55	24-086	Textbook Reimbursement	58.55	0.00	\$58.55
	XXXXX6280	03/07/2024	Century Graphics	1,691.23	59720	Golf Uniforms	1,691.23	0.00	\$20,152.89
				193.68	59721	Headwear	193.68	0.00	
				360.05	59723	Golf Headwear	360.05	0.00	
				2,572.59	59724	Golf Uniforms	2,572.59	0.00	
				11,685.90	59738	Golf Uniforms	11,685.90	0.00	
				1,355.43	59739	Headwear	1,355.43	0.00	
				494.27	59758	Uniforms	494.27	0.00	
				482.86	59759	Uniforms	482.86	0.00	
				278.40	59760	Golf Uniforms	278.40	0.00	
				779.20	59762	Golf Uniforms	779.20	0.00	
				259.28	59763	Golf Uniforms	259.28	0.00	
	XXXXX6281	03/07/2024	Cinderella Company	235.00	020824	2/8/24 Storytime Presentation	235.00	0.00	\$235.00
	XXXXX6282	03/07/2024	Core & Main LP	250.99	U347905	Stores Inventory	250.99	0.00	\$12,861.49
				5,849.10	U392610	Stores Inventory	5,849.10	0.00	
				327.38	U408108	Stores Inventory	327.38	0.00	
				458.33	U416719	Stores Inventory	458.33	0.00	
				982.13	U432313	Stores Inventory	982.13	0.00	
				4,993.56	U455554	Stores Inventory	4,993.56	0.00	
	XXXXX6283	03/07/2024	Dance Force LLC	3,484.80	1192	Dance Classes 1/23- 3/2/24	3,484.80	0.00	\$3,484.80
	XXXXX6284	03/07/2024	Dell Marketing LP	914.23	10734900438	Power Cord	914.23	0.00	\$9,876.18
				8,961.95	10735220127	Computer & accessories	8,961.95	0.00	
	XXXXX6285	03/07/2024	Downey Brand LLP	7,227.14	596974	Legal Services	7,227.14	0.00	\$7,227.14

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6286	03/07/2024	EMR CPR LLC	6,359.70	SV2274-3	IT Help Desk R Guerin Jan 24	6,359.70	0.00	\$6,359.70
	XXXXX6287	03/07/2024	Environmental Innovations Inc	1,210.00	2420	22/23 Sunnyvale Foodware	1,210.00	0.00	\$6,050.00
				4,840.00	2459	22/23 Sunnyvale Foodware	4,840.00	0.00	
	XXXXX6288	03/07/2024	Esbro	4,713.95	105782	Chemicals & Drum Deposits	4,713.95	0.00	\$4,713.95
	XXXXX6289	03/07/2024	GEOinovo Solutions Inc	3,704.60	422	Jan 2024 ESD	3,704.60	0.00	\$3,704.60
	XXXXX6290	03/07/2024	Ghirardelli Associates Inc	1,123.05	19110.000 - 50	Fair Oaks Bridge Feb 2024	1,123.05	0.00	\$1,123.05
	XXXXX6291	03/07/2024	Grainger	809.93	9040229156	Stores Inventory	809.93	0.00	\$809.93
	XXXXX6292	03/07/2024	Home Depot USA Inc d/b/a The Home Depot Pro	96.88	793037623	Supplies	96.88	0.00	\$96.88
	XXXXX6293	03/07/2024	Hybrid Commercial Printing Inc	867.54	27822	WW- Door Hanger	867.54	0.00	\$3,164.62
				698.40	27823	Sewer Door Hangers	698.40	0.00	
				1,440.45	27824	No Parking Sign Crack Seal	1,440.45	0.00	
				158.23	27825	Business card - Larry Klein	158.23	0.00	
	XXXXX6294	03/07/2024	Imperial Dade	425.26	16036625	TOWEL DISPENSER Item #BOB-262	425.26	0.00	\$1,323.23
				897.97	16036626	Misc. supplies	897.97	0.00	
	XXXXX6295	03/07/2024	Kaiser Foundation Health Plan, Inc.	1,809.81	INVWF00000 36	Employee Wellness App	1,809.81	0.00	\$1,809.81
	XXXXX6296	03/07/2024	Kelly Spicers Stores	938.15	70010752	Stores Inventory	938.15	0.00	\$938.15
	XXXXX6297	03/07/2024	Lucille Tiangco	55.99	24-085	Textbook Reimbursement	55.99	0.00	\$55.99

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6298	03/07/2024	Mallory Safety & Supply LLC	52.05	5837546	Stores Inventory	52.05	0.00	\$52.05
	XXXXX6299	03/07/2024	National Construction Rentals Inc	160.91	7344790	Borregas & Carl 3/2-29/2024	160.91	0.00	\$160.91
	XXXXX6300	03/07/2024	ODP Business Solutions LLC (f/k/a Office Depot Business Solutions LLC)	325.48	354918442001	Devin Diazoni	325.48	0.00	\$325.48
	XXXXX6301	03/07/2024	Omega Engraving	18.50	14585	Name Badge	18.50	0.00	\$18.50
	XXXXX6302	03/07/2024	Pacific Gas & Electric Co	11,965.05	0114206254-4 0124.	301 Carl Road/Smart Station	11,965.05	0.00	\$44,063.32
				127.94	3501235109-0 0224	Traffic Signals	127.94	0.00	
				19,122.22	3564259466-3 0124	Traffic Signals	19,122.22	0.00	
				12,848.11	9147590356-2 0124	Golf Courses	12,848.11	0.00	
	XXXXX6303	03/07/2024	Pacific Gas & Electric Co	14.58	8093266496-6 0224	Traffic Signals	14.58	0.00	\$14.58
	XXXXX6304	03/07/2024	Pacific West Security Inc	373.00	79997	Golf Shop Jan 2024	373.00	0.00	\$746.00
				373.00	82074	Golf Shop March 2024	373.00	0.00	
	XXXXX6305	03/07/2024	Park Consulting Group Inc	8,097.50	413	EnerGov Feb 2024	8,097.50	0.00	\$8,097.50
	XXXXX6307	03/07/2024	Pravin Kaipa	590.39	24-088	Textbook & Subscription Reimb	590.39	0.00	\$590.39
	XXXXX6308	03/07/2024	Quality Code Publishing LLC	680.00	PG000035555	Publishing Services	680.00	0.00	\$680.00
	XXXXX6309	03/07/2024	R S Hughes Co Inc	314.28	80865191-01	Stores Inventory	314.28	0.00	\$314.28
	XXXXX6310	03/07/2024	Randal Metz The Puppet Company	375.00	001	2/29/2024 Presentation	375.00	0.00	\$375.00

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6311	03/07/2024	Roadtrip Nation	205,000.00	INV2501	Ag#001-301-24 Jan 2024	205,000.00	0.00	\$205,000.00
	XXXXX6312	03/07/2024	Rosario Gomez Garcia	57.91	24-087	Textbook Reimbursement	57.91	0.00	\$57.91
	XXXXX6313	03/07/2024	S & L Fence Co	1,886.00	5095	Fence Repairs	1,886.00	0.00	\$1,886.00
	XXXXX6314	03/07/2024	SFO Reprographics	436.50	81527	Color Posters	436.50	0.00	\$1,189.46
				752.96	81539	Color Posters	752.96	0.00	
	XXXXX6315	03/07/2024	Shawn M Nunes	351.00	EXP0000606 92750	Travel Sacramento 120323	351.00	0.00	\$351.00
	XXXXX6316	03/07/2024	Sierra Pacific Turf Supply Inc	2,432.79	01001133	Supplies	2,432.79	0.00	\$2,432.79
	XXXXX6317	03/07/2024	Silicon Valley Polytechnic Institute	2,835.00	02122024-781	Abushaban, M #24-09-501-01	2,835.00	0.00	\$2,835.00
	XXXXX6318	03/07/2024	SmithGroup Inc	1,138.64	0172273	Civic Ctr 5/27-6/30/23	1,138.64	0.00	\$1,138.64
	XXXXX6319	03/07/2024	Summit Uniforms LLC	554.53	7072	Uniforms	554.53	0.00	\$12,992.66
				41.56	7120	Uniforms	41.56	0.00	
				30.63	7309B	Uniforms	30.63	0.00	
				425.47	7410	Uniforms	425.47	0.00	
				26.25	7411	Uniforms	26.25	0.00	
				2,371.25	7909	Uniforms	2,371.25	0.00	
				2,371.25	7915	Uniforms	2,371.25	0.00	
				2,453.28	7923	Uniforms	2,453.28	0.00	
				2,371.25	7925	Uniforms	2,371.25	0.00	
				1,688.75	8101	Uniforms	1,688.75	0.00	
				432.03	8223	Uniforms	432.03	0.00	
				226.41	8426	Uniforms	226.41	0.00	
	XXXXX6320	03/07/2024	TaylorMade Golf Co Inc	294.92	37133584	Resale Merchandise	294.92	0.00	\$212.40
				-82.52	37205092	Credit for change of price	-82.52	0.00	
	XXXXX6321	03/07/2024	The Goodyear Tire & Rubber Co	982.22	184-1100526	Tires and fees	982.22	0.00	\$982.22

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX6322	03/07/2024	The Institute for Advanced Development LLC	2,000.00	24-1269	FPO#AA-004	2,000.00	0.00	\$2,000.00
	XXXXX6323	03/07/2024	The Sourcing Group LLC	6,210.57	596545	Utility Bill Inserts	6,210.57	0.00	\$6,210.57
	XXXXX6324	03/07/2024	U.S. Bank	64,864.66	WPCPRRehabilitation#07	UY-21-04	64,864.66	0.00	\$64,864.66
	XXXXX6325	03/07/2024	U.S. Bank	15,826.50	SCWPSitePrep#19	UY-20-02	15,826.50	0.00	\$15,826.50
	XXXXX6326	03/07/2024	Univar Solutions USA Inc	815.71	51895122	Caustic Soda	815.71	0.00	\$815.71
	XXXXX6327	03/07/2024	University of California Santa Cruz	4,923.00	59346	Chen, Rui #22-12-201-96	4,923.00	0.00	\$5,235.00
				312.00	59347	Carroll, Christine 22-12-501-38	312.00	0.00	
	XXXXX6328	03/07/2024	Valley Oil Co	10,548.27	186706	Stores Inventory	10,548.27	0.00	\$10,548.27
	XXXXX6329	03/07/2024	West Publishing Corporation	2,094.87	849790445	Software Subscription Charges	2,094.87	0.00	\$2,094.87
	XXXXX6330	03/07/2024	Western Digital Technologies Inc	13,683.00	001-292-24-5	Ag#001-292-24 Jan 2024	13,683.00	0.00	\$13,683.00
	XXXXX6331	03/07/2024	Western States Arts Federation	2,500.00	24-021	Public Art 1/26/24-1/25/25	2,500.00	0.00	\$2,500.00
	XXXXX6332	03/07/2024	WOWzy Creation Corp	125.65	96460	Retirement Plaque	125.65	0.00	\$125.65
	XXXXX6333	03/07/2024	Zayo Group LLC	11,850.35	2024030024865	AC#24865 March 2024	11,850.35	0.00	\$11,850.35
EFT	XXXXX2400	03/05/2024	Daniel W Keenan	500.00	EXP000059545837	Misc Vest Reimbursement 021624	500.00	0.00	\$500.00
	XXXXX2401	03/05/2024	Thomas Fitzgerald Mckenzie Junior	229.78	EXP000040077875	Travel Dublin 071023	229.78	0.00	\$229.78
	XXXXX2402	03/05/2024	Nancy L Grove	818.77	EXP000059833465	Travel: CSMFO 2024 Conference	818.77	0.00	\$818.77

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXX2403	03/05/2024	Jeffrey M Doss	200.00	EXP0000595 45772	Misc Boot Reimbursement 021724	200.00	0.00	\$200.00
	XXXXX2404	03/05/2024	Dzanh K Le	483.42	EXP0000596 77644	Travel San Diego 012124	483.42	0.00	\$483.42
	XXXXX2405	03/05/2024	Norma V O'Connell	38.25	EXP0000604 16557	Misc 022324	38.25	0.00	\$38.25
	XXXXX2406	03/05/2024	Jennifer N Brown	192.00	EXP0000596 86162	Travel Reno 021124	192.00	0.00	\$192.00
	XXXXX2407	03/05/2024	Marie E Plonka	200.00	EXP0000591 47880	Misc Boot Reimbursement 020224	200.00	0.00	\$200.00
	XXXXX2408	03/05/2024	Dustin K Clark	65.28	EXP0000579 13223	Mileage and Parking Reimbursement	65.28	0.00	\$65.28
	XXXXX2409	03/05/2024	Elaine G Ketell	31.58	EXP0000562 41185	Purchase DPS - Other Office supplies	31.58	0.00	\$31.58
	XXXXX2410	03/05/2024	Larry A Klein	1,126.03	EXP0000596 25678	Travel Washington DC 2024 USCM Winter Meeting 011524	1,126.03	0.00	\$1,126.03
	XXXXX2411	03/05/2024	Lisa A Gonzales	164.76	EXP0000562 16002	Jan 2024 Parking & Mileage	164.76	0.00	\$164.76
	XXXXX2412	03/05/2024	Bryan E Berdeen	102.91	EXP0000604 16733	Mileage Reimbursement	102.91	0.00	\$102.91
	XXXXX2413	03/05/2024	Thao Thanh Thi Nguyen	405.00	EXP0000596 53885	Tuition California Coast Univeristy 012824	405.00	0.00	\$405.00
	XXXXX2414	03/05/2024	Ramana Chinnakotla	40.00	EXP0000604 37286	Travel Oakland 2.28.2024 RC	40.00	0.00	\$40.00
	XXXXX2415	03/05/2024	Fabian E Monge	220.00	EXP0000547 79615	Misc Boot Reimbursement 011824	220.00	0.00	\$220.00
	XXXXX2416	03/05/2024	Robert J Ramirez	220.80	EXP0000591 47901	Travel San Francisco 012424	220.80	0.00	\$1,521.06

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
				1,300.26	EXP0000595 45792	Travel Garden Grove 100123	1,300.26	0.00	
	XXXXX2417	03/05/2024	Joseph M De La Cruz	76.00	EXP0000596 51985	MiscExpense Joe DeLaCruz 2.21.2024	76.00	0.00	\$76.00
	XXXXX2418	03/05/2024	Kevin Gomes Lemos	156.96	EXP0000595 45782	Misc Boot Reimbursement 021624	156.96	0.00	\$156.96
	XXXXX2419	03/05/2024	Elisa M Barrios	130.95	EXP0000593 96867	Misc Boot Reimbursement 012624	130.95	0.00	\$130.95
	XXXXX2420	03/05/2024	Shay N Baldwin	346.90	EXP0000596 53943	Travel Dublin 013024	346.90	0.00	\$346.90
	XXXXX2421	03/05/2024	Nancy S Hextell	109.48	EXP0000471 29612	Pettycash NHextellVolunteer CelebrationDec23	109.48	0.00	\$109.48
	XXXXX2422	03/05/2024	Jerardo Barajas	102.00	EXP0000579 46304	Travel_Anaheim 2/5/24-2/7/24	102.00	0.00	\$102.00
	XXXXX2423	03/05/2024	David Michael Baynes	566.06	EXP0000596 77702	Travel Visalia 011424	566.06	0.00	\$1,132.12
				566.06	EXP0000596 77731	Travel Visalia 012124	566.06	0.00	
	XXXXX2424	03/05/2024	Kelsey R Christian	192.00	EXP0000596 86148	Travel Reno 021124	192.00	0.00	\$192.00
	XXXXX2425	03/05/2024	Devon S Simpson	69.12	EXP0000604 16174	Misc Library Teen Area Michaels Supplies 022224	69.12	0.00	\$69.12
	XXXXX2426	03/05/2024	Julianna D Bravo	400.92	EXP0000597 27979	Travel Fresno 012124	400.92	0.00	\$400.92
	XXXXX2593	03/07/2024	Karin M Jenks	153.00	EXP0000606 72791	Travel San Diego 090823	153.00	0.00	\$153.00
	XXXXX2594	03/07/2024	Sonia Marie Bokla	153.00	EXP0000618 99915	Travel San Diego 090823	153.00	0.00	\$153.00
	XXXXX2595	03/07/2024	Anthony J Sult	369.50	EXP0000462 68128	Travel San Diego 101623	369.50	0.00	\$369.50

Payment Type	Payment #.	Payment Date	Vendor Name	Amount Paid	Invoice No.	Description	Invoice Amount	Discount Taken	Payment Total
	XXXXXX2596	03/07/2024	Kelly Nguyen	1,154.20	EXP000059148877	Travel Garden Grove 0202424	1,154.20	0.00	\$1,154.20
	XXXXXX2597	03/07/2024	Marianne G Siu	95.00	EXP000060692422	Travel Sacramento 022624	95.00	0.00	\$95.00
	XXXXXX2598	03/07/2024	Lisa Stetson Mason	95.00	EXP000060692448	Travel Sacramento 022624	95.00	0.00	\$95.00
	XXXXXX2599	03/07/2024	Rohan A Wikramanayake	32.16	EXP000060413748	R. Wikramanayake-Travel Mileage WPCP	32.16	0.00	\$32.16
	XXXXXX2600	03/07/2024	Daniel A Martinez	500.00	EXP000060692375	Misc Vest Reimbursement 021424	500.00	0.00	\$500.00
	XXXXXX2601	03/07/2024	Salimata E Dia	95.00	EXP000060692485	Travel Sacramento 022624	95.00	0.00	\$95.00
	XXXXXX2602	03/07/2024	Steven J Rocheville	205.34	EXP000059147890	Travel Walnut Creek 020824	205.34	0.00	\$205.34
	XXXXXX2603	03/07/2024	Tiffany R Shillito	153.00	EXP000060692740	Travel San Diego 090523	153.00	0.00	\$153.00
	XXXXXX2604	03/07/2024	Raelyn Walsworth	153.00	EXP000061899928	Travel San Diego 090823	153.00	0.00	\$153.00
WIRE	XXXXXX2592	03/07/2024	Public Employees Retirement System	2,043,417.48	100000017458097	Medical Premium Mar 2024 Wire Date 3/5/2024	2,043,417.48	0.00	\$2,043,417.48
Grand Total				5,180,433.40			5,180,449.53	16.13	\$5,180,433.40



City of Sunnyvale

Agenda Item

24-0414

Agenda Date: 3/26/2024

REPORT TO COUNCIL

SUBJECT

Award of Contract to Graham Contractors, Inc. in the Amount of \$781,840.41 for Slurry Seal 2024 B-SB1 Project No. ST-23-07 and Finding of Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15301(c)

REPORT IN BRIEF

Approval is requested to award a construction contract in substantially the same form as Attachment 2 to this report, in the amount of \$781,840.41 to Graham Contractors, Inc. of San Jose for Slurry Seal 2024 B-SB1, and approval of a 10% construction contingency in the amount of \$78,184.

EXISTING POLICY

Pursuant to Section 2.09.040 of the Sunnyvale Municipal Code, City Council approval is required for awards of public works contracts exceeding \$250,000.

Pursuant to Section 2.09.140(b) of the Sunnyvale Municipal Code, the City Council may reject bids or proposals received in response to formal competitive bid solicitations.

ENVIRONMENTAL REVIEW

This project is exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c), for the repair, maintenance, or minor alteration of existing facilities, including highways, streets and similar facilities, involving negligible or no expansion of use beyond that which presently exists.

BACKGROUND AND DISCUSSION

The Slurry Seal 2024 B-SB1 Project (Public Works Project No. ST-23-07) consists of the installation of slurry seal along portions of Hollenbeck Avenue, Arques Avenue, and Morse Avenue (see Attachment 5 to the report). This Project also includes installing thermoplastic pavement striping, markings, legends, green bike lanes and raised pavement markers.

An invitation for bids was posted on the City's DemandStar public procurement network, distributed to local Bay Area Builder's Exchanges, and published on the City's website on January 12, 2024. Twenty-three (23) contractors requested bid documents with six (6) sealed bids publicly opened on January 31, 2024. Graham Contractors, Inc. of San Jose was deemed the lowest responsive and responsible bid in the amount of \$781, 840.41 (see Attachment 1).

A bid submitted by VSS International Inc. was deemed non-responsive because the submission did not contain a bid form. A bid summary is contained in Attachment 1 to this report.

FISCAL IMPACT

Budgeted funds are available in Project 825290 - Pavement Rehabilitation using Road Maintenance & Rehab Act (RMRA) funds.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

RECOMMENDATION

Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$781,840.41 to Graham Contractors, Inc. of San Jose;
- Approval of a 10% construction contingency in the amount of \$78,184;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

Prepared by: David Battaglia, 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

ATTACHMENTS

1. Bid Summary
2. Draft General Construction Contract
3. Project 825290 - Slurry Seal Budget Summary Sheet
4. Slurry Seal Locations
5. Streets Map

*Bid submitted by VSS International Inc. Did not include a bid form and therefore, the submission is Non - Responsive.

GENERAL CONSTRUCTION CONTRACT

THIS CONTRACT dated _____ is by and between the CITY OF SUNNYVALE, a California chartered municipal corporation of the State of California ("Owner") and GRAHAM CONTRACTORS INC. ("Contractor"). A California general contractor corporation.

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, Slurry Seal 2024 B-SB1, Project No. ST-23-07, Invitation for Bids No. PW24-10, including 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.

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

All 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 labor, materials, equipment, tools and incidentals necessary to remove (by grinding) existing thermoplastic striping, pavement markings and legends; remove raised pavement markers; apply slurry seal in areas indicated; install new striping, pavement markings, legends and raised pavement markers 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, Slurry Seal 2024 B-SB1, Project No. ST-23-07.

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 Seven Hundred Eighty One Thousand Eight Hundred Forty and 41/100 Dollars (\$781,840.41) 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. 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 always 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 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 sixty (60) 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 (10) 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 (15) 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 (30) 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: Graham Contractors Inc.
860 Lonus Street
San Jose, CA 95126

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 one hundred percent (100%) 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 one hundred percent (100%) 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. The Owner requires that CONTRACTOR maintain insurance requirements on the Pacific Insurance Network System (PINS). CONTRACTOR shall procure and maintain, at its own expense during the life of this Agreement, policies of insurance as specified in Exhibit "C" attached and incorporated by reference and shall provide all certificates and/or endorsements as specified in Exhibit "C" through PINS for approval by the Owner Risk Manager prior to CONTRACTOR (or subcontractor) commencing any work under this Agreement.

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 more than 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 (10) 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 always exercised 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 (1) 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 (\$500), for 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 California chartered municipal corporation
of the State of California, Owner

GRAHAM CONTRACTORS INC.
Contractor

License No. 315789

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
BID SCHEDULE

No.	Description	QTY	Unit	Unit Cost	Total Cost
1	Mobilization (Recommend Not to Exceed 5% of Total Base Bid)	1	LS		\$ 30,000.00
2	Traffic Control	1	LS		\$ 100,000.00
3	Changeable Message Board (CMB) (Revocable)	6	EA	\$ 2,000.00	\$ 12,000.00
4	Install Slurry Seal (Type II) with 2 ½ % Latex	740,829	SF	\$ 0.29	\$ 214,840.41
5	Remove existing pavement striping, markings, legends, and raised pavement markers	1	LS		\$ 55,000.00
6	Install thermoplastic pavement striping, markings, legends, and raised pavement markers	1	LS		\$ 300,000.00
7	Traffic Signal Modification by City's contractor (Allowance)	1	LS		\$ 70,000.00
TOTAL BASE BID AMOUNT \$ 781,840.41					
1) 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. 2) If a project includes any "Allowance" Unit Price Bid items, the amount in the "Total" column will be entered by the City and shall not be altered.					

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 _____ %

EXHIBIT C

INSURANCE REQUIREMENTS

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work by the Contractor, their agents, representatives, or employees.

Minimum Scope and Limits of Insurance. Contractor shall maintain limits not less than:

1. **Commercial General Liability:** coverage written on an occurrence basis with limits not less than \$2,000,000 per occurrence and \$4,000,000 aggregate for bodily injury, personal injury and property damage. ISO Occurrence Form shall be at least as broad as CG 0001.
2. **Automobile Liability:** coverage with a combined single limit of not less than \$2,000,000 per occurrence applying to all owned, non-owned, or hired vehicles used in conjunction with this contract for bodily injury and property damage. ISO Form shall be at least as broad as CA 0001.
3. **Workers' Compensation:** Statutory Limits and **Employer's Liability:** \$1,000,000 per accident for bodily injury or disease.

Industry Specific Coverages. If checked below, the following insurance is also required:

- ☐ Professional Liability / Errors and Omissions Liability coverage with limits not less than \$2,000,000 per occurrence or claim.
- ☐ Valuable Papers and Electronic Data Processing with limits not less than \$10,000 each.
- ☐ Pollution Liability coverage with limits not less than \$2,000,000 per occurrence.
- ☐ MCS-90 Endorsement to Business Automobile insurance for transportation of hazardous materials and pollutants.
- ☐ Builder's Risk / Course of Construction coverage written on an "all risk" basis with limits equal to the completed value of the project and no coinsurance penalty provisions.
- ☐ Installation Floater coverage written on an "all risk" basis with limits equal to the completed value of the project and no coinsurance penalty provisions.

Deductibles, Self-Insured Retentions and Other Coverages:

Any deductibles or self-insured retentions must be declared and reviewed by the City of Sunnyvale, Risk Manager. The Contractor shall guarantee payment of any losses and related investigations, claim administration and defense expenses within the deductible or self-insured retention.

The aforementioned insurance requirements can be met through any combination of self-insured, primary and excess/umbrella policies that fulfill the stipulated coverage as cited above.

Other Insurance Provisions:

1. During the term of the contract, the City of Sunnyvale, its officers, officials, employees, agents, and volunteers are to be covered as an additional insured in the Contractor's commercial general liability policy (and if industry specific coverage box is indicated above, valuable papers, electronic data processing, pollution liability, builder's risk, and installation floater policies) with respect to liability arising out of activities performed by or on behalf of the Contractor; products and completed

operations of the Contractor; premises owned, occupied or used by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City of Sunnyvale, its officers, officials, employees, agents, or volunteers.

Additional Insured Endorsement for ongoing operations at least as broad as ISO CG 20 10 Scheduled, or automatic CG 20 38 and completed operations shall be at least as broad as ISO CG 20 37 scheduled or automatic ISO CG 20 40.

2. During the term of the contract, the Contractor's Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City of Sunnyvale.
3. For all Architects, Engineers and Design Professionals - If Industry Specific Coverage box is checked above **and** if the Contractor's Professional Liability/Errors and Omissions coverage is written on a claims made basis:
 - a. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
 - b. Insurance must be maintained and evidence of insurance must be provided *for at least three (3) years after completion of the contract of work.*
 - c. If coverage is canceled or non-renewed, and not *replaced with another claims-made policy form with a Retroactive Date* prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of *three (3) years* after completion of contract work
4. If Industry Specific Coverage box is checked above, during the term of the contract, the Contractor's Builder's Risk / Course of Construction or Installation Floater policy shall provide coverage for any building, structures, machinery or equipment that is damaged, impaired, broken or destroyed during the performance of the Work, including during transit, installation and testing. The policy shall name the City of Sunnyvale as a Loss Payee with respect to any repairs or replacement of any damaged property or other amounts payable under the policy.
5. For any claims related to this project, the Contractor's insurance shall be primary. Any insurance or self-insurance maintained by the City of Sunnyvale, its officers, officials, employees, agents and volunteers shall be excess of the Contractor's insurance and shall not contribute with it and shall be at least as broad as ISO CG 20 01 04 13.
6. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City of Sunnyvale, its officers, officials, employees, agents or volunteers.
7. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
8. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City of Sunnyvale.
9. Any umbrella or excess Insurance Liability policies shall be true "following form" of the underlying policy coverage, terms, conditions, and provisions and shall meet all of the insurance requirements stated in this document, including the additional insured, SIR, and primary and non-contributory insurance requirements for the benefit of City (if agreed to in a written contract or agreement) until all coverage carried by or available to the Contractor's primary and excess liability policies are exhausted and before the City's own Insurance or self-insurance shall be called upon to contribute to a loss.

10. The policy limits of coverage shall be made available to the full limits of the policy. The minimum limits stated above shall not serve to reduce the Contractor's policy limits of coverage. Therefore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured, whichever is greater.

Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, and who are admitted and authorized to do business and in good standing in California unless otherwise acceptable to the City of Sunnyvale's Risk Manager.

Verification of Coverage:

The City of Sunnyvale utilizes PINSAdvantage.com (PINS) to track and verify all insurance related documents. The City is no longer accepting Certificates of Insurance by mail and requires the use of PINS. The City will email the Contractor requesting proof of insurance for this Contract through the PINS platform (no-reply@pinsadvantage.com), which include instructions on how to upload insurance documents electronically. Contractor shall furnish the City of Sunnyvale with an electronic Certificate of Insurance effecting the coverage required. The certificates are to be signed by a person authorized by that insurer to bind coverage on its behalf and name City of Sunnyvale, Attn: Risk Management, 456 W. Olive Ave, Sunnyvale, CA 94088 as the certificate holder. All certificates are to be received and approved by the City of Sunnyvale, Risk Manager prior to commencement of work.

The Contractor shall provide certificate(s) evidencing renewals of all insurance required herein prior to the expiration date of any such insurance. Contractor shall submit insurance certificates reflecting the policy renewals through PINS. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

Subcontractors:

Contractor shall require all subcontractors to procure and maintain insurance policies subject to these requirements. Failure of Contractor to verify existence of sub-contractor's insurance shall not relieve Contractor from any claim arising from sub-contractors work on behalf of Contractor.

Bond No: 30210917
Premium: \$3,554.00
Premium is for contract term and is subject
to adjustments based on final contract
price.

PERFORMANCE BOND

Invitation for Bids No. PW24-10

Slurry Seal 2024 B-SB1

Project No. ST-23-07

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, the City of Sunnyvale ("City") has awarded to Graham Contractors, Inc. as principal ("Contractor"), a contract for the public work described as follows:

The project entitled Slurry Seal 2024 B-SB1, Project No. ST-23-07 pursuant to the award made to said Principal by the Council of the City of Sunnyvale to do and perform the following work, to wit: furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete in a good and workmanlike manner, the work furnishing all labor, materials, equipment, tools and incidentals necessary to remove (by grinding) existing thermoplastic striping, pavement markings and legends; remove raised pavement markers; apply slurry seal in areas indicated; install new striping, pavement markings, legends and raised pavement marker, as called for, and in the manner designated in, and in strict conformity with, the Plans and Specifications (the "work").

It is acknowledged that the contract provides for a one (1) year warranty period during which time this Bond remains in full force and effect. The contract and all its terms and conditions are incorporated into this Bond by reference.

AND WHEREAS, the Contractor is required to furnish a bond in connection with the contract guaranteeing its faithful performance.

AND THEREFORE, we the undersigned Contractor as principal and Western Surety Company a corporation admitted and duly authorized to transact business under the laws of the State of California as surety, are held and firmly bound unto the City as obligee in the sum of Seven Hundred Eighty One Thousand Eight Hundred Forty and 41/100 Dollars (\$781,840.41), which amount is not less than one hundred percent (100%) of the contract price, to be paid to the City or its successors and assigns; and for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors or assigns, jointly and severally, firmly by these presents.

THE CONDITION of the obligation is such:

That if the Contractor, (or the Contractor's heirs, executors, administrators, successors, or assigns) shall in all respects abide by, and well and truly keep and perform all of the covenants, conditions, and agreements in the contract (and any alteration made as provided in the contract) at the time and in the manner specified and, in all respects, according to their true intent and meaning; and if the contractor

shall indemnify and save harmless the City, its officers, employees, and agents, as stipulated in the contract, then this obligation shall become and be null and void; otherwise, this obligation shall be and remain in full force and effect.

As a condition precedent to the satisfactory completion of the contract, the obligation of the Contractor and surety under this Bond shall remain in effect for a period of one (1) year after the completion and acceptance of the work. During that time, if the Contractor (or the Contractor's heirs, executors, administrators, successors, or assigns) fails to make full, complete, and satisfactory repair and replacement or totally protect the City from any loss or damage made evident during that year which results from or is caused by either defective materials or faulty workmanship in the prosecution of the work, then the obligation shall remain in full force and effect. However, anything in this paragraph to the contrary notwithstanding, the obligation of the Surety shall continue so long as any obligation of the Contractor remains.

No prepayment or delay in payments, and no change, extension, addition, or alteration of any provision of the contract, or in the specifications agreed to between the Contractor and the City, or any forbearance on the part of the City shall operate to relieve the surety. The surety hereby waives the provisions of Section 2819 of the California Civil Code. The surety waives all rights of subrogation against the City, or any person employed by the City. If the contract price increases by the issuance of change orders, the amount specified in this bond shall increase by the same amount.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 29th
day of February, 2024.

SURETY (Name):

Western Surety Company

Address of Principal Place of Business:

151 N. Franklin Street. 17th Floor

Chicago, IL 60606

Telephone No.: 312-822-5000

Facsimile No.: 605-335-0357

By: 

Breanna Boatright Attorney In Fact

CONTRACTOR (Name):

Graham Contractors, Inc.

Address:

PO Box 26770

San Jose, CA 95159

By: 

David Graham

(Name: print or type)

Title: President

By: 

Kristen Graham

(Name: print or type)

Title: Corporate Secretary

(Notice: The signatures of the Surety
and Contractor on this bond must be
acknowledged before a notary.)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Nevada
County of Washoe

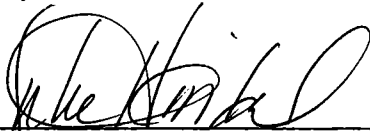
On February 29, 2024 before me, Julie Heimdahl, Notary Public
(insert name and title of the officer)

personally appeared Breanna Boatright,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~
subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in
~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

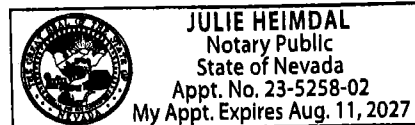
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

John Hopkins, Steve Williams, Tony Clark, Bill Rapp, Joseph H Weber, Renee Ramsey, Phil Watkins, Jason March, Matthew Foster, Elizabeth Collodi, Mindy Whitehouse, John J Weber, Sara Walliser, Jennifer Lakmann, Paula Senna, Brad Espinosa, Kathleen Le, Sharon Smith, Pam Sey, Cassandra Medina, Breanna Boatright, Jessica Monlux, Samantha Watkins, Deanna Quintero, Individually

of Chico, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the Authorizing By-Laws and Resolutions printed at the bottom of this page, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 5th day of January, 2024.



WESTERN SURETY COMPANY

Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 5th day of January, 2024, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law and Resolutions of the corporation printed below this certificate are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 29th day of February, 2024.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to www.cnasurety.com > Owner / Obligor Services > Validate Bond Coverage, if you want to verify bond authenticity.

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)

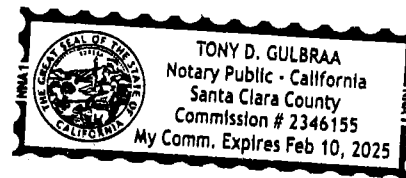
County of Santa Clara)

On March 5, 2024 before me, Tony D. Gulbraa, Notary Public, personally appeared David Graham who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tony D. Gulbraa



(Seal)

*******OPTIONAL*******

(Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.)

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner -- ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

Right Thumbprint of Signer Above

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)

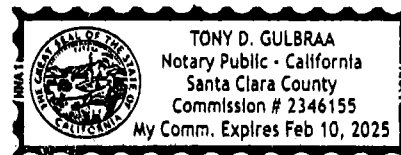
County of Santa Clara)

On March 5, 2024 before me, Tony D. Gulbraa, Notary Public, personally appeared Kristen Graham who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tony D. Gulbraa



(Seal)

*******OPTIONAL*******

(Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.)

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner -- ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

Right Thumbprint of Signer Above

Bond No: 30210917
Premium is included in the performance
bond and is subject to adjustments based
on final contract price.

PAYMENT BOND

Invitation for Bids No. PW24-10

Slurry Seal 2024 B-SB1

Project No. ST-23-07

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, the City of Sunnyvale ("City") has awarded to Graham Contractors, Inc as principal ("Contractor"), a contract for the public work described as follows:

The project entitled Slurry Seal 2024 B-SB1, Project No. ST-23-07 pursuant to the award made to said Principal by the Council of the City of Sunnyvale to do and perform the following work, to wit: furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete in a good and workmanlike manner, the work furnishing all labor, materials, equipment, tools and incidentals necessary to remove (by grinding) existing thermoplastic striping, pavement markings and legends; remove raised pavement markers; apply slurry seal in areas indicated; install new striping, pavement markings, legends and raised pavement marker, as called for, and in the manner designated in, and in strict conformity with, the Plans and Specifications (the "work").

It is acknowledged that the contract provides for a one (1) year warranty period during which time this Bond remains in full force and effect. The contract and all its terms and conditions are incorporated into this Bond by reference.

AND WHEREAS, the Contractor is required to furnish a bond in connection with the contract guaranteeing payment of persons who provide labor and material;

AND THEREFORE, we the undersigned Contractor as principal and Western Surety Company a
corporation admitted and duly authorized to transact business under the laws of the State of California, as surety, are held and firmly bound unto the City or its successors and assigns as obligee in the sum of Seven Hundred Eighty One Thousand Eight Hundred Forty and 41/100 Dollars (\$781,840.41), which amount is not less than one hundred percent (100%) of the contract price, and for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors or assigns, jointly and severally, firmly by these presents.

THE CONDITION of the obligation is such:

That if the Contractor, (or the Contractor's subcontractors, heirs, executors, administrators, successors or assigns) fails to pay any of the persons named in Section 3181 of the Civil Code of the State of California, or the amounts due under the Unemployment Insurance Code of the State of California with respect to work or labor performed under the Contract, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the contractor and subcontractors pursuant to Section 13020 of the Unemployment Insurance Code of the State of California, with respect to such work and labor, that the surety will pay for the same, in an amount not exceeding the sum specified in this bond, and also, in case suit is brought upon the bond, shall pay reasonable attorney's fees, to be fixed by the Court.

This bond shall inure to the benefit of all persons, companies, and corporations named in Section 3181 of the Civil Code of the State of California, to give a right of action to them or their assigns in any suit brought upon this bond.

No prepayment or delay in payments, and no change, extension, addition, or alteration of any provision of the contract or in the specifications agreed to between the Contractor and the City, or any forbearance on the part of the City shall operate to relieve the surety. The surety hereby waives the provisions of Section 2819 of the California Civil Code. The surety waives all rights of subrogation against the City, or any person employed by the City. If the contract price increases by the issuance of change orders, the amount specified in this bond shall increase by the same amount.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 29th
day of February, 2024.

SURETY (Name):

Western Surety Company

CONTRACTOR (Name):

Graham Contractors, Inc.

Address of Principal Place of Business:

151 N. Franklin Street, 17th Floor

Chicago, IL 60606

Address:

PO Box 26770

San Jose, CA 95159

Telephone No.: 312-822-5000

Facsimile No.: 605-335-0357

By: Breanna Boatright
Breanna Boatright Attorney in Fact

By: David Graham
David Graham
(Name: print or type)

Title: President

By: Kristen Graham
Kristen Graham
(Name: print or type)

Title: Corporate Secretary

(Notice: The signatures of the Surety
and Contractor on this bond must be
acknowledged before a notary public.)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Nevada
County of Washoe

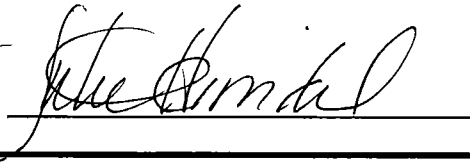
On February 29, 2024 before me, Julie Heimdal, Notary Public
(insert name and title of the officer)

personally appeared Breanna Boatright,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~
subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in
~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



JULIE HEIMDAL
Notary Public
State of Nevada
Appt. No. 23-5258-02
My Appt. Expires Aug. 11, 2027

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

John Hopkins, Steve Williams, Tony Clark, Bill Rapp, Joseph H Weber, Renee Ramsey, Phil Watkins, Jason March, Matthew Foster, Elizabeth Collodi, Mindy Whitehouse, John J Weber, Sara Walliser, Jennifer Lakmann, Paula Senna, Brad Espinosa, Kathleen Le, Sharon Smith, Pam Sey, Cassandra Medina, Breanna Boatright, Jessica Monlux, Samantha Watkins, Deanna Quintero, Individually

of Chico, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the Authorizing By-Laws and Resolutions printed at the bottom of this page, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 5th day of January, 2024.



WESTERN SURETY COMPANY

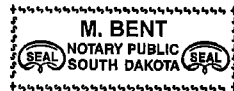
Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 5th day of January, 2024, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law and Resolutions of the corporation printed below this certificate are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 29th day of February, 2024.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to www.cnasurety.com > Owner / Obligor Services > Validate Bond Coverage, if you want to verify bond authenticity.

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

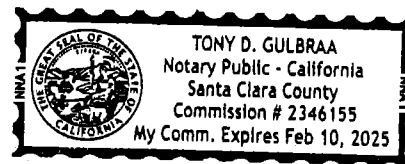
State of California)
)
County of Santa Clara)

On March 5, 2024 before me, Tony D. Gulbraa, Notary Public, personally appeared David Graham who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tony D. Gulbraa



(Seal)

*******OPTIONAL*******
(Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.)

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner -- ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

Right Thumbprint of Signer Above

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)

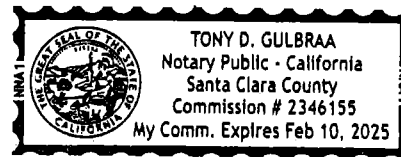
County of Santa Clara)

On March 5, 2024 before me, Tony D. Gulbraa, Notary Public, personally appeared Kristen Graham who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tony D. Gulbraa



(Seal)

*******OPTIONAL*******

(Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.)

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner -- ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

Right Thumbprint of Signer Above

GUARANTY

TO THE CITY OF SUNNYVALE, for construction of
Slurry Seal 2024 B-SB1, ST-23-07

The undersigned guarantees all construction performed on this project, as well as all material and equipment incorporated therein.

Contractor hereby grants to City for a period of one (1) year following the date of Final Acceptance of the Work, or such longer period specified in the Contract Documents, its unconditional warranty of the quality and adequacy of all Work and its compliance with the Contract Documents including, without limitation, all labor, materials, and equipment provided by Contractor and its Subcontractors of all tiers in connection with the Work.

Neither final payment nor use or occupancy of the Work performed by the Contractor shall constitute an acceptance of work not done in accordance with this Guaranty or relieve Contractor of liability in respect to any express warranties or responsibilities for faulty materials or workmanship. Contractor shall remedy any defects in the Work and pay for any damage resulting therefrom which shall appear within one (1) year, or longer if specified, from the date of Final Acceptance.

If within one (1) year after the date of Final Acceptance, or such longer period as may be prescribed by laws or regulations, or by the terms of Contract Documents, any Work is found to be defective, Contractor shall promptly, without cost to City and in accordance with City's written instructions, correct such defective Work. Contractor shall remove any defective Work rejected by City and replace it with Work that is not defective, and satisfactorily correct or remove and replace any damage to other Work or the work of others resulting therefrom. If Contractor fails to promptly comply with the terms of such instructions, or in an emergency where delay would cause serious risk of loss or damage, City may have the defective Work corrected or the rejected Work removed and replaced. Contractor shall pay for all claims, costs, losses, and damages

caused by or resulting from such removal and replacement. Where Contractor fails to correct defective work, or defects are discovered outside the correction period, City shall have all rights and remedies granted by law.

Inspection of the work shall not relieve Contractor of any of its obligations under the Contract Documents. Even though equipment, materials, or work required to be provided under the Contract Documents have been inspected, accepted, and estimated for payment, Contractor shall, at its own expense, replace or repair any such equipment, material, or work found to be defective or otherwise not to comply with the requirements of the Contract Documents up to the end of the guaranty period.

All abbreviations and definitions of terms used in this Agreement shall have the meanings set forth in the Contract Documents, including, without means of limitation, Supplemental General Provisions, Definition of Works, and Terms.

The foregoing Guaranty is in addition to any other warranties of Contractor contained in the Contract Documents, and not in lieu of, all other liability imposed on Contractor under the Contract Documents and at law with respect to Contractor's duties, obligations, and performance under the Contract Documents. In the event of any conflict or inconsistency between the terms of this Guaranty and any warranty or obligation of the Contractor under the Contract Documents or at law, such inconsistency or conflict shall be resolved in favor of the higher level of obligation of the Contractor.


Contractor Name:

Graham Contractors, Inc.

Contractor Address:

860 Lonus Street

San Jose, CA 95126



Contractor Signature
David Graham, President

February 29, 2024

Date

825290 - Pavement Rehabilitation

Originating Year:	2006	Project Type:	Traffic and Transportation	Department:	250 - Public Works
Planned Completion Year:	Ongoing	Category:	Infrastructure	Project Manager:	Marlon Quiambao Jr.

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 include 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.

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 become applicable. This overall strategy shift will allow the City to improve a larger roadway area and reach a yearly slurry sealing goal of 6 million sf annually starting in FY 2021/22. By reducing the cycle of resurfacing this will assist us in raising and maintaining 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 residents. The alternative is to delay needed preservation, repairs, and replacement. If delayed, lower cost preservation effort and minor street rehabilitation measures will become major street replacement projects at a 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; however, it will also provide for overtime needed for the warranted preparatory work prior to the application of either double chip seal or slurry seal roadways that will charge to this project. Any overages can be charged to Project 828030 - Annual Slurry Seal of City Streets.

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	Operating Costs
Prior Actual	26,057,466	21,656,085	-
2022-23	19,642,980	9,394,946	-
2023-24	5,602,090	-	-
2024-25	7,085,779	-	-
2025-26	5,929,071	-	-
2026-27	8,637,932	-	-
2027-28	8,309,031	-	-
2028-29	9,425,774	-	-
2029-30	8,942,071	-	-
2030-31	10,126,879	-	-
2031-32	9,625,680	-	-
2032-33	10,515,603	-	-
2033-34	10,363,855	-	-
2034-35	10,783,360	-	-
2035-36	10,713,144	-	-
2036-37	11,582,975	-	-
2037-38	11,075,917	-	-
2038-39	12,377,507	-	-
2039-40	10,771,634	-	-
2040-41	12,843,032	-	-
2041-42	11,328,946	-	-
2042-43	13,569,859	-	-
20 Year Total	199,610,139	-	-
Grand Total	245,310,585	31,051,031	-

SLURRY SEAL LOCATIONS

Street Segment No.	Street	Begins	Ends	SQ FT
1	E. Arques Ave	San Geronimo (e/s)	Wolfe Rd (w/s)	3,600
2	E. Arques Ave	Commercial (e/s)	San Trinita (ctr)	119,449
3	E. Arques Ave	San Trinita (ctr)	Lawrence Expwy SCCO (c/l)	94,026
4	E. Arques Ave	Lawrence Expwy (SCCO c/l)	Lakeside (ctr)	43,313
5	E. Arques Ave	Lakeside (ctr)	Oakmead (w/s)	121,163
6	Hollenbeck Ave	El Camino Real (s/s)	Danforth (ctr)	109,802
7	Hollenbeck Ave	Danforth (ctr)	Harvard (ctr)	49,626
8	Hollenbeck Ave	Harvard (ctr)	Remington (n/s)	49,046
9	Hollenbeck Ave	Remington (s/s)	Torrington (ctr)	47,277
10	Hollenbeck Ave	Torrington (ctr)	Fremont (n/s)	50,298
11	Morse Ave	Toyama (n/s)	Weddell (n/s)	53,229
			TOTAL SQ FOOTAGE	

LEGEND:

(ctr)– center of intersection

(s/s) – south side

(e/s) – east side

(w/s) – west side

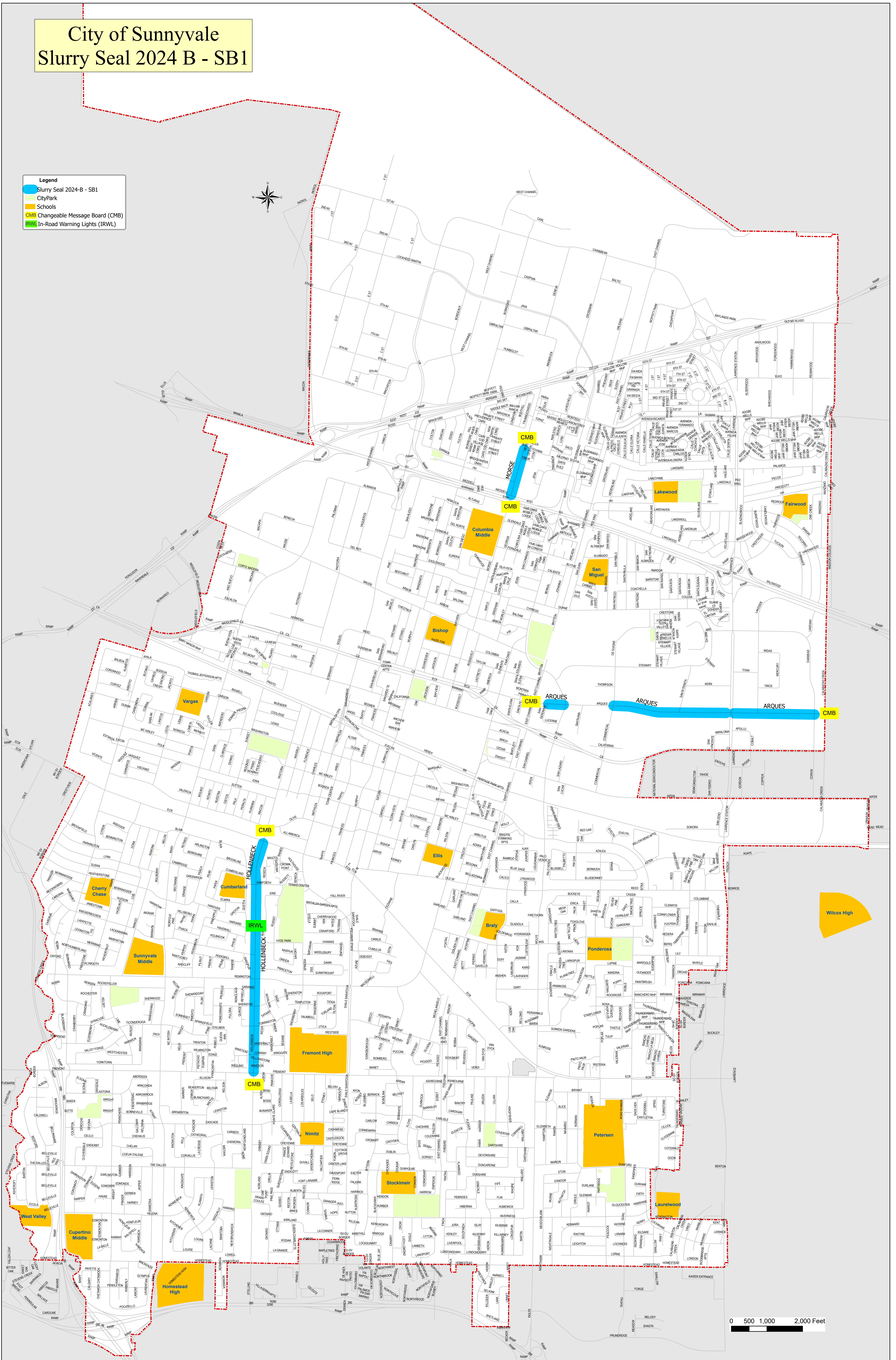
(w/o) – west of

(n/s) – north side

SCCO c/l – Santa Clara County, county limit

City of Sunnyvale Slurry Seal 2024 B - SB1

- Legend**
- Slurry Seal 2024-B - SB1
 - CityPark
 - Schools
 - CMB Changeable Message Board (CMB)
 - IRWL In-Road Warning Lights (IRWL)





City of Sunnyvale

Agenda Item

24-0455

Agenda Date: 3/26/2024

REPORT TO COUNCIL

SUBJECT

Authorize the Issuance of a Blanket Purchase Order in the Amount of \$300,000 to Priority 1 Public Safety Equipment, Inc. for Building and Equipping Public Safety Vehicles (F24-133)

REPORT IN BRIEF

Approval is requested to authorize the issuance of a blanket purchase order to Priority 1 Public Safety Equipment, Inc. of Belmont, CA in the amount of \$300,000 for removal and installation services of specialized equipment within Public Safety vehicles for a one-year period. Approval is also requested to authorize the City Manager to amend and renew the purchase order for two (2) additional one-year periods, subject to available budget, if pricing and service remain acceptable to the City.

EXISTING POLICY

Pursuant to Chapter 2.08.040 of the Sunnyvale Municipal Code, City Council approval is required for the procurement of goods and/or services exceeding \$250,000 in any one transaction.

Further, Section 2.08.070(b)(3) authorizes the purchase of goods and/or services to be exempted from the competitive bidding requirements when the solicitations of bids or proposals would be impractical, unavailing or impossible.

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

Public Safety vehicles require specialized outfitting for various specific vehicle needs. Priority 1 Public Safety Equipment, Inc. (Priority 1) is a full-service facility that provides specialized equipment removal and installation services for police vehicles. Priority 1 has provided contractual support to the City for many years and has maintained consistent productivity levels, while meeting or exceeding the operational demands for equipment uniformity and operator safety standards.

Currently, there are only two (2) local vendors (one of which is Priority 1) that provide this type of service for DPS vehicles. The City already has contracts with both vendors. Based on Priority 1's current level of service, material, lead time, and pricing, and considering that the City already has contracts with the two (2) local vendors who offer full-service emergency vehicle outfitting, this contract was exempted under SMC Section 2.08.070 from a competitive solicitation process as a solicitation would be unavailing. Staff is requesting a one-year purchase order and for Council to delegate authority to the City Manager to amend and renew the purchase order for two (2) additional one-year periods, not-to-exceed budgeted amounts, and if pricing and service remain acceptable to the City.

This contract will provide sufficient funding to equip the currently anticipated police vehicle orders.

FISCAL IMPACT

Funding for this purchase order is available in the Fleet Services Fund. Funding is provided through Internal Services charges from the various affected departments based on equipment used.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

RECOMMENDATION

Take the following actions:

- Authorize the issuance of a blanket purchase order to Priority 1 Public Safety Equipment, Inc. for building and equipping Public Safety vehicles, in the amount of \$300,000; and
- Authorize the City Manager to amend and renew the blanket purchase order for two additional one-year periods, subject to available budget and acceptable pricing and services.

Prepared by: David Battaglia, Purchasing Officer

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Phan Ngo, Chief of Public Safety

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

24-0456

Agenda Date: 3/26/2024

REPORT TO COUNCIL

SUBJECT

Review and Adopt Long-term Advocacy Positions (LAPs) Related to Local Law Enforcement Technology, the Fremont Union High School District (FUHSD) Districting Process, and Postal Service in Sunnyvale

BACKGROUND

At the January 30, 2024 meeting, Council approved their proposed 2024 Priority Advocacy Issues and Long-Term Advocacy Positions and directed staff to return with proposed language for three (3) new long-term advocacy positions related to local law enforcement technology, the Fremont Union High School District (FUHSD) districting process, and postal service in Sunnyvale.

This report presents three (3) new Long-Term Advocacy Positions (LAPs) for Council's approval, which enables City advocacy on pending legislation and issues based on these policy statements.

EXISTING POLICY

Council Policy 7.4.14, Legislative Advocacy Positions

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

Local Law Enforcement Technology

Technology continues to reshape how agencies operate and engage with their communities to foster safety and better outcomes. The City does not have a policy position allowing advocacy regarding the local law enforcement technology. To support this topic, a new long-term advocacy position such as the following would need to be adopted by Council:

"Support legislation that provides local law enforcement agencies the ability to implement technology that would enhance public safety."

Adoption of such a policy would allow the Mayor and staff to take a position on legislation that enhances public safety in the City.

Postal Service for Sunnyvale Residents

Over the past several months, Sunnyvale residents have reached out to Council regarding inconsistent and late postal service in the City. The City does not have a policy position allowing advocacy regarding the postal service. To support this topic, a new long-term advocacy position such as the following would need to be adopted by Council:

“Advocate for secure, reliable, and timely postal service for Sunnyvale residents.”

Adoption of such a policy would allow the Mayor and staff to advocate for prompt, reliable, and efficient services for Sunnyvale residents.

Fremont Union High School District (FUHSD) Districting Process

On March 7, 2023, the FUHSD Board of Trustees passed a resolution indicating its intention to transition Governing Board elections from at-large elections to by-trustee area elections.

To support this topic, a new long-term advocacy position such as the following would need to be adopted by Council:

“Advocate for Sunnyvale's communities of interest during the Fremont Union High School District (FUHSD) (re)districting process to support efforts that preserve equal Trustee representation. Advocate for Sunnyvale's communities of interest during the development of the trustee area boundary map.”

Adoption of such a policy would allow the Mayor and staff to take position on the FUHSD districting process.

FISCAL IMPACT

There is no fiscal impact as a result of action taken by this report.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

RECOMMENDATION

Staff makes no recommendation. Approval of the consent calendar constitutes Council approval of three (3) new long-term advocacy positions as presented:

“Support legislation that provides local law enforcement agencies the ability to implement technology that would enhance public safety.”

“Advocate for secure, reliable, and timely postal service for Sunnyvale residents.”

“Advocate for Sunnyvale's communities of interest during the Fremont Union High School District

(FUHSD) (re)districting process to support efforts that preserve equal Trustee representation. Advocate for Sunnyvale's communities of interest during the development of the trustee area boundary map."

Prepared by: Michelle Zahraie, Senior Management Analyst

Reviewed by: Sarah Johnson-Rios, Assistant City Manager

Approved by: Kent Steffens, City Manager



City of Sunnyvale

Agenda Item

24-0521

Agenda Date: 3/26/2024

SUBJECT

Adopt Ordinance No. 3226-24 Amending Chapter 19.73 (By-Right Approval) of Article 6 (Special Housing Issues) of Title 19 (Zoning) of the Sunnyvale Municipal Code

BACKGROUND

The attached Ordinance was introduced at a regular meeting of the City Council held on March 19, 2024 with the following vote: 7-0

RECOMMENDATION

Adopt Ordinance No. 3226-24 amending Chapter 19.73 (By-Right Approval) of Article 6 (Special Housing Issues) of Title 19 (Zoning) of the Sunnyvale Municipal Code.

ORDINANCE NO. 3226-24

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE AMENDING CHAPTER 19.73 (BY-RIGHT
APPROVAL) OF ARTICLE 6 (SPECIAL HOUSING ISSUES)
OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL
CODE**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE FINDS AND DECLARES AS FOLLOWS:

WHEREAS, provisions of the California Government Code require that certain uses be approved as a “use by right” as defined in Government Code Section 65583.2(i); and

WHEREAS, the Housing Element of the City of Sunnyvale provides that the City will adopt an amendment to its zoning code providing for by-right approvals as required by state law; and

WHEREAS, on January 30, 2024, the City Council adopted an urgency ordinance (Ordinance No. 3222-24) and on February 6, 2024, the City Council adopted a regular ordinance (Ordinance No. 3223-24) adding Chapter 19.73 (By-Right Approvals) to the Sunnyvale Municipal Code; and

WHEREAS, the California Department of Housing and Community Development notified that City on February 12, 2024, that the City must make certain changes to the By-Right Approvals ordinance before the City’s Housing element can be certified;

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

SECTION 1. SECTION 19.73.020 AMENDED. Section 19.73.020 (Eligibility) of Chapter 19.73 (By-Right Approval) of Article 6 (Special Housing Issues) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended as follows.

19.73.020. Eligibility.

The following housing development projects are eligible for by-right zoning approval.

(a) (1) [Text unchanged]

(2) [Tex unchanged]

(b) – (c) [Text unchanged]

SECTION 2. SECTION 19.73.030 AMENDED. Section 19.73.030 (Permit requirements) of Chapter 19.73 (By-Right Approval) of Article 6 (Special Housing Issues) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended as follows.

19.73.030. Permit requirements.

(a) An applicant for a housing development project eligible for by-right zoning approval shall submit a ministerial miscellaneous plan permit for approval of the design pursuant to section 19.82.020(b). No discretionary permit or approval is required. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act.

(b) Affordable units in the project shall comply with the requirements of chapter 19.67 (Inclusionary Below Market Rate Ownership Housing Program) or chapter 19.77 (Inclusionary Below Market Rate Rental Housing) as applicable.

SECTION 3. CEQA. The adoption of this ordinance does not require environmental review under the California Environmental Quality Act (CEQA) because it implements a state-mandated program and is therefore not a discretionary action subject to CEQA. (Public Resources Code Section 21080(b)(1), CEQA Guidelines Sections 15268, 15357.)

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect 30 days after adoption.

SECTION 5. 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 newspaper for 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 March 19, 2024 and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on March 26, 2024, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

DAVID CARNAHAN
City Clerk
Date of Attestation: _____

LARRY KLEIN
Mayor

(SEAL)

APPROVED AS TO FORM:

REBECCA L. MOON
Interim City Attorney



City of Sunnyvale

Agenda Item

24-0026

Agenda Date: 3/26/2024

REPORT TO COUNCIL

SUBJECT

Receive Information Regarding Potential Shuttle Options and Authorize City Manager to Apply for Micro Transit Grants With 50% Maximum Local Match

BACKGROUND

In 2023, Council proposed a Study Issue to “Evaluate Range of Options for Shuttle Service and Alternative Transportation Options for Fremont and Homestead High School Students Who Live in North Sunnyvale” (Study Issue DPW 23-06). Staff began preparing the scope of work as the first step in the process to hire a consultant and has a target completion date of August 2025. Study Issue DPW 23-06 is planned to evaluate various potential transportation options including but not limited to partnering with neighboring cities on any existing shuttle service, expanding Valley Transportation Authority (VTA) bus service, working with Fremont Union High School District (FUHSD) on school buses, and partnering with existing ride share companies. The study would survey students and parents on transportation needs, evaluate estimated costs, funding sources, populations served, and other factors.

At the January 9, 2024 Council meeting, FUHSD Board Member Rod Sinks presented an overview of the Silicon Valley Hopper (SV Hopper) shuttle and asked Council to apply to the California State Transportation Agency (CalSTA) for a Transit & Intercity Rail Capital Program (TIRCP) grant to join the SV Hopper program. There was a sense of urgency as Mr. Sinks’ understanding of grant timing was that Sunnyvale could apply for a grant in the first quarter of 2024, obtain grant in the second quarter of 2024, and be operational by the third quarter of 2024. On March 12, 2024, the State published preliminary guidelines for the TIRCP grant and a tentative application due date of July 23, 2024.

At the January 9th meeting, Council directed staff to evaluate options for an on-demand shuttle service in Sunnyvale like the SV Hopper. Council also asked staff to identify potential funding sources and consider replacing Study Issue DPW 23-06 with this effort, with a focus on being prepared to apply for near-term grant opportunities.

EXISTING POLICY **GENERAL PLAN**

GOAL LT-2 Environmentally sustainable land use and transportation planning and development

-Support the Sustainable vision by incorporating sustainable features into land use and transportation decisions and practices.

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.

POLICY LT-3.4 Require large employers to develop and maintain transportation demand management programs to reduce the number of vehicle trips generated by their employees.

POLICY LT-3.6 Promote modes of travel and actions that provide safe access to city streets and reduce single-occupant vehicle trips and trip lengths locally and regionally.

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)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

In July 2022, CalSTA awarded about a \$8.5 million TIRCP grant to Santa Clara and Cupertino. The TIRCP grant includes a four-year term and uses an electric shuttle fleet to support greenhouse gas emission reductions. The TIRCP grant required a 50 percent local match to cover the approximately four-year \$17 million cost for the SV Hopper (about \$4 million per year). In September 2022, Cupertino accepted the grant on behalf of Cupertino and Santa Clara. On March 7, 2023, Cupertino authorized their City Manager to execute the necessary agreement to receive the grant and approve an agreement with Via to operate the SV Hopper.

SV Hopper launched in Cupertino in July 2023, in the southern part of Santa Clara in November 2023, and will expand to the northern part of the Santa Clara in 2024. SV Hopper hours are 7am - 7 pm (M-F) and 9 am-5 pm (Saturday). Fares are \$1.75 for students and seniors 65+, low-income individuals (Cal Fresh or Medicare/Medicaid Card) or disabled individuals. Fares for other riders are \$3.50 one way. The cities subsidize about \$10 per ride and grant funding covers an additional \$10 per ride. Upon grant expiration, alternative funding sources may need to be found to continue to support the program.

At the January 9, 2024 Council meeting, FUHSD Board Member Rod Sinks presented an overview SV Hopper and asked Council to apply for a TIRCP grant so that Sunnyvale could join the SV Hopper program. Mr. Sinks also encouraged Council to use the SV Hopper operator, VIA, as a partner in applying for the grant. Council directed staff to research grants to fund the SV Hopper expansion into Sunnyvale and assess whether work on Study Issue DPW 23-06 should continue.

In addition to Mr. Sinks’ request, other community members also advocated for shuttle services to support certain community members such as students, the unhoused, downtown visitors, and low-income senior citizens. Staff researched potential shuttle options and funding sources to identify programs that would meet the needs addressed by community members.

Shuttle Funding Sources

Based on Council’s direction, staff began researching the TIRCP grant opportunity. The State issued the TIRCP grant cycle on March 12, 2024. While staff monitored the TIRCP grant timing, other funding sources were identified. Below are funding options for Council’s consideration:

- TIRCP Grant-The state announced the 2024 TIRCP grant application cycle on March 12, 2024. The tentative guidelines state the program will fund projects starting with FY 2024-25 and ending with FY 2028-29. The tentative schedule has an application due date of July 23, 2024. Even though the application is due in July, staff would begin work on the application in early April as the

official call for projects will be released on April 23, 2024. TIRCP is funded each year through Cap-and-Trade auction proceeds. As such, CalSTA has not released the overall funding amount available for this grant cycle.

Grant guidelines state that the grant could have up to a five-year term and require a 50% local match. This local match takes the form of a 50% of contract costs where TIRCP funds may cover up to 50% of a micro transit program cost (i.e. vehicles, maintenance, and transit service), and the remaining 50% of the cost must be provided by the grantee.

Staff could work with VIA on the grant application and could exempt VIA from a competitive selection process by using an agreement provided by a purchasing cooperative, and designate VIA as the vendor for the program.

- Environmental Protection Agency (EPA) Climate Pollution Reduction Grant-The City, in partnership with the Valley Transportation Agency (VTA) and the cities of Gilroy, Morgan Hill, Milpitas, San Jose and San Benito, are in the process of submitting for a grant that could be used for a Citywide shuttle. Since the grant did not require matching funds, staff submitted a proposal to VTA for a citywide shuttle with comparable hours and rates to the SV Hopper so VTA can submit in time for the application deadline of April 1, 2024. Even though a local match is not currently required, as VTA may advise, as it learns more about the process, that applicant cities include a local match to maximize grant attractiveness. Staff expects grant recipients to be announced in late summer 2024.
- FUHSD- City staff briefly discussed funding for a student-only shuttle with FUHSD staff. FUHSD staff said that providing shuttles for students participating in after school activities is not a typical district function and no other district is providing this type of service. FUHSD staff also said that they may not have enough demand to justify a student-only shuttle as they would need to prepare a needs assessment to determine the specific need. If the City would like to explore this further, staff would need more time to discuss program details and funding sources.

Shuttle Options and Potential Costs

While there is no one perfect shuttle solution to meet the diverse needs identified by community members at and since the January 9th Council meeting (community engagement on this topic has not taken place), staff identified some options, listed below, for Council consideration:

- Citywide Shuttle-Similar to SV Hopper and would serve all Sunnyvale residents, employees, and visitors. Program could be designed to operate 6 days per week for 12 hours a day. This is the most expensive option as it would serve the greatest number of people and cover the entire City. This option may be able to be funded with grant funds and a local match.

If the City were to be awarded a TIRCP grant, there would be a 50% local funding match requirement but no competitive procurement requirement from the grantor. Staff would examine the benefits of joining Cupertino's VIA contract or contracting directly with VIA based on grant requirements and timing.

Cost for this type of program could be between \$3-\$4 million per year for the entire program. Assuming the City obtains a grant that covers 50% of the cost, the City would be responsible for about \$1.5M to \$2M per year. VIA provided a rough estimate showing that each ride could require a subsidy of almost \$20 assuming about 2,250 rides per week and using the same fares

as SV Hopper. Assuming City obtains a grant that funds 50% of the cost, the City would be subsidizing each ride by about \$10 for the duration of the grant, and would be responsible for finding future grants or covering the full subsidy cost thereafter.

If the City were to be awarded the EPA grant, there may be no local match funding requirement, but the City would need to do a competitive bidding process to identify an operator. The EPA grant would fund approximately \$24M to operate the shuttle program for a five-year period, including funding for a new staff person to help manage the program.

- **Student-only Shuttle**-This option would be limited to serving high school students in the afternoon with a focus on transporting students to their homes after school activities such as sports, band, clubs, etc. This option would not be eligible for grant funding and would need to be funded with General Fund monies and in partnership with the schools. This type of program, with limited hours and not offered in the summer months, could be operated for an estimated cost of about \$500,000 per year, according to an estimate provided by VIA.
- **Peery Park Rides**-This option is fully funded and will provide last-mile trips between Sunnyvale Caltrain station and Peery Park during commuting hours and provide a flexible transportation option to other destinations during off-peak hours. This is a joint pilot project between VTA and the City. Peery Park Rides is intended to be flexible, allowing the network to dynamically adapt and respond to demand in real-time by using optimized routes and maximizing passengers per vehicle trip. Total cost for this program is almost \$2 million for a two-year pilot program. The City's share is \$500,000. Peery Park Rides will begin in fall 2024 and will be free to riders in the service area. Staff will evaluate how this shuttle service is used and will closely monitor user trends. Data from Peery Park Rides may inform what other services are needed.
- **Rideshare Company**-This option would explore contracting with a rideshare company to design a rideshare credit program to serve a certain population based on the needs identified by community members. If Council wishes to serve low-income seniors or students, staff would work with a rideshare company to create a program to serve that community. The program could start with a \$100,000 cost per year; usage and demand could be assessed with the potential to expand the program in the future if warranted.
- **Additional Full Time Position**-If the City is successful in obtaining a grant and implements a Citywide shuttle or if Council wishes to implement a student-only shuttle or issue rideshare credits, a new position will need to be added to manage the new program at a fully loaded cost of about \$190,000 per year. As part of the EPA grant application a new position to manage the program was included for the five-year implementation period. Other alternatives would require City funded staffing.

Staff is developing the City's FY 2024/25 Recommended Budget. Staff is prioritizing new service level adjustments and evaluating the long-term budget impact of new positions and initiatives such as the Climate Action Playbook and other efforts. Council Policy 7.1A Budget Policies, A1.13 states that all competing requests for City resources should be weighed within the formal annual budget process. If Council wishes to fund a shuttle program, an exemption will have to be issued as this item is being considered outside the current budget development process.

Based on staff's research, potential funding sources and potential budget impacts, staff recommends that

Council authorize the City Manager to apply for a TIRCP grant in July 2024 for a Citywide Shuttle and consider pausing work on Study Issue DPW 23-06 until the TIRCP or EPA grants are awarded. If the City is successful in obtaining any of the grants (TIRCP OR EPA), Study Issue DPW 23-06 could be considered complete and the \$150,000 currently budgeted for this issue could be used for the newly created shuttle program. Staff would also return to Council with a full cost impact of accepting the grant prior to executing a grant agreement.

NEXT STEPS

- City staff to apply for EPA grant
- City to apply for TIRCP grant
- Staff to return to Council if either EPA or TIRCP grant is awarded for council approval of grant acceptance
- If City is unsuccessful in obtaining either grant, work on Study Issue DPW 23-06 will resume

FISCAL IMPACT

Although adoption of staff's recommendation does not have an immediate financial impact, it is expected that implementation of a shuttle program will require additional funding. Project 836340-Transportation and General Fund Grant Matching, has a current balance of about \$2.4 million that could be used as a potential matching source should staff apply for grants requiring a local match. If staff applies for a grant that requires more \$2.4M in local match, staff would ask Council for a Budget Modification to increase the available funds in this this project prior to applying for the grant. If a grant is awarded to the City, Staff would return to Council for approval of funding sources and the 20-year budget impact. The most likely source of funds for a City-funded shuttle program or local match would be the General Fund.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

ALTERNATIVES

1. Authorize City Manager to apply for Micro Transit Grants with up to a 50% maximum local match.
2. Pause work on Study Issue DPW 23-06 until Environmental Protection Agency or Transit & Intercity Rail Capital Program Grants are announced.
3. Direct staff to explore a student-only shuttle for afternoon school hours with school district sharing 50% of cost.
4. Other Council direction.

STAFF RECOMMENDATION

Alternatives 1 and 2: (1) Direct City Manager to apply for micro transit grants with maximum 50% local match; and (2) pause work on Study issue DPW 23-06 until the Environmental Protection Agency (EPA) or Transit & Intercity Rail Capital Program Grants grants are announced. If the City is successful in obtaining either grant, Study Issue DPW 23-06 can be deemed complete.

Based on staff's research and understanding of the SV Hopper model, staff believes there is an opportunity to fund a Citywide shuttle with EPA and/or TIRCP grants. If the City is successful in obtaining either the EPA or TIRCP grants, work on Study Issue DPW 23-06 could be deemed complete as students will be able to use a Citywide shuttle implemented with the with the grant.

Prepared by: Connie Verceles, Deputy City Manager
Reviewed by: Chip Taylor, Director of Public Works
Reviewed by: Sarah Johnson-Rios, Assistant City Manager
Approved by: Kent Steffens, City Manager



City of Sunnyvale

Agenda Item

24-0248

Agenda Date: 3/26/2024

REPORT TO COUNCIL

SUBJECT

Approve the 2023 Draft Housing Element Annual Progress Report

BACKGROUND

California Government Code Section 65400 ("Section 65400") requires cities and counties to submit an Annual Progress Report (APR) to the State by April 1 of each year. APRs must be submitted to two State agencies: Governor's Office of Planning and Research (OPR) and Department of Housing and Community Development (HCD). The APRs describe each jurisdiction's progress in implementing the housing elements of their General Plans.

The Draft 2023 APR (Attachment 1) describes the City's accomplishments for calendar year 2023 that contribute toward meeting its Regional Housing Needs Allocation (RHNA) and Housing Element program objectives. The 2023 APR measures housing production during calendar year 2023 that will be counted towards the Sixth Cycle (2023-2031) RHNA **Projection Period**. The **Projection Period** is the timeframe for which the RHNA is calculated and RHNA progress is measured. The Sixth Cycle (2023-2031) **Projection Period** began on June 30, 2022, and ends on December 31, 2030.

Calendar year 2023 also marks the transition between the Fifth Cycle (2015-2023) and Sixth Cycle (2023-2031) Housing Element **Planning Periods**. The **Planning Period** determines the Housing Element adoption date and timeframe for Housing Element policies and programs. Because the Fifth Cycle (2015-2023) **Planning Period** ended on January 31, 2023, the 2023 APR includes final updates for Fifth Cycle (2015-2023) program objectives as well as accomplishments for the new Sixth Cycle (2023-2031) program objectives. The Sixth Cycle (2023-2031) **Planning Period** began on January 31, 2023, and ends on January 31, 2031.

All successor housing entities are also required to submit an annual report on the Low-Moderate Income Housing Asset Funds (LMIHAF) as an addendum to the Housing Element APR to HCD. The City is the Housing Successor to the Redevelopment Agency and therefore is required to provide information on housing financial and activity information by including specified information as part of the Housing Successor Agency Annual Report on the LMIHAF (Attachment 2), annually.

EXISTING POLICY

2023-2031 Housing Element

Goal H-1: Provide adequate sites for the development of new housing through appropriate land use and zoning to address the diverse needs of Sunnyvale's residents and workforce.

2015-2023 Housing Element*

Goal A. *Assist in the provision of adequate housing to meet the diverse needs of Sunnyvale's*

households of all income levels.

**(provided for context of the prior Housing Element)*

Community Vision

Policy CV-1.2: Provide accurate and thorough information in a timely manner to ensure that community members have an opportunity to respond effectively.

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 APR is comprised of thirteen different tables and reports detailing housing production and the City’s progress on implementing Housing Element programs and meeting the RHNA. For each housing unit included in the APR, the City indicates the affordability level by income group and whether the unit is deed restricted. In previous APRs, all market-rate rental units were considered Above Moderate Income units. Beginning with the 2023 APR, the City will consider half of all market-rate rental housing units to be Non-Deed Restricted Moderate Income units, with the other half considered Above Moderate Income units. This assumption aligns with the City’s Adopted 2023-2031 Housing Element and rent data from recently constructed housing projects. To determine affordability of Accessory Dwelling Units (“ADUs”), the City uses the recommendations of the Association of Bay Area Government’s Affordability of Accessory Dwelling Units study in September 2021 (Attachment 3). These recommendations also align with ADU affordability assumptions in the City’s 2023-2031 Housing Element.

The APR now begins with a concise summary report of housing production during calendar year 2023. This report includes information on planning and building permits for calendar year 2023 and summarizes details such as affordability, structure type, and application type. Subsequent tables include much more detailed information about each project. Due to the complexity, small row size, and difficulty viewing some of the larger tables in the APR, a summary of each table/report is provided below.

Table A in the Draft 2023 APR shows the number of housing units for which a planning application was determined complete in calendar year 2023. An “application” is defined as a formal submittal of a project for approval. Applications that have not been determined to be complete are not included. The table also shows the total number of “Disapproved Units” (calculated by subtracting “Total Approved Units by Project” from “Total Proposed Units by Project”). While the “Approved Units” count is less than the “Applications Submitted”, this does not mean the development applications were denied, but rather because many projects are not entitled the same year they are determined complete. A summary of Table A is below:

Table A Summary: Planning Applications Submitted (2023)

Affordability Level (by Household Incomes)	Complete Applications Submitted (Total Units)	Complete Applications Approved (Total Units)
Very Low	21	20
Low	85	83
Moderate	251	247
Above Moderate	369	365
Total	726	715

Table A2 shows a more in-depth look at the net new housing units and developments that have received any one of the following in calendar year 2023:

- An approved planning application (“Units Issued Entitlements”);
- An issued building permit (“Units Issued Building Permits”); or
- A certificate of occupancy (“Units Finaled”).

The summary of Table A2 below shows these units according to their respective affordability levels from very-low to above-moderate (market rate) income. The goal of this table is to show the timeline in which the project moved through various planning and building phases and progress towards RHNA housing goals. Only building permits issued are reported for purposes of determining progress towards the RHNA. A summary of Table A2 is seen below:

Table A2 Summary: Units Entitled, Permitted, and Finaled (2023)

Income Level	Units Issued Entitlements	Units Issued Building Permits	Units Finaled
Very Low	20	134	15
Low	83	61	12
Moderate	247	74	162
Above Moderate	366	332	321
Total	716	601	510

Table A2 includes additional project information such as the number of demolished units, State density bonus provisions, and affordability restrictions. This table also indicates whether a project was approved using streamlining provisions from recent State housing legislation such as Senate Bill (SB) 9, which streamlines the residential lot split process. In prior years, streamlining information was reported in “Table I”, but this table has been removed from the 2023 APR by HCD.

ADUs are identified as one of the permitted unit categories and can be counted towards RHNA goals. In 2023, 39 new ADUs were finaled, 59 received building permits, and 25 received planning entitlements. For ADU projects that meet certain criteria, the City offers a streamlined permitting process that requires only building permits. As a result, many ADU projects are not required to secure planning entitlements.

Table B is a summary of all permitting activity for the Sixth Cycle (2023-2031) Housing Element **Projection Period**. This table includes permitting data beginning with the start of the **Projection Period** on June 30, 2022, through the end of calendar year 2023. This table reports the number of units for which building permits were issued to demonstrate progress in meeting the jurisdiction's share of RHNA by income level. At this early stage in the 2023-2031 cycle, the City has issued building permits for 1,442 units, or 12% of the City's total RHNA. With the recent adoption of long-term plans such as Moffett Park Specific Plan, El Camino Real Specific Plan, and Lawrence Station Area Plan, new residential development is expected to increase in the coming years. As a reminder, the City is required to plan and accommodate for the RHNA in its Housing Element, but is not required to build the units. A summary of the City's RHNA progress is provided below:

Table B Summary: Sixth Cycle RHNA Progress (June 30, 2022 to December 31, 2023)

Income Level	RHNA Allocation 2023-2031	Units Issued Building Permits 2023-2031	Percent Complete	Remaining RHNA
Very Low	2,968	151	5%	2,817
Low	1,709	95	6%	1,614
Moderate	2,032	99	5%	1,933
Above Moderate	5,257	1,097	21%	4,160
Total	11,966	1,442	12%	10,524

Table C identifies sites or rezoned land used to accommodate a shortfall of RHNA sites. Because the Moffett Park Specific Plan was not adopted before the start of the Sixth Cycle (2023-2031) Housing Element **Planning Period** on January 31, 2023, the City had a shortfall of 1,535 lower-income units and 3,280 above moderate-income units. Table C includes the Moffett Park Specific Plan sites that were rezoned to meet this shortfall in 2023.

Table D provides an update on the City's progress toward achieving the housing programs listed in the Implementation Plan of the Housing Element. Because the 2015-2023 Housing Element **Planning Period** ended on January 31, 2023, Table D must include progress updates for the previous Fifth Cycle (2015-2023) and current Sixth Cycle (2023-2031) Housing Element **Planning Periods**.

Table E provides information on commercial developments that were approved with development bonuses in exchange for providing affordable housing. The City did not receive any commercial applications requesting bonuses during the reporting year.

Table F provides the number of affordable housing units rehabilitated, acquired, and/or preserved, only if such projects were included as objectives in the Housing Element. This table is not applicable to the City since rehabilitation projects are not identified as a method to meet the RHNA requirement in the Housing Element.

Table F2 shows the above moderate income units that were converted to moderate income units through deed restrictions. No above moderate income units were converted in the reporting year.

Table G provides an inventory of City-owned property in the Housing Element Sites Inventory that was leased or sold in 2023. In September 2023, the City entered into a short-term lease with MidPen Housing for the property at 295 South Mathilda Avenue for the development of a 100% affordable project. In December 2023, the City entered into a long-term lease with MidPen Housing for the property at 1178 Sonora Court for a 176-unit affordable housing project that is currently under construction.

Table H is an inventory of City-owned surplus lands. The City has no locally owned surplus lands.

Table I was removed from the 2023 APR by HCD (also noted above).

Table J shows any student housing projects that were granted a density bonus. There were no student housing projects with a density bonus in 2023.

Table K was added to the 2023 APR as a result of SB 649, which requires local governments that have adopted a local tenant preference policy to create a webpage with information about their policy and report this information on their APRs. The City does not have an adopted local tenant preference policy.

The LEAP Reporting tab includes a summary of the City's use of the Local Early Action Planning (LEAP) grant, which is administered by HCD as well as a summary of entitlements, building permits issued, and building permits finalized for calendar year 2023.

Lastly, the Low-Moderate Income Housing Funds (LMIHAF) report is required by California Health and Safety Code Section 34176.1 for a city that has assumed the housing function of a former redevelopment agency ("housing successor agency") and is responsible for administering housing set-aside funds, now known as Low-Moderate Income Housing Funds (LMIHAF). The City is the housing successor agency for the former Redevelopment Agency of the City of Sunnyvale. Attachment 2 provides data on the Sunnyvale Housing Successor Agency's activities and finances in fiscal year 2022/23. The City continues to meet the Extremely Low Income test, the Senior Housing Test, and Excess Surplus Test.

FISCAL IMPACT

Approval and submittal of the APR is required by State law and will assist the City in qualifying for State funding opportunities. Otherwise, as the report is primarily for informational purposes, this action does not have any fiscal impact.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

Section 65400 requires Council to consider the APR “at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments” (on the City’s reported progress in implementing its Housing Element). In addition, email notifications were sent to interested parties, including housing advocacy organizations.

ALTERNATIVES

1. Approve the 2023 Draft Housing Element Annual Progress Report and direct staff to submit it to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development.
2. Approve the 2023 Draft Housing Element Annual Progress Report with modifications, and direct staff to submit it to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development.

STAFF RECOMMENDATION

Alternative 1: Approve the 2023 Draft Housing Element Annual Progress Report and direct staff to submit it to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development.

All local jurisdictions, including charter cities, are required to submit the APR to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development by April 1 of each year. Staff recommends Alternative 1 in order to maintain the City’s compliance with State law (i.e., Health and Safety Code Section 34176.1 and Government Code Section 65400).

Prepared by: Ryan Dyson, Housing Specialist

Reviewed by: Jenny Carloni, Housing Officer

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Connie Verceles, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Draft 2023 Housing Element Annual Progress Report
2. Housing Successor Agency Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF) FY 2022/23
3. Affordability of Accessory Dwelling Units Study

Jurisdiction	Sunnyvale	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle	01/31/2023 - 01/31/2031

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	131
	Non-Deed Restricted	3
Low	Deed Restricted	43
	Non-Deed Restricted	18
Moderate	Deed Restricted	45
	Non-Deed Restricted	29
Above Moderate		332
Total Units		601

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	140	348	79
Single-family Detached	17	18	20
2 to 4 units per structure	0	0	0
5+ units per structure	534	176	372
Accessory Dwelling Unit	25	59	39
Mobile/Manufactured Home	0	0	0
Total	716	601	510

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	138	601
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	56
Number of Proposed Units in All Applications Received:	726
Total Housing Units Approved:	715
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions - Applications	
Number of SB 35 Streamlining Applications	0
Number of SB 35 Streamlining Applications Approved	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 35 (2017)	0	0

Ministerial and Discretionary Applications	# of Applications	Units
Ministerial	49	52
Discretionary	7	674

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	6
Number of Units in Applications Submitted Requesting a Density Bonus	666
Number of Projects Permitted with a Density Bonus	9
Number of Units in Projects Permitted with a Density Bonus	252

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	72
Sites Rezoned to Accommodate the RHNA	28

Jurisdiction	Sunnyvale	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bc Applic
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted* (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Please select streamlining provision/s the application was submitted pursuant to.	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?
Summary Row: Start Data Entry Below								19	2	75	10	17	234	369	726	715	0		
	20117040	954 BERKSHIRE AV		PLNG-2022-7749	ADU	R	1/10/2023		1						1	1		NONE	No
	10428024	1225 OAK CREEK WY		20227595	ADU	R	1/11/2023				1				1	1		NONE	No
	21318054	770 PRIVET CT		20227011	ADU	R	1/30/2023		1						1			NONE	No
	16510064	383 DENNIS AV		20227691	ADU	R	2/1/2023				1				1	1		NONE	No
	20435006	385 N SUNNYVALE AV		20227626	SFD	O	2/10/2023							2	2	2		SB 9 (2021) - Residential Lot Split	No
	30949061	1667 MARTIN AV		20227674	ADU	R	2/24/2023				1				1	1		NONE	No
	16517055	850 LEWIS AV		PLNG-2023-0098	ADU	R	3/3/2023				1				1	1		NONE	No
	21322022	938 LANTANA DR		PLNG-2022-7736	ADU	R	3/23/2023				1				1			NONE	No
	21322022	938 LANTANA DR		PLNG-2022-7736	SFD	O	3/23/2023							1	1			NONE	No
	10427022	1270 ORTIZ CT		20227658	ADU	R	3/24/2023				1				1	1		NONE	No
	20117025	704 S MARY AV		PLNG-2022-7712	ADU	R	3/28/2023				1				1	1		NONE	No
	21323006	860 PAGODA TREE CT		20217666	SFD	O	4/3/2023							1	1	1		NONE	No
	31313008	1465 RAMON DR		20227459	ADU	R	4/13/2023				1				1			NONE	No
	31313008	1465 RAMON DR		20227459	SFD	O	4/13/2023							1	1			NONE	No
	31314053	1476 NORMAN DR		PLNG-2023-0171	SFD	O	4/21/2023							1	1	1		NONE	No
	20131034	533 SUNNYMOUNT AV		PLNG-2023-0178	ADU	R	4/26/2023				1				1	1		NONE	No
	16515081	747 W WASHINGTON AV		20217805	ADU	R	5/4/2023						1		1	1		NONE	No
	16515081	747 W WASHINGTON AV		20217805	SFD	O	5/4/2023							1	1	1		NONE	No
	16127006	238 S BERNARDO AV		20227639	ADU	R	5/11/2023						1		1	1		NONE	No
	19822002	922 LOIS AV		PLNG-2022-7698	SFD	O	5/11/2023							1	1	1		NONE	No
	21135008	148 CRESCENT AV		20217826	SFA	O	5/23/2023					2		16	18	18		NONE	Yes
	20223007	877 W FREMONT AV		20217922	SFA	O	6/1/2023					14		100	114	114		NONE	Yes
	32319007	1543 KINGSGATE DR		PLNG-2023-0190	ADU	R	6/19/2023						1		1	1		NONE	No

	32025008	1362 FRONTENAC AV		PLNG-2023- 0337	ADU	R	6/26/2023							1		1		NONE	No
	21101031	444 OLD SAN FRANCISCO RD		20207112	SFA	O	6/29/2023						1		7	8	8	NONE	No
	21346011	1226 S WOLFE RD Unit: 1		PLNG-2023- 0230	ADU	R	7/18/2023							2		2	2	NONE	No
	19825012	781 LOIS AV		PLNG-2023- 0365	ADU	R	7/24/2023							1		1	1	NONE	No
	20107028	934 HEATHERSTO NE AV		PLNG-2023- 0385	ADU	R	7/26/2023				1					1	1	NONE	No
	20929022	574 S TAAFFE ST		PLNG-2023- 0343	ADU	R	8/8/2023							1		1	1	NONE	No
	19813005	1221 MORNINGSIDE DR		20227679	SFD	O	8/18/2023							1		1	1	NONE	No
	20134004	551 CRAWFORD DR		PLNG-2023- 0462	ADU	R	8/21/2023							1		1	1	NONE	No
	16512045	405 WAVERLY ST		PLNG-2023- 0545	SFD	O	8/25/2023							1		1	1	NONE	No
	20439031	374 LASTRETO AV		PLNG-2023- 0002	SFD	O	8/25/2023							2		2	2	SB 9 (2021) - Residential Lot Split	No

[illegible]

[illegible]

[illegible]

Reporting Year

2023

Jan 1 - Dec 31

Planning Period

2023

01/01/2023 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: ~"~" indicates an optional field

Cells in gray contain auto-calculation formulas

																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													</
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----

[illegible]

[illegible]

Jurisdiction	Sunnyvale	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1		2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2022-01/30/2023	2023	2024	2025	2026	2027	2028	2029	2030	2031	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	2,968	16	131	-	-	-	-	-	-	-	-	151	2,817
	Non-Deed Restricted		3	1	-	-	-	-	-	-	-	-		
Low	Deed Restricted	1,709	31	43	-	-	-	-	-	-	-	-	95	1,614
	Non-Deed Restricted		4	17	-	-	-	-	-	-	-	-		
Moderate	Deed Restricted	2,032	7	45	-	-	-	-	-	-	-	-	99	1,933
	Non-Deed Restricted		18	29	-	-	-	-	-	-	-	-		
Above Moderate		5,257	766	331	-	-	-	-	-	-	-	-	1,097	4,160
Total RHNA		11,966												
Total Units			845	597	-	-	-	-	-	-	-	-	1,442	10,524
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5		2023	2024	2025	2026	2027	2028	2029	2030	2031	6	7
		Extremely Low-Income Need											Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		1,484		87	-	-	-	-	-	-	-	-	87	1,397

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Jurisdiction	Sunnyvale
Reporting Year	2023 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "*" indicates an optional field
Cells in grey contain auto-calculation formulas

Table C Sites Identified or Rezoned to Accommodate Shortfall Housing Need and No Net-Loss Law																	
Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Rezone Type	Sites Description							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below					2124	2135	160	5208							9627		
110-44-007	1111 LOCKHEED MARTIN WY BLDG 159			7/25/2023	296	296		1367	Shortfall of Sites	25.02	Moffett Park	Activity Center/Residential	40	N/A	1959	Non-Vacant	Existing industrial/R&D building. Sites MP-1 and MP-2 are expected to develop concurrently. Preliminary master plan by Lockheed Martin shows 2,000 units on MP-1 and MP-2. Lower-income unit assumptions are reduced to 25 percent because of site size.
110-27-047	1120 INNOVATION WY			7/25/2023	43	43		86	Shortfall of Sites	1.64	Moffett Park	Residential	70	N/A	172	Vacant	Building demolished / vacant lot ready for development. Initial concept plan prepared by property owner for 231 units in 9-story residential building (140 u/a).
110-26-052	140 CASPIAN CT			7/25/2023	59	59		119	Shortfall of Sites	5.93	Moffett Park	Activity Center	40	N/A	237	Non-Vacant	One-story office building constructed in 1985. Identified for redevelopment in 2023-2030 by property owner's preliminary phasing plan.
110-26-042	169 JAVA DR 535			7/25/2023	30	31		61	Shortfall of Sites	3.04	Moffett Park	Activity Center	40	N/A	122	Non-Vacant	One-story office building constructed in 1985. Identified for redevelopment in 2023-2030 by property owner's preliminary phasing plan.
110-26-053	111 JAVA DR			7/25/2023	35	36		71	Shortfall of Sites	3.55	Moffett Park	Activity Center	40	N/A	142	Non-Vacant	Five-story office building constructed in 2009. Identified for redevelopment in 2023-2030 by property owner's preliminary phasing plan.
110-33-035	241 JAVA DR			7/25/2023	78	79		158	Shortfall of Sites	3	Moffett Park	Residential	70	N/A	315	Non-Vacant	Building, constructed in 1980, being held vacant (mothballed). Identified for redevelopment in 2023-2028 by property owner's preliminary phasing plan.
110-33-031	1313 GENEVA DR			7/25/2023	91	91		183	Shortfall of Sites	3.47	Moffett Park	Residential	70	N/A	365	Non-Vacant	One-story industrial/R&D building constructed in 1977. Identified for redevelopment in 2023-2030 by property owner's preliminary phasing plan.
110-33-033	1272 BORREGAS AV			7/25/2023	137	137		275	Shortfall of Sites	5.23	Moffett Park	Residential	70	N/A	549	Non-Vacant	Two-story industrial/R&D building constructed in 1978.
110-33-002	275 GIBRALTAR DR			7/25/2023	61	61		122	Shortfall of Sites	2.32	Moffett Park	Residential	70	N/A	244	Non-Vacant	Building demolished / parking lot
110-34-024	352 JAVA DR			7/25/2023	52	52		104	Shortfall of Sites	1.98	Moffett Park	Residential	70	N/A	208	Non-Vacant	One-story industrial building constructed in 1981.
000-00-000	Not Available - Moffett Gateway Project			7/25/2023			160	160	Shortfall of Sites	3.03	Moffett Park	Residential	70	N/A	320	Non-Vacant	Portion of existing parking lot. Initial concept plan prepared by property owner for 270 units in 8-story residential building (88 u/a).
110-36-004	526 BALTIC WY			7/25/2023	151	151		302	Shortfall of Sites	5.76	Moffett Park	Residential	70	N/A	604	Non-Vacant	Two-story industrial/R&D building constructed in 1984. Building being held vacant (mothballed).

110-36-003	1322 CROSSMAN AV		7/25/2023	35	35		70	Shortfall of Sites	3.49	Moffett Park	Activity Center	40	N/A	140	Non-Vacant	One-story industrial/R&D building constructed in 1983. Building being held vacant (mothballed).
110-36-002	1312 CROSSMAN AV		7/25/2023	38	38		77	Shortfall of Sites	3.83	Moffett Park	Activity Center	40	N/A	153	Non-Vacant	One-story industrial/R&D building constructed in 1980. Building being held vacant (mothballed).
110-36-018	1341 ORLEANS DR		7/25/2023	77	77		155	Shortfall of Sites	2.95	Moffett Park	Residential	70	N/A	309	Non-Vacant	One-story industrial/R&D building constructed in 1984. Building being held vacant (mothballed).
110-36-019	1327 ORLEANS DR		7/25/2023	29	30		59	Shortfall of Sites	2.96	Moffett Park	Activity Center	40	N/A	118	Non-Vacant	One-story industrial/R&D building constructed in 1984. Building being held vacant (mothballed).
110-36-006	1311 ORLEANS DR		7/25/2023	38	39		78	Shortfall of Sites	3.88	Moffett Park	Activity Center	40	N/A	155	Non-Vacant	One-story industrial/R&D building constructed in 1979. Building being held vacant (mothballed).
110-36-007	1299 ORLEANS DR		7/25/2023	30	31		62	Shortfall of Sites	3.07	Moffett Park	Activity Center	40	N/A	123	Non-Vacant	One-story industrial/R&D building constructed in 1981.
110-36-008	1277 ORLEANS DR		7/25/2023	28	29		57	Shortfall of Sites	3.04	Moffett Park	Mixed Use	36	N/A	114	Non-Vacant	One-story industrial/R&D building constructed in 1979.
110-36-015	641 BALTIC WY		7/25/2023	58	58		117	Shortfall of Sites	6.22	Moffett Park	Mixed Use	36	N/A	233	Non-Vacant	One-story industrial/R&D building constructed in 1979.
110-36-013	1330 ORLEANS DR		7/25/2023	46	47		93	Shortfall of Sites	1.77	Moffett Park	Residential	70	N/A	186	Non-Vacant	One-story industrial/R&D building constructed in 1981. Building being held vacant (mothballed).
110-36-012	1320 ORLEANS DR		7/25/2023	72	72		145	Shortfall of Sites	2.75	Moffett Park	Residential	70	N/A	289	Non-Vacant	Building, built in 1980, being held vacant (mothballed).
110-36-011	1310 ORLEANS DR		7/25/2023	86	87		174	Shortfall of Sites	3.3	Moffett Park	Residential	70	N/A	347	Non-Vacant	Partially for lease. One-story industrial/R&D building constructed in 1981.
110-36-010	1252 ORLEANS DR		7/25/2023	46	46		92	Shortfall of Sites	1.75	Moffett Park	Residential	70	N/A	184	Non-Vacant	One-story industrial/R&D building constructed in 1979.
110-37-006	1319 MOFFETT PARK DR		7/25/2023	76	77		154	Shortfall of Sites	2.92	Moffett Park	Residential	70	N/A	307	Non-Vacant	One-story industrial/warehouse building constructed in 1970.
110-37-014	1315 CHESAPEAKE TR		7/25/2023	150	150		301	Shortfall of Sites	7.17	Moffett Park	Activity Center/Residential	40	N/A	601	Non-Vacant	Two-story office building constructed in 1990. Two-story office building constructed in 1991.
110-37-008	1308 E MOFFETT PARK DR		7/25/2023	73	74		148	Shortfall of Sites	2.81	Moffett Park	Residential	70	N/A	295	Non-Vacant	One-story building constructed in 1979.
110-37-016	1310 CHESAPEAKE TR		7/25/2023	209	209		418	Shortfall of Sites	7.96	Moffett Park	Residential	70	N/A	836	Non-Vacant	Two-story office building constructed in 1990.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Jurisdiction		Sunnyvale	
Reporting Year		2023	
(Jan. 1 - Dec. 31)			
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
5th Cycle 2015-2023 HE Program: BMR Housing Program	Continue to implement BMR Home Ownership Program. Review and refine BMR program guidelines and codes periodically as needed to accommodate changing market conditions and improve overall program effectiveness.	Ongoing: 2015-2023	<ul style="list-style-type: none">• In 2023, 20 BMR homes were sold (escrow closed).• This program will be continued as Program H5 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: First Time Home Buyer Program	Continue to implement FTHB Program; aim to assist 5-10 homebuyers per year, or as demand warrants.	Ongoing: 2015-2023	<ul style="list-style-type: none">• In 2023, the City provided 2 FTHB loans.• The City will continue the FTHB program as Policy H-2.7 in the 2023-2031 Housing Element
5th Cycle 2015-2023 HE Program: Affordable Housing Development Assistance	Provide financial and regulatory assistance for new affordable housing development, using available funds.	Ongoing: 2015-2023	<ul style="list-style-type: none">• In January 2023, no new financial or regulatory assistance was provided.• The City will continue this program as Program H6 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Density Bonus Provisions	Educate developers about density bonus incentives using outreach materials provided online and/or at the One-Stop Center. Promote use of density bonus in discussions with applicants and share the City’s density bonus calculator tool with interested developers.	Ongoing: 2015-2023	<ul style="list-style-type: none">• Density bonus calculator was developed to help developers and staff analyze various options for sites. Housing projects consistently use the State Density Bonus.• The City will continue to encourage use of the State Density Bonus as Policy H-2.12 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Home Improvement Program	Continue to operate the Home Improvement Program to assist lower-income households with funding for housing rehabilitation and minor improvements. Assist a total of 15-20 households per year, or as demand warrants.	Ongoing: 2015-2023	<ul style="list-style-type: none">• In 2023, 2 housing rehabilitation loans, 11 roof grants, and 4 home access grants were provided (total of 16 units). In addition, 5 emergency repair grants (repairing 5 total units) were provided.• The City will continue this program with modifications as Program H11 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Multi-Family Rental Property Rehabilitation	Continue to offer below-market rate financing for rehabilitation of affordable rental units, using funding sources available for this purpose. Provide rehabilitation financing to one or more properties during the planning period.	Ongoing: 2015-2023	<ul style="list-style-type: none">• The City completed its objective of providing rehabilitation financing to one property during the planning period: the Eight Trees project was awarded a \$3.3M loan in 2017. Work was completed and occupancy obtained in 2019.• In 2023, one \$490,000 award was made for the rehab of the Carroll Street Inn, a 122-unit Single Room Occupancy project (in addition to a separate \$500,000 award in 2022). Funds will be issued in 2024.• The City will continue this program with modifications as Program H12 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Multi-family Rental Property Acquisition and/or Preservation	Assist in acquisition and/or preservation, alone or in combination with rehabilitation assistance, of at least one multi-family rental property during the planning period.	Enter into first funding agreement by 2017; other thereafter as feasible	<ul style="list-style-type: none">• The City awarded a total of \$10M in funds for the preservation (and expansion) of the existing affordable housing development, Orchard Gardens. The project received planning entitlements in 2021. Although the City was successful in awarding funding, the project was unable to secure its financing stack during the 2015-2023 Planning Period and is still seeking additional funding for construction.• The City will continue the program with modifications as Program H12 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Neighborhood Preservation Program	Continue to implement the Neighborhood Preservation Program, with affordable housing support from the Housing Division.	Ongoing: 2015-2023	<ul style="list-style-type: none">• Housing staff continued to provide ongoing support to the Neighborhood Preservation Program as needed.• The City continues to operate the Neighborhood Preservation Unit as indicated in Policy H-6.4 of the 2023-2031 Housing Element.

5th Cycle 2015-2023 HE Program: Preservation of Assisted Rental Housing	Maintain contact with owner of Life's Garden and offer financial and other assistance to maintain the affordability of the at-risk units.	Completed by 2017	<ul style="list-style-type: none"> • In 2023, the City worked with two rental developments with current inclusionary units that are slated to expire in 2024. City staff is working with management to ensure fair transition of affordable to market rate units, and offers funding to extend the life of affordable units as possible. No development has taken the City's offer of funding to extend the life of the inclusionary units. • This City will continue this program with modification as Program H13 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Section 8 Rental Assistance	Support the Housing Authority in its efforts to maintain adequate federal funding for Section 8. Refer residents to the Housing Authority for Section 8 and related information. Encourage landlords to participate in the program.	Ongoing: 2015-2023	<ul style="list-style-type: none"> • Two upcoming affordable housing developments (1178 Sonora and Meridian) received allocations of project based vouchers totalling 97 PBV units. Meridian will began leasing in early 2024; 1178 Sonora was issued building permits in December 2023. • Staff continued to refer interested households to the Housing Authority in 2023. • The City will continue this program with modifications as Program H10 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Anti-Displacement Provisions	Consider developing an anti-displacement policy applicable to redevelopment or major renovation of larger rental properties. Conduct outreach on the topic with interested stakeholders before developing proposed provisions.	Begin program by 2016	<ul style="list-style-type: none"> • As part of Program H28 of the 2023-2031 Housing Element, the City adopted a tenant protection and relocation assistance ordinance in May 2023 to prevent displacement and provide additional relocation assistance in the event of a no fault, just cause eviction. City staff completed outreach through the City's website and social media channels. Additional outreach information and meetings will be completed in 2024.
5th Cycle 2015-2023 HE Program: Mobile Home Park Preservation	Continue to implement current mobile home park protections and maintain mobile home park zones. In the event of mobile home park closure, enforce the Mobile Home Park Conversion requirements to provide relocation assistance to park residents.	Ongoing: 2015-2023	<ul style="list-style-type: none"> • In January 2023, the City continued to enforce the Mobile Home Memorandum of Understanding (MOU). • The City will continue this program as Program H14 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Foreclosure Prevention	Provide information and referrals about available foreclosure services and related information through City public outreach channels.	Ongoing: 2015-2023	<ul style="list-style-type: none"> • The City provides foreclosure assistance and technical assistance on an as needed basis. The City used its website to inform residents of financial assistance options due to the pandemic. No BMR foreclosures occurred in 2023. • This program will be continued as Program H15 in the 2023-2031 Housing Element. • No condo conversions for calendar year 2023. • The City will continue to regulate the conversion of rental apartments to condominiums as part of Policy H-3.7 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Condominium Conversion Regulations	Continue to provide tenant protections through implementation of the City's condominium conversion regulations.	Ongoing: 2015-2023	
5th Cycle 2015-2023 HE Program: Consider Modifications to Development Standards for Accessory Dwelling Units (ADU's)	Conduct outreach, complete analysis of ADU standards and possible modifications, and provide recommendations for public, stakeholder, and Council consideration.	Begin program by 2017	<ul style="list-style-type: none"> • As part of the City's ongoing ADU program, the City collaborated with neighboring jurisdictions on the Santa Clara County ADU website (aduscc.org), eventually launched in summer 2023. The website offers support to homeowners who are interested in building an ADU by providing tips to get started, budget, design, and permit a project. • The number of ADU permits issued has remained steady since 2022 and is nearly 10 times higher than ADU permits issued in 2017. • The City will expand this program as Program H4 of the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Retooling the Zoning Code	Complete the Retooling project by providing a final draft of the Zoning Code for Council consideration by the end of 2015.	Complete project by 2016	<ul style="list-style-type: none"> • While several zoning amendments have been made in recent years with updates to the Land Use and Transportation Element (LUTE) and several specific plans or plan updates have been adopted, portions of the retooling project remain in progress. Due to staff turnover, and subsequent lack of available staff and workload priorities, this program has been placed on hold the planning department. • This program will be continued as Program H16 in the 2023-2031 Housing Element with the goal to complete the program by 2026.
5th Cycle 2015-2023 HE Program: Residential Sites Inventory	Maintain current inventory of potential residential and mixed use sites; provide to developers with information on incentives.	Ongoing: 2015-2023	<ul style="list-style-type: none"> • The City's Sites Inventory is available online in the Housing Element with adequate sites still available; further assistance is available at the One-Stop Permit Center and by phone or email to Planning and Housing staff. Many of the major housing sites included in the inventory were developed or are in the pipeline. • The City will continue this program as Program H1 in the 2023-2031 Housing Element.

5th Cycle 2015-2023 HE Program: Minimum Densities	Inform developers of policy to develop to at least 75% of General Plan density.	Ongoing: 2015-2023	<ul style="list-style-type: none">• Planning staff reviews development applications to ensure that proposed projects meet this standard; this information is also highlighted in reports to Planning Commission.• This policy will continue to be implemented as Policy H-1.4 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Downtown Specific Plan	Encourage provision of affordable housing by requiring BMR units to be provided on-site or within the boundaries of the Specific Plan, and by promoting density bonus incentives.	Ongoing: 2015-2023	<ul style="list-style-type: none">• The DSP and Development Agreement was completed in 2020. In 2023, construction continued on a project with 53 new BMR units within the DSP.• The BMR program will continue to be implemented citywide as Program H5 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Accessory Living Units	Facilitate the development of new accessory living units by making information about how to obtain permits for them available to the public.	Ongoing: 2015-2023	<ul style="list-style-type: none">• ADU permitting information is available online and at One-Stop Permit Center and shared via various City channels and meetings. As stated above, the City collaborated with neighboring jurisdictions to launch the Santa Clara County ADU website (aduscc.org). The website offers support to homeowners who are interested in building an ADU by providing tips to get started, budget, design, and permit a project.• The City will expand this program as Program H4 of the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Housing Policies for Priority Development Areas	Consider developing specific housing policies for designated PDAs in the City through preparation of specific plans or station area plans.	Begin program by 2017	Lawrence Station Area Plan (adopted in 2017 and updated in 2021), and El Camino Real Specific Plan (adopted in 2022) include new housing policies adding over 3,700 units to the Sites Inventory capacity. A third specific plan, Moffett Park Specific Plan was adopted in summer 2023 adding over 9,600 units to the City's Sites Inventory capacity.
5th Cycle 2015-2023 HE Program: Fair Housing Program	Contract with qualified fair housing agencies to provide fair housing services to the extent funding is available. Provide fair housing brochures at City facilities and fair housing information on the City's website, with links to HUD fair housing page. Participate in the Santa Clara County Fair Housing Task Force.	Ongoing: 2015-2023	<ul style="list-style-type: none">• City provided CDBG grants to Project Sentinel for Fair Housing and Tenant Mediation services, who serves on behalf of the City to provide fair housing information.• Housing staff maintains webpage with current fair housing information and resources;• Brochures and posters provided at City and partner agency facilities.• The City will continue this program with modification as Program H24 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Accessible Housing	Maintain procedures for reasonable accommodations in codes and permitting. Adopt accessibility updates to codes as needed. Provide grants for accessibility improvements for eligible households, and provide CDBG funds for accessibility improvements to pedestrian facilities as needed in residential neighborhoods.	Ongoing: 2015-2023	<ul style="list-style-type: none">• City codes are updated; reasonable accommodation procedures are available to Planning/Building permit applicants.• City operates Home Access Grant program.• Throughout the planning period, the City has committed over \$1 million in CDBG funding for ADA-compliant access ramps for sidewalks.• The City will continue funding accessibility improvements as part of Program H27 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Programs to Address Homelessness	Provide funding for programs that seek to prevent and end homelessness and provide supportive services, such as the TBRA and WorkFirst Sunnyvale programs. Offer financing for permanent supportive housing and projects that reserve units for homeless applicants.	Ongoing: 2015-2023	<p>The City continues to provide significant annual funding for these programs for homeless and at-risk households:</p> <ul style="list-style-type: none">• WorkFirst Sunnyvale (390K Awarded in FY 2022)• Tenant-Based Rental Assistance (TBRA) (\$1 million in funds for FY 22-23)• Supportive Human Services (\$135K in GF in FY 22/23) <p>The City will continue this program as Program H32 in the 2023-2301 Housing Element.</p>
5th Cycle 2015-2023 HE Program: Special Needs Housing Development Assistance	Include priority for special needs units in all City notices of funding availability for new housing construction, rehabilitation, and/or preservation projects. Aim to assist in the development of one new project with some units reserved for special needs tenants. Encourage developers to include advocacy groups in marketing and leasing efforts related to newly available units.	Begin program by 2016	<ul style="list-style-type: none">• This priority was noted in City Housing RFP in 2015, 2020, and 2022. Two projects were funded with I/DD set asides including Meridian and Orchard Gardens. Meridian includes 23 units allocated for I/DD special needs tenants. Meridian will begin lease-up in early 2024. Orchard Gardens was awarded funding in 2020 and 2022 and is currently securing additional financing.• In 2023, the City closed on a construction loan for 1178 Sonora Court, which includes 45 permanent supportive housing units.• The City will continue this program as Program H35 in the 2023-2031 Housing Element.

5th Cycle 2015-2023 HE Program: Housing for Large Families and Single-Parent Households	Encourage rental developers to include units with three or more bedrooms, and to provide family-friendly common areas, open space and amenities such as on-site child care. Inform developers of the density bonus incentives for qualifying projects with child care facilities.	Ongoing: 2015-2023	<ul style="list-style-type: none">• Recent rental developments include a range of unit sizes from studio to 4 bedroom. City continues to encourage a range of sizes, as allowed by certain financing requirements, and always requires inclusionary developments to be a proportional mix as market rate sizes.• The City will retain this Program as Policy H-5.14 in the 2023-2031 Housing Element.
5th Cycle 2015-2023 HE Program: Sustainability and Green Building	Continue the City's comprehensive sustainability and green building programs.	Ongoing: 2015-2023	<ul style="list-style-type: none">• City offers a 5% density bonus for projects meeting green building standards. City's Green Building program was updated in 2019. The City recently adopted new Reach Codes which went into effect in January 2021. The City actively implements the Climate Action Playbook as well through the Environmental Services Department.• In 2023, 296 residential units that used the green density bonus completed construction.• The City will continue to implement the Green Building density bonus as Policy H-6.7 in the 2023-2031 Housing Element.
6th Cycle 2023-2031 HE Program H1. Residential Sites Inventory	Maintain adequate capacity to meet the RHNA. Develop and maintain a web-based sites inventory that is updated regularly to identify sites suitable for housing development and to track remaining capacity.	Develop inventory in 2023; Ongoing updates 2023-2031	<ul style="list-style-type: none">• In December 2023, the City adopted the 2023-2031 Housing Element with a Sites Inventory with capacity to meet the City's RHNA with a substantial buffer. HCD certification is anticipated in February 2024.• City Housing Staff is developing the web-based Sites Inventory and No Net Loss tracking tool to monitor remaining capacity for launch in early 2024.
6th Cycle 2023-2031 HE Program H2. Rezone Program	Approve a specific plan for the Moffett Park area and rezone sufficient land to accommodate the RHNA shortfall of 1,535 lower-income units and 3,280 above moderate-income units.	1/31/2024	<ul style="list-style-type: none">• Complete. Moffett Park Specific Plan was adopted on July 11, 2023 and accommodates the City's RHNA shortfall with a substantial buffer. On January 30, 2024, City Council adopted an ordinance to allow by-right approval of residential projects on Moffett Park Specific Plan sites that were designated to meet the lower-income RHNA shortfall of 1,535 units in accordance with Gov Code 65583.2.• An Urgency Ordinance establishing By-Right Zoning approvals for the lower-income shortfall units was adopted on February 27, 2024.
6th Cycle 2023-2031 HE Program H3. Increase Affordable Housing Opportunities in High Resource Areas	Rezone sites and/or increase allowed densities in Village Centers to increase capacity in lower-income sites inventory by at least 750 lower-income units in high and highest resource areas to increase housing mobility opportunities for lower-income households.	Complete rezoning by 2026	<p>In 2023, the City held two community meetings and one City Council Study Session for the Village Centers rezone project. As part of the Housing Element update process, the City held a Study Session in March 2023 in which Council provided feedback to Staff to pursue rezoning Village Center at 30 du/acre or greater and to designate additional non-residential sites in Southern Sunnyvale for rezoning at 30 du/acre. Staff will continue the Village Centers rezone project for completion by 2026.</p>
6th Cycle 2023-2031 HE Program H4. Accessory Dwelling Units	Target the production of at least 80 ADUs annually and a total of 640 ADUs and/or DUOs during the planning period through the following actions: - Amend ADU ordinance to comply with State law - Establish ADU resources including an ADU toolkit and other resources - Promote ADU resources in Southern Sunnyvale - Monitor production and affordability of ADUs every two years	Amend ADU ordinance by July 2023; Review ADU ordinance annually and amend to comply with State law; Monitor ADU affordability every other year beginning in 2025; adjust ADU assumption within 6 months if necessary; Implement ADU toolkit and other materials by early 2024.	<ul style="list-style-type: none">• The City is actively working on update the ADU ordinance to comply with recent HCD interpretation of four ADUs per parcel.• In 2023, in collaboration with other jurisdictions in Santa Clara County the Santa Clara ADU (www.aduscc.org) website was launched. The website includes a guidebook and provides resources for homeowners who are considering building an ADU, including an overview of the process, local guidelines, budgeting, and sample floorplans.• The City will collaborate with ABAG to launch an ongoing ADU survey to monitor affordability assumptions beginning in 2024. The City will report on ADU production and affordability and adjust assumptions in the 2024 APR.• City Housing, Planning, and Building staff are working to complete the ADU toolkit, which will offer specific development standards for ADUs for completion in 2024.
6th Cycle 2023-2031 HE Program H5. Below Market Rate (BMR) Housing Program	Continue to implement the BMR Program citywide. Complete a feasibility study to determine if an increase to the BMR percentage for rental and ownership projects can be supported. Target the production of 1,250 very low-, 1,250 low-, and 500 moderate-income units.	Ongoing (2023-2031) implementation of BMR program; Conduct feasibility study to analyze potential increases in the BMR percentage requirement for affordable housing by July 2024.	<ul style="list-style-type: none">• In 2023, 20 BMR homes were sold (escrow closed).• In collaboration with other Santa Clara County jurisdictions, a Request for Proposals was issued in November 2023 to select a consultant to complete a feasibility study to increase the BMR percentage. Feasibility study to commence in spring 2024.

6th Cycle 2023-2031 HE Program H6. Affordable Housing Development Assistance.	Provide technical assistance for the development of 2,500 new deed-restricted lower-income units. Target production of 500 lower-income units in high resource areas.	Ongoing (2023-2031)	<p>In 2023, the City provided technical assistance for three new affordable housing development projects that will create approximately 450 units of deed-restricted lower-income housing:</p> <ul style="list-style-type: none">• City staff assisted the Ira D. Hall Square (1178 Sonora Court, 176 units) project in its construction closing.• The City purchased the property at 295 S. Mathilda and entered into an Exclusive Negotiating Agreement with MidPen Housing for the construction of a new development tentatively designed to construct 120 units of lower-income housing in a high resource area.• Staff continued to support the 1171 Sonora Court (172 units) project throughout its predevelopment phase so that it is on track to secure planning entitlements in 2024.
6th Cycle 2023-2031 HE Program H7. Local Funding Assistance for Affordable Housing	Provide \$60 million in local and federal housing funding throughout the planning period for the development of 2,500 lower-income units. Target production of 500 lower-income units in high resource areas. Evaluate progress in 2027 to determine if additional actions are needed to achieve funding target.	Ongoing (2023-2031) with biennial Notices of Funding Availability; Mid-cycle progress check in 2027	<ul style="list-style-type: none">• In 2023, the City closed on a \$12.95 million construction loan for the Ira D. Hall Square (1178 Sonora Court, 176 units), which closed on construction financing in December 2023.• Notice of Funding Availability is scheduled for a 2024 release.
6th Cycle 2023-2031 HE Program H8. New Funding Mechanisms and Partnerships for Affordable Housing	Implement new funding mechanisms to support the development of 2,500 lower-income units by 2024 and continuously develop relationships with partner agencies to leverage additional funding, securing over \$100 million for new very low- and low-income units by 2027	Implement new funding mechanisms by 2024; Continuously develop relationships with partner agencies to leverage additional funding by 2027	<ul style="list-style-type: none">• In 2023, the City continued to advocate for increased affordable housing funding from Federal and State Governments.• The City intends to apply for new funding resources for affordable housing development through the Prohousing Incentive Program in Fall 2024.• The City is also actively using new PLHA funding towards pre-development of affordable housing developments.
6th Cycle 2023-2031 HE Program H9. First-Time Home Buyer Programs	Assist 5-10 low- to moderate-income homebuyers per year. Consider workforce-income loan program by 2025 and assist 5 workforce-income households.	Ongoing (2023-2021); Consider workforce-income loan program by 2025	<ul style="list-style-type: none">• In 2023, the City provided 2 FTHB loans.• City Housing staff will design a workforce-income loan program for consideration in 2025.
6th Cycle 2023-2031 HE Program H10. Housing Choice Voucher Rental Assistance	Support the Housing Authority in its efforts to maintain adequate federal funding for the Housing Choice Voucher program and continue to refer extremely low- and very low-income residents to the Housing Authority. Prioritize outreach and education to landlords/property management in high resource areas and new developments. Increase Housing Choice Voucher usage in highest or high resource areas by 5 percent.	Complete by 2026.	Two upcoming affordable housing developments (1178 Sonora and Meridian) received allocations of project based vouchers totalling 97 PBV units. Meridian will begin leasing in early 2024 and is located in a High Resource area; 1178 Sonora was issued building permits in December 2023. Staff has referred several interested households to Housing Authority in 2023. In 2023, City staff also assisted landlords who had issued with investigating Section 8 voucher holders who were not following Section 8 rules.
6th Cycle 2023-2031 HE Program H11. Home Improvement Program	Expand program to assist 20-35 homeowners per year with housing home improvements to help prevent displacement of at-risk households. Promote the program on the City's website, at City facilities, at community workshops, and through the Neighborhood Preservation Program, providing targeted outreach to neighborhoods with the greatest need for housing rehabilitation.	<ul style="list-style-type: none">• Ongoing (2023-2031).• Conduct no less than one workshop annually starting in 2023.• Expansion of program by 2024	<ul style="list-style-type: none">• In 2023, 2 housing rehabilitation loan, 11 roof grants, and 4 home access grants were provided (total of 16 units). In addition, 5 emergency repair grants (5 units) were provided.• The City will expand program using Permanent Local Housing Allocation funds beginning no later than 2024.
6th Cycle 2023-2031 HE Program H12. Multi-Family Rental Property Rehabilitation	Provide rehabilitation financing for at least one affordable mutlifamily project during the planning period	Ongoing (2023-2031)	In 2023, one \$490,000 award was made for the rehab of the Carroll Street Inn, a 122-unit Single Room Occupancy project (in addition to a separate \$500,000 award in 2022). In 2024, loan agreements for both awards will be executed and funds will be issued.
6th Cycle 2023-2031 HE Program H13. Preservation of Deed Restricted Housing	Preserve and maintain long-term affordability for 46 at-risk Below Market Rate units and minimize displacement of residents in deed-restricted Below Market Rate housing.	Ongoing (2023-2031), as affordability restrictions expire	In 2023, the City worked with two rental developments with current inclusionary units that are slated to expire in 2024. City staff is working with management to ensure fair transition of affordable to market rate units, and offers funding to extend the life of affordable units as possible. No development has taken the City's offer of funding to extend the life of the inclusionary units.

6th Cycle 2023-2031 HE Program H14. Mobile Home Park Preservation	Preserve 3,862 mobile homes by continuing to implement current mobile home park protections, including the Sunnyvale Mobile Home Park Memorandum of Understanding (MOU), and maintaining mobile home park zoning. Maintain an MOU compliance committee to annually enforce rent regulations and provide resident assistance.	<ul style="list-style-type: none">• Ongoing (2023-2031).• Annually monitor rent adjustments based on inflation and provide resident assistance on an ongoing basis	<ul style="list-style-type: none">• In 2023, the City continued to enforce the Mobile Home Memorandum of Understanding (MOU) and hold meetings for the Mobile Home Compliance Committee.• In 2023, annual space rent was capped at a maximum of 75% of the CPI to maintain appropriate rate increases. No rent increase questions or concerns were brought the MCC or staff.• City staff and Project Sentinel are always available to residents for support with their leases and understanding rights under the MOU.
6th Cycle 2023-2031 HE Program H15. Foreclosure Prevention Resources	Provide foreclosure assistance to 10 homeowners throughout the planning period through continuous information about available foreclosure counseling services, warnings about foreclosure-related scams, and available legal resources on the City's website. Provide biannual social media campaigns using the City's public outreach channels to educate residents. Provide materials in multiple languages and work with community-based organizations to distribute materials to residents most at-risk of foreclosure.	Ongoing (2023-2031). Biannual social media campaigns starting in 2023.	<ul style="list-style-type: none">• The City provides foreclosure assistance and technical assistance on an as needed basis. The City used its website to inform residents of financial assistance options due to the pandemic. No BMR foreclosures occurred in 2023.• The City did not launch any social media campaigns to educate residents at risk-of-foreclosure. There were no calls or emails received from residents requesting assistance related to foreclosure. Additionally, most lenders will attempt to work out a forbearance agreement with residents rather than foreclose. Lastly, home prices have increased year over year so if an forbearance agreement is not reached, the resident could sell the home, most likely for more than it was purchased for.
6th Cycle 2023-2031 HE Program H16. Complete the "Retooling the Zoning Code" Project	Accelerate housing production by adopting a comprehensive zoning code update to provide clarity of processing and permitting procedures.	Complete by 2026.	City Planning staff and the Office of the City Attorney will complete the Retooling the Zoning Code project by 2026.
6th Cycle 2023-2031 HE Program H17. El Camino Real Specific Plan Commercial Requirement	Implement a program to address the commercial requirement for 100 percent affordable housing developments in the El Camino Real Specific Plan (ECRSP) on sites zoned for mixed-use. Remove constraints to 100% affordable housing developments in high resource areas along El Camino Real to facilitate a minimum of two 100% affordable developments. Continue to require inclusionary units within market rate developments as well.	Establish program for 100% affordable developments by December 2023.	Due to reduced staffing and competing priorities, this zoning modifications for this program will be completed in 2024.
6th Cycle 2023-2031 HE Program H18. Usable Open Space Requirements	Reduce potential constraints on residential development by reviewing and modifying the City's usable open space requirements in R-2, R-3, R-4, and R-5 zoning districts to maintain access to high quality open space while reducing the financial impact to residential development.	<ul style="list-style-type: none">• Complete review and modifications no later than 2026.• Annually monitor open space requirements and report findings in the APR.• Conduct a midcycle review of open space requirements in 2028 and if determined to be a constraint, take action within six months to further reduce open space requirements.	<ul style="list-style-type: none">• In 2023, the City received a total of 9 complete Planning Permit applications for projects in R-2, R-3, R-4, and R-5 zoning districts, proposing a total of 37 units. Of the 9 applications, 8 were approved, 1 is pending, and 0 were denied. All approved projects met Usable Open Space requirements with one exception: 148 Crescent Ave in the R-3 Zoning District was approved using a State Density Bonus waiver to reduce Usable Open Space Requirements.• The City will continue to review projects in the R-2, R-3, R-4, R-5 zoning districts annually to determine the impact of Usable Open Space requirements on project approval and whether waivers were granted. This review will inform modifications to Usable Open Space requirements.• City Planning staff will review and complete modifications to usable open space requirements by 2026.
6th Cycle 2023-2031 HE Program H19. Review Park Dedication Requirements	Affirmatively further fair housing in single family neighborhoods by reducing Park Dedication In-lieu fees for Dual Urban Opportunity lot split projects and reduce constraints on multifamily and special needs housing as further described in the 2023-2031 Housing Element.	<ul style="list-style-type: none">• Establish reduced fees in 2024.• Annually monitor fees and report findings in the APR.• Conduct a midcycle review of fees in 2027 and if determined to be a constraint, take action within six months to mitigate constraint.	<ul style="list-style-type: none">• In 2024, City Planning staff will establish reduced Park Dedication In-Lieu fees to ensure program requirements are met.• Upon adoption of the fee reduction in 2024, the City will monitor and report findings annually.
6th Cycle 2023-2031 HE Program H20. Housing Development Plan Review Permit	Create new residential permit type to remove constraints on housing development and implement objective thresholds of approval.	Establish new permit type by 2024.	In 2023, City Planning staff and the Office of the City Attorney began work on establishing a new residential permit type based on objective thresholds of approval. City will implement the new permit type in 2024.
6th Cycle 2023-2031 HE Program H21. Missing Middle Housing	Remove constraints and add incentives to the development of smaller, cost-effective housing options that are affordable for workforce-income households in higher opportunity neighborhoods as further described in the 2023-2031 Housing Element. Target production of 75 new missing middle units.	Establish regulatory modifications no later than 2025.	City Planning staff will develop and establish regulatory modifications for Missing Middle housing types for adoption by 2025.

6th Cycle 2023-2031 HE Program H22. Adaptive Reuse	Evaluate whether review or approval processes and development standards are a constraint on adaptive reuse or interim reuse. If barriers to adaptive reuse or interim use are identified that State law does not already enable, modify processes and fees and/or adopt incentives as appropriate.	Establish regulatory modifications no later than 2025.	City Planning staff will commence evaluation of approval process and development standards for completion by 2025.
6th Cycle 2023-2031 HE Program H23. Zoning Code Amendments	Amend the zoning code in compliance with State law as further described in the 2023-2031 Housing Element.	Complete zoning code amendments by December 2024.	City Planning staff and the Office of the City Attorney will amend the zoning code in compliance with State law in 2024.
6th Cycle 2023-2031 HE Program H24. Fair Housing Program	Ensure fair housing information is accessible to all by implementing the following: - Contract with qualified fair housing agencies to provide comprehensive and culturally-appropriate fair housing services and/or tenant/landlord mediation to the extent funding is available. - Provide multi-lingual fair housing brochures at City Hall, the Sunnyvale Library, Senior Center, Recreation Center, and the Columbia Neighborhood Center, and work with area organizations to disseminate information to non-English speaking populations. - Provide fair housing information on the City's website, including a direct link to HUD fair housing website. - Continue to participate in the Santa Clara County Fair Housing Task Force.	Ongoing (2023-2031)	<ul style="list-style-type: none">• City continued to contract with and provide CDBG and general fund funding to Project Sentinel for Fair Housing and Tenant Mediation services. Project Sentinel serves on behalf of the City to provide fair housing information.• Housing staff maintains webpage with current fair housing information and resources;• Brochures and posters provided at City and partner agency facilities.
6th Cycle 2023-2031 HE Program H25. Language Access	Evaluate City programs, services, and materials to assess language accessibility and provide multilingual resources, as appropriate, to ensure residents with limited English proficiency have accessible information. Remove language barriers and increase accessibility to City housing programs.	Complete by 2025.	City Housing staff will review the City's materials to assess language accessibility and provide new multi-lingual resources by 2025.
6th Cycle 2023-2031 HE Program H26. Renter's Choice Ordinance	Evaluate security deposit alternative programs and consider establishing an ordinance to provide tenants with alternatives to a traditional security deposit.	Complete by 2026.	City will commence research of security deposit alternative programs and consider establishing an ordinance in 2026.
6th Cycle 2023-2031 HE Program H27. Right-to-Lease Ordinance	Adopt a right-to-lease ordinance which requires that landlords offer renters a lease specifying a minimum one-year lease term prior to any other term lengths. Provide tenants with stability and predictability of costs during the term of their lease. Educate landlords and tenants by posting information about the ordinance on the City website, distributing mailers and/or fliers to landlords and tenants throughout the city, and conducting a social media campaign.	Adopt ordinance and conduct public outreach in 2023.	<ul style="list-style-type: none">• City Council adopted the Right-to-Lease ordinance in May 2023, requiring landlords of most rental properties to offer a 12-month lease prior to offering a shorter term.• Information about the ordinance was posted on the City's website and announced on the City's social media channels. Additional outreach is planned for 2024.
6th Cycle 2023-2031 HE Program H28. Relocation Assistance Ordinance	Disincentivize actions that lead to displacement and ensure displaced tenants have adequate resources to find new housing. Adopt a relocation assistance ordinance which requires landlords to provide financial assistance to tenants who are being displaced from rental units due to no-fault just cause factors. Educate landlords and tenants by posting information about the ordinance on the City website, distributing mailers and/or fliers to landlords and tenants throughout the city, and conducting a social media campaign.	Adopt ordinance and conduct public outreach in 2023.	<ul style="list-style-type: none">• City Council adopted a Tenant Protection/Relocation Assistance ordinance in May 2023 requiring landlords of most rental properties to provide two-month's relocation assistance in the event of a no-fault just cause eviction. The ordinance extended AB 1482 renter protections to units built within the last 15 years.• Information about the ordinance was posted on the City's website and announced on the City's social media channels. Additional outreach is planned for 2024.
6th Cycle 2023-2031 HE Program H29. Emergency Rental Assistance Program	Partner with local nonprofits who operate emergency rental subsidy programs to prioritize support for at-need households on existing waiting lists. Secure funding for emergency rental assistance for 25 lower-income households per year.	Secure funding for emergency rental assistance by 2024. Emergency rental assistance provided on an ongoing basis.	City Housing staff will coordinate with local nonprofits to secure emergency rental assistance funds in 2024.
6th Cycle 2023-2031 HE Program H30. Funding for Accessibility Improvements	Provide grants to income-qualified households for accessibility improvements, and continue to provide CDBG funding, when available, for accessibility improvements to pedestrian facilities as needed in residential neighborhoods. Ensure lower-income residents can afford repairs on limited or fixed incomes and ensure neighborhoods remain ADA compliant. Serve up to 10 households per year.	Ongoing (2023-2031)	<ul style="list-style-type: none">• City operates Home Access Grant program and allocates over \$150,000 annually towards the program.• City committed \$448,000 in CDBG funding for ADA-compliant access ramps for sidewalks in 2022/23. The City will continue to fund this program using unallocated CDBG funds annually.

6th Cycle 2023-2031 HE Program H31. Reasonable Accommodations and Code Updates	Remove barriers to housing for persons with disabilities by reviewing and revising findings for reasonable accommodations to remove constraints to housing for persons with disabilities and to reduce the burden of the applicant to determine alternative accommodations that provide an equivalent level of benefit.	Complete by 2024.	City Planning staff will prepare to complete review of reasonable accommodations findings in 2024.
6th Cycle 2023-2031 HE Program H32. Programs to Address Homelessness	Continue to provide funding for programs that seek to prevent and end homelessness and provide supportive services to homeless and at-risk clients. Continue to implement programs such as WorkFirst Sunnyvale and Tenant-Based Rental Assistance. Provide annual funding for homeless programs and at-risk households to serve at least 150 households per year. Using new funding sources, implement new rental assistance program for seniors experiencing homelessness.	Implement new funding sources in 2023, ongoing (2023-2031) once implemented.	City continues to provide significant annual funding for these programs for homeless and at-risk households: <ul style="list-style-type: none">• WorkFirst Sunnyvale (\$355K Awarded in FY 2023/24)• Tenant-Based Rental Assistance (TBRA) (\$2 million in funds for FY 22/23 and 23/24)• Supportive Human Services (\$135K in GF annually)
6th Cycle 2023-2031 HE Program H33. Capital Projects to Address Homelessness	Collaborate with property owners and affordable housing developers to identify sites throughout the City for projects serving tenants experiencing homelessness. Provide City funding in partnership with County funds to support the creation of 300 units serving tenants experiencing homelessness.	<ul style="list-style-type: none">• Identify at least one project site for tenants experiencing homelessness in 2024.• Award funds to projects serving tenants experiencing homelessness through biennial notices of funding availability for development projects.	<ul style="list-style-type: none">• In 2023, the City worked with MidPen Housing to identify and purchase a site for the development of a project that will serve persons experiencing homelessness. The City entered into an Exclusive Negotiating Agreement with the MidPen for the development of an affordable housing project with at least 25% of units set aside for families experiencing homelessness.• The City will include a priority for projects that serve households experiencing homelessness in the planned 2024 Notice of Funding Availability.
6th Cycle 2023-2031 HE Program H34. Safe RV Parking	Support the establishment of a safe RV parking program and identify at least one potential site.	Commence study in 2023 and implement by 2025.	In 2023, the City began studying for Safe RV Parking programs throughout the county. The City also created a new position, the Homeless Services Manager, to continue the study in 2024 for implementation in 2025.
6th Cycle 2023-2031 HE Program H35. Special Needs Housing Development Assistance	Support the creation of a minimum of 50 dedicated units for special needs tenants, within various affordable housing developments. Include priority for special needs units in City notices of funding availability for new housing construction, rehabilitation, and/or preservation projects. Aim to assist in the development of at least one new project with some or all of the units reserved for special needs tenants.	Complete by 2031.	<ul style="list-style-type: none">• In 2023, construction neared completion for the Meridian (formerly Block 15) affordable housing project, which includes 23 units for households with a member with intellectual and developmental disabilities. The Meridian will complete construction and begin leasing in 2024.• City Staff will include priority for special needs units in the planned 2024 Notice of Funding Availability.
6th Cycle 2023-2031 HE Program H36. New Age-Friendly Housing	Promote the development of new age-friendly housing with the objective of 15 percent of new or renovated units (10 percent ADA plus an additional 5 percent age friendly) to meet age friendly housing criteria.	Complete by 2023.	City Staff will include priority for units that meet age-friendly housing criteria in the planned 2024 Notice of Funding Availability. The City prioritized senior funding in 2022 as well, however no development met the criteria.
6th Cycle 2023-2031 HE Program H37. Age in Place	Facilitate ability of seniors to “age in place” and assist 10-25 senior households per year with age-in-place repairs. Establish a streamlined permitting process for home renovations for permits that cannot be issued over the counter. Expand Home Improvement Program using additional funding sources. Improve and expand outreach to Sunnyvale Senior Center and senior-focused housing nonprofits and policy groups to increase awareness and program referrals.	Complete by 2024.	<ul style="list-style-type: none">• In 2023, 2 housing rehabilitation loan, 11 roof grants, and 4 home access grants were provided (total of 16 units). In addition, 0 paint grant, and 5 emergency repair grants (5 units) were provided.• City staff will identify repair types for additional permit streamlining in 2024.• The City will use additional funding sources such as Permanent Local Housing Allocation to expand program in 2024.
6th Cycle 2023-2031 HE Program H38. Neighborhood Conditions Survey	Conduct a Neighborhood Conditions Survey every 5 years to preserve and improve neighborhood quality.	Conduct survey in 2025 and every 5 years thereafter.	City Housing staff will coordinate with Neighborhood Preservation staff to plan survey for 2025 implementation.

[illegible]

General Comments			

Jurisdiction	Sunnyvale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

[illegible]

Jurisdiction	Sunnyvale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺ . For detailed reporting requirements, see the chcklist here : https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Sunnyvale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F2

Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2

For up to 25 percent of a jurisdiction's moderate-income regional housing need allocation, the planning agency may include the number of units in an existing multifamily buildings that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. Before adding information to this table, please ensure housing developments meet the requirements described in Government Code 65400.2(b).

[illegible]

Jurisdiction	Sunnyvale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Table G

Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of

[illegible]

Jurisdiction	Sunnyvale	NOTE: This table must contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns	Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas
Reporting Period	2023 (Jan. 1 - Dec. 31)		

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

For Santa Clara County jurisdictions, please format the APN's as follows:999-99-999

[illegible]

Jurisdiction	Sunnyvale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code 65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table J														
Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915														
Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved							Units (Beds/Student Capacity) Granted Density Bonus	Notes
1				2	3	4							5	6
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SH - Student Housing)	Date	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Total Additional Beds Created Due to Density Bonus	Notes
Summary Row: Start Data Entry Below														

Jurisdiction	Sunnyvale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Table K

Tenant Preference Policy

Local governments are required to inform HCD about any local tenant preference ordinance the local government maintains when the jurisdiction submits their annual progress report on housing approvals and production, per Government Code 7061 (SB 649, 2022, Cortese).
Effective January 1, 2023, local governments adopting a tenant preference are required to create a webpage on their internet website containing authorizing local ordinance and supporting materials, no more than 90 days after the ordinance becomes operational.

Does the Jurisdiction have a local tenant preference policy?	No	
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage on their internet website containing authorizing local ordinance and supporting materials.		
Notes		

Jurisdiction	Sunnyvale	
Reporting Year	2023	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Local Early Action Planning (LEAP) Reporting
 (CCR Title 25 §6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

Total Award Amount	\$ 500,000.00	Total award amount is auto-populated based on amounts entered in rows 15-26.
---------------------------	---------------	--

[illegible]

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	19
	Non-Deed Restricted	1
Low	Deed Restricted	75
	Non-Deed Restricted	8
Moderate	Deed Restricted	17
	Non-Deed Restricted	230
Above Moderate		366
Total Units		716

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	131
	Non-Deed Restricted	3
Low	Deed Restricted	43
	Non-Deed Restricted	18
Moderate	Deed Restricted	45
	Non-Deed Restricted	29
Above Moderate		332
Total Units		601

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	13
	Non-Deed Restricted	2
Low	Deed Restricted	0
	Non-Deed Restricted	12
Moderate	Deed Restricted	9
	Non-Deed Restricted	153
Above Moderate		321
Total Units		510

City of Sunnyvale Housing Successor Agency
**Annual Report on the
Low-Moderate Income Housing Asset Fund (LMIHAF)
FY 2022/23**

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f), covering the fiscal year that ended on June 30, 2023. This Report sets forth certain details of the City of Sunnyvale Housing Successor Agency's activities during Fiscal Year 2022-23 (Fiscal Year).

The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

The following Report is based upon information prepared by Housing Successor staff and information contained within the independent financial audit of the Low and Moderate Income Housing Asset Fund, which is a part of the City of Sunnyvale Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2022-23, prepared by Tim Kirby, Finance Director, which includes the Independent Auditor's Report (Audit) prepared by MGO Certified Public Accountants, which Audit is separate from this annual summary Report. This Report conforms with and is organized into sections I through XI, inclusive, pursuant to Section 34176.1(f) of the Dissolution Law:

- I. The amount the city, county, or city and county received pursuant to subparagraph (A) of paragraph (3) of subdivision (b) of Section 34191.4.
- II. **Amount Deposited into LMIHAF:** This section provides the amount of funds deposited into the LMIHAF during the Fiscal Year. Any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) must be distinguished from the other amounts deposited.
- III. **Ending Balance of LMIHAF:** This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year. Any amounts deposited for items listed on the ROPS must be distinguished from the other amounts deposited.
- IV. **Description of Expenditures from LMIHAF:** This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized.
- V. **Statutory Value of Assets Owned by Housing Successor:** This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts.
- VI. **Description of Transfers:** This section describes transfers, if any, to another housing successor agency made in previous Fiscal Year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.

City of Sunnyvale Housing Successor Agency

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)
FY 2022/23

- VII. **Project Descriptions:** This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.
- VIII. **Status of Compliance with Section 33334.16:** This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.
- IX. **Description of Outstanding Obligations under Section 33413:** This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012 along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency and how the Housing Successor's plans to meet unmet obligations, if any.
- X. **Income Test:** This section provides the information required by Section 34176.1 (a)(3)(B), or a description of expenditures by income restriction for five-year period, with the time period beginning January 1, 2017 and whether the statutory thresholds have been met.
- XI. **Senior Housing Test:** This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former redevelopment Agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former Redevelopment Agency and its host jurisdiction within the same time period. For this Report, the ten-year period reviewed is January 1, 2012 through December 31, 2022.
- XII. **Excess Surplus Test:** This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.

This Report is to be provided annually to the Housing Successor's governing body within six months of the end of each fiscal year, and to the State Department of Housing and Community Development no later than April 1 of the year following the close of the fiscal year. In addition, this Report and the former redevelopment agency's pre-dissolution Implementation Plans are made available to the public on the City's website: [Sunnyvale.ca.gov](https://www.sunnyvale.ca.gov).

I. AMOUNT RECEIVED PURSUANT TO SECTION 34191.4(3)(A)

In FY 22/23, a total of **\$0** was deposited pursuant to the ROPS.

II. AMOUNT DEPOSITED INTO LMIHAF

In FY 22/23, a total of **\$77,103** was deposited into the LMIHAF during the Fiscal Year, consisting of interest income on funds deposited previously.

III. ENDING BALANCE OF LMIHAF

At the end of FY 22/23, on June 30, 2023, the balance in the LMIHAF was **\$3,760,398**. Some of this amount is encumbered but not yet expended.

IV. DESCRIPTION OF EXPENDITURES FROM LMIHAF

City of Sunnyvale Housing Successor Agency

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)
FY 2022/23

In FY 22/23 the Housing Successor Agency spent a total of \$46.033 on Housing Successor Agency administrative expenses.

V. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR IN LMIHAF

Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer schedule approved by the Department of Finance as listed in such schedule under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purchase price of property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

The Housing Successor Agency has no assets according to the above definition. For details, please see the Low and Moderate Income Housing Fund Due Diligence [Review](#) available on the Successor Agency website.

VI. DESCRIPTION OF TRANSFERS

The Housing Successor Agency did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year. The Housing Successor Agency has no assets according to the above definition. For details, please see the Low and Moderate Income Housing Fund Due Diligence [Review](#) available on the Successor Agency website.

VII. PROJECT DESCRIPTIONS

Recently, \$4M in LMIHAF were funded to Housing Project 833600: Block 15 Affordable Housing Site), those funds were transferred out of LMIHAF in FY2018/19 and funded in October 2021. In 2020, \$1M in LMIHAF was allocated to Orchard Gardens (Project 832030) and while funds have been transferred, they have not been awarded as the project is awaiting TCAC allocations. In 2022, \$3.5M in LMIHAF was allocated to Sonora Court Family Housing Project (Project # 835030) in FY2022/23; those funds were transferred in 22/23 and will be awarded in December 2023 upon construction commencement.

VIII. STATUS OF COMPLIANCE WITH SECTION 33334.16

Section 34176.1 provides that Section 33334.16 does not apply to interests in real property acquired by the Housing Successor on or after February 1, 2012; however, this Report presents a status update on the project related to such real property.

With respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the Department of Finance approved the property as a housing asset in the LMIHAF; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, if any the Housing Successor must initiate activities consistent with the development of the real property for the purpose for which it was acquired within five years of the date the DOF approved such property as a housing asset.

The Housing Successor does not own any real property.

IX. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413

City of Sunnyvale Housing Successor Agency

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)
FY 2022/23

Replacement Housing: The former RDA did not incur any Section 33413(a) replacement housing obligations nor transfer any such obligations to the Housing Successor. Various plans and reports of the former Redevelopment Agency are posted on the Redevelopment Successor Agency website at Sunnyvale.ca.gov.

Inclusionary/Production Housing. The former RDA did not incur any Section 33413(a) inclusionary/production housing obligations nor transfer any such obligations to the Housing Successor. Various plans and reports of the former Redevelopment Agency are posted on the Redevelopment Successor Agency website at Sunnyvale.ca.gov.

The Housing Successor has no outstanding or unmet obligations pursuant to Section 33413.

X. EXTREMELY LOW INCOME TEST

Section 34176.1(a)(3)(B) requires that the Housing Successor spend at least 30% of the LMIHAF to assist in development of rental housing affordable to and occupied by extremely low income (ELI) households, which are households with incomes that do not exceed 30% of the AMI. If the Housing Successor fails to comply with this ELI requirement in any five-year reporting period, then it must annually spend at least 50% of the funds remaining in the LMIHAF following that reporting period on rental housing affordable to ELI households, until it demonstrates compliance with the ELI requirement.

The Housing Successor did not assist new development of affordable rental housing FY 2022/23. On February 25, 2020, City Council approved an allocation of \$26 million in City local Housing Mitigation and LMIHAF funding, in which \$1 million in LMIHAF was allocated towards Orchard Gardens. As of the end of the 2021/22 fiscal year, these funds have not been issued. These funds are in addition to the \$4 million in Low and Moderate Income Housing Asset Funds (LMIHAF) for Block 15, a 90-unit Affordable Housing Development on Iowa Avenue Between Mathilda Avenue and Charles Street (Block 15). Lastly, in 2022, the City awarded \$3.5 million to MidPen Housing for their Sonora Court development; fund issuance is expected in mid FY 23/24. Therefore, between 2017 and 2022, \$8.5 million has been allocated, and \$4 million has been issued in LMIHAF towards new affordable housing development. See below calculation, demonstrating how the Housing Successor will utilize at least 30% of the LMIHAF to assist in development of rental housing affordable to and occupied by extremely low income (ELI) households:

Block 15:

- \$4M of the \$12.5M is former RDA tax increment
- 89 units of 90 units are affordable
- 30% of the \$4M (\$1.2 M) must be dedicated to ELI units (30% AMI)
- Total project cost is approximately \$90M
- $\$1.2\text{M of } \$12.5\text{M} = 9.6\%$
- $9.6\% \text{ of the } 89 \text{ units} = 9 \text{ units}$
- 22 extremely low income units are proposed in this development.
- Awarded 2018, Funded 2021.
- Meets and exceeds the ELI test.

City of Sunnyvale Housing Successor Agency
Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)
FY 2022/23

Orchard Gardens

- \$1M of the \$7.5M is former RDA tax increment
- 121 units of 123 units are affordable
- 30% of the \$1M (\$300,000.00) must be dedicated to ELI units (30% AMI)
- Total project cost is \$108M
- \$300,000 of \$7.5M = 4%
- 4% of the 121 units = 5 units
- 63 extremely low income units are proposed within this development.
- Meets and exceeds ELI Test
- Awarded 2020

Sonora Court

- \$3.5M of the \$14M is former RDA tax increment
- 176 units of 176 units are affordable
- 30% of the \$3.5M (\$1,050,000) must be dedicated to ELI units (30% AMI)
- Total project cost is \$141M
- \$1,050,000 of \$14M = 8%
- 8% of the 163 units = 13 units
- 55 extremely low income units are proposed within this development.
- Meets and exceeds ELI Test
- Awarded 2022

XI. SENIOR HOUSING TEST

The senior housing test is based on the percentage of deed-restricted affordable rental units assisted by the Housing Successor, the former redevelopment agency and/or the City within the previous 10 years that are restricted to seniors. If the senior units' percentage exceeds 50% of the total number of deed-restricted affordable units assisted during this time period, the Housing Successor cannot spend LMIHAF funds on assisting additional senior rental units until the Housing Successor or City assists, and construction has commenced, on enough all-age deed-restricted rental units to bring the all-age units share up to at least 50% of the total deed-restricted rental units assisted by the Housing Successor during that ten-year period.

The table below provides the results of the Housing Successor's Senior Housing Test for the 10-year period of 2012-2022:

City-Assisted Rental Units, 2012-2022 (Calendar Years)

Total Assisted Senior Units	0
Total Assisted Units	156
Senior Housing Percentage	0.0%

Note: "Total assisted units" counts deed-restricted, standard rental dwelling units only; does not count single-family homes assisted with rehabilitation loans or grants, inclusionary housing units that did not receive City subsidies, or City-assisted homeless shelters or transitional housing units, pursuant to guidance of Successor Agency legal counsel.

XII. EXCESS SURPLUS TEST

City of Sunnyvale Housing Successor Agency

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)
FY 2022/23

Excess Surplus is defined in Health and Safety Code Section 34176.1(d) as an unencumbered amount in the LMIHAF account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.

The following table displays the Excess Surplus test:

	Preceding Four Fiscal Years				Reporting Year
	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Beginning Balance	\$ 2,890,223	\$ 722,147	\$ 2,072,905	\$ 4,060,872	\$ 6,440,042
Add: Deposits	\$ 2,183,569	\$ 2,632,323	\$ 3,017,006	\$ 3,693,320	\$ 77,103
(Less) Expenditures	\$ (4,351,645)	\$ (1,281,565)	\$ (1,029,038)	\$ (1,304,306)	\$ (2,756,747)
(Less) Net Encumbrances	\$ -	\$ -			
Unencumbered Balance, Year End	\$ 722,147	\$ 2,072,905	\$ 4,060,872	\$ 6,440,042	\$ 3,760,398

Excess Surplus equals greater of \$1 million or sum of preceding four fiscal years of deposits to the fund:

Deposits to LMIHAF, FYs 2019/20-FY2022/23:

FY 2019/20	\$ 2,632,323
FY 2020/21	\$ 3,017,006
FY 2021/22	\$ 3,693,320
FY 2022/23	\$ 77,103
Total Deposits	\$ 9,419,752

As shown above, the sum of the past four years' deposits is over one million dollars, so the sum of deposits from the past four preceding years is the operable amount for measuring excess surplus for FY 2022/23. As shown in the first table above, at the end of FY 2022/23 the LMIHAF had an unencumbered total balance of approximately of \$9,419,752 All funds currently held in reserve as well as the majority of 2021/22 and 2022/23 projected revenue are encumbered, with most of funds earmarked for the upcoming Orchard Gardens and Sonora Court project, with an annual smaller appropriation for the City's Homeless Prevention and Rapid Rehousing Program (HPRR). As revenue into this fund has stopped effective the 22/23 Fiscal Year, no further loans are anticipated with this funding source.

Project Information Sheets:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/918/637819888269900000>

- Block 15 (Project: 833600), page 179
- HPRR (Project: 831761), page 192
- Orchard Gardens (Project 832030), page 193

DRAFT Affordability of Accessory Dwelling Units

A report and recommendations for RHNA 6

Prepared by the ABAG Housing Technical Assistance Team with Funding from REAP

9/8/2021

1. Overview

Accessory dwelling units (ADUs) are independent homes on a residential property with their own cooking and sanitation facilities and outside access. They can either be part of or attached to the primary dwelling or can be free standing/detached from the primary dwelling. Given their smaller size, typically between 400-1000 square feet (Source: Implementing the Backyard Revolution), they frequently offer a housing option that is more affordable by design. They also offer infill development opportunities in existing neighborhoods and a potential supplemental income source for homeowners. Similar are Junior ADUs (JADUs), which are even smaller living units enclosed within a single-family structure. JADUs have independent cooking facilities and outside access, however they may share sanitation facilities with the primary home. Both have become an increasingly popular housing type in recent years.

Recent California legislation has facilitated policy changes at the local level that encourage ADU development by streamlining the permitting process and shortening approval timelines. State law requires jurisdictions to allow at least one ADU and JADU per residential lot. These legislative and policy changes have increased ADU development across many California communities.

In 2020, the Center for Community Innovation at the University of California at Berkeley (UC Berkeley) undertook a comprehensive, statewide survey of ADUs, resulting in a document entitled *“Implementing the Backyard Revolution: Perspectives of California’s ADU Homeowners”*, released on April 22, 2021. This memo uses and extends that research, providing a foundation that Bay Area jurisdictions may build upon as they consider ADU affordability levels while developing their Housing Element sites inventory analyses. This report’s affordability research has been reviewed by the California Department of Housing and Community Development (HCD). While they have not formally accepted it, in initial conversations they did not raise objections to the conclusions. Give HCD’s workload, it is unlikely we will receive additional guidance.

Figure 1: Affordability of ADUs

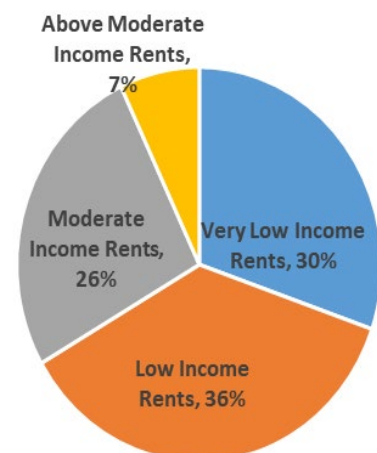


Figure 1 presents a summary of ADU affordability and Table 1 presents a recommendation for assumptions for Housing Elements. See the main body of the report for more information on methodology and assumptions.

We are recommending a conservative interpretation that assumes more moderate and above moderate ADUs than the research found. These assumptions represent a floor for most jurisdictions. If the market conditions in a particular jurisdiction warrant higher assumptions, then additional analysis can be provided to HCD for consideration.

Table 1: Affordability Recommendations for ADUs for Housing Elements

Income	Recommendation
Very Low Income (0-50% AMI)	30%
Low Income (51-80% AMI)	30%
Moderate Income (81-120% AMI)	30%
Above Moderate Income (120+ AMI)	10%

Notes: AMI = Area Median Income. See below for more information on assumptions.

Affirmatively Furthering Fair Housing Concerns

Although ADUs are often affordable, jurisdictions should be cautious about relying on them too heavily because of fair housing concerns. Many ADUs are affordable to lower and moderate income households *because* they are rented to family and friends of the homeowners. If minorities are underrepresented among homeowners, the families and potentially friends of the homeowners will be primarily white. Therefore, relying too heavily on ADUs could inadvertently exacerbate patterns of segregation and exclusion. Additionally, ADUs often do not serve large families, another important fair housing concern. Conversely, ADUs accomplish an important fair housing goal by adding new homes in parts of the city that are more likely to be areas of opportunity.

Jurisdictions with fair housing concerns may want to use more conservative assumptions based on open market rentals, excluding units made available to family and friends, as summarized below:

Table 1: Affordability Recommendations for ADUs for Jurisdictions with Fair Housing Concerns

Income	Recommendation
Very Low Income	5%
Low Income	30%
Moderate Income	50%
Above Moderate Income	15%

Further Outreach and Data

Although HCD has reviewed this memo and believes the conclusions are generally accurate, it is still important for jurisdictions to ensure the information reflects local conditions. As part of ground truthing the conclusions, jurisdictions should provide opportunity for the stakeholders to comment on any assumptions, including affordability assumptions based on this memo.

2. UC Berkeley Survey

In the Fall and Winter of 2020, the University of California at Berkeley's Center for Community Innovation, in collaboration with Baird + Driskell Community Planning, conducted a statewide survey of homeowners who had constructed ADUs in 2018 or 2019¹. Over 15,000 postcards were mailed to households directing them to an online survey. The overall response rate was approximately 5%, but Bay Area response rates were higher, up to 15% in some counties. In total, 387 ADU owners from the Bay Area completed they survey, with 245 of those units available on the long term rental market.

Key takeaways include:

- Just under 20% of Bay Area ADUs are made available at no cost to the tenant.
- An additional 16% are rented to friends or family, presumably at a discounted rent, though the survey did not ask.
- Market-rate ADUs tend to rent at prices affordable to low and moderate income households in most markets.

3. Methodology

ABAG further analyzed the raw data from the UC Berkeley survey, because the authors of *Implementing the Backyard Revolution* did not present their results according to income categories (e.g. very low income, low income, etc.).

This ABAG summary uses the affordability calculator published by the California Department of Housing and Community Development ([link](#)) to define maximum income levels. HCD defines an affordable unit as one where a household pays 30 percent or less of their annual pre-tax income on housing.

The definition of affordable rents shifts with income category (Low, Very Low, etc.), household size/unit size, and geography. The income categories are as follows: Very Low = under 50% of Area Median Income (AMI), Low Income = 50-60% AMI, Moderate = 60-110% AMI.²

¹ A summary is available here - <http://www.aducalifornia.org/implementing-the-backyard-revolution/>

² Please note, these assumptions are more conservative than is typically used, but match HCD's recommendations.

Because some counties have different median incomes, the results are adjusted accordingly. 2020 AMIs were used because the survey was completed in 2020.

Additionally, ABAG made the following assumptions regarding persons per unit, which matched HCD's recommendations:

- Studios 1 person
- 1 Bedrooms 2 people
- 2 Bedrooms 3 people
- 3 Bedrooms 4 people

See the following document for information on HCD's assumptions.

<https://www.hcd.ca.gov/community-development/housing-element/docs/affordability-calculator-2020.xlsx>

4. Summary of ADU Use

Table 2, below, shows the usage of ADUs. Because this report concerns affordability of available dwelling units, those not available for rent (short term rentals, home office and other) are excluded from further analysis.

Table 3. Usage of Accessory Dwelling Units

Region	Friend/ Family Rental	Family - No Rent	Long Term Rental (Open Market)	Short Term Rental	Home Office	Other
East Bay	12%	19%	27%	2%	14%	27%
Peninsula	16%	18%	28%	4%	14%	20%
North Bay	13%	16%	33%	2%	8%	28%
Bay Total (9 Counties)	14%	18%	29%	3%	13%	24%
Statewide Total	16%	19%	30%	2%	12%	21%

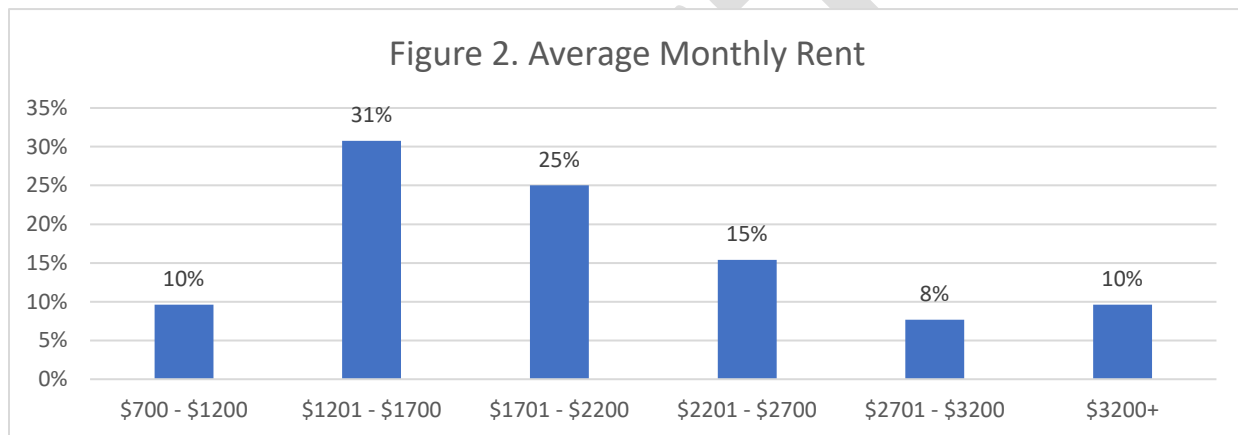
Other includes homeowners who live in the ADU, needs repairs, empty, used as extra bedroom, etc. The response rate in San Francisco was too low for meaningful comparison so it is not presented separately, but is included in the Bay Area total. East Bay includes Alameda and Contra Costa Counties, Peninsula includes San Mateo and Santa Clara Counties, North Bay includes Marin, Sonoma and Napa Counties.

5. Affordability of ADUs

Rental Data

The analysis found that many ADUs are made available to family members, often at no rent. The survey did not query the rent of family/friend rentals, only asking if rent was charged.

Of those ADUs available on the open market (not rented to family or friends), most charged rents between \$1,200 and \$2,200, as shown in in Figure 2.



Assigning ADUs to Income Categories

This report's affordability analysis has two parts:

1. Market Rate ADUs: Those not rented to friends or family; and
2. Discount Rate ADUs: Those rented to family or friends for discounted or no rent

Market Rate ADUs

Market rate ADUs were usually affordable to low or moderate income households, based on the methodology identified above. Depending on the part of the region, the ABAG analysis found:

- Very Low Income: 0-7% of market rate units were affordable to very low income
- Low Income: 15-44% of market rate units were affordable to low income
- Moderate income: 40-70% of market rate units were affordable to moderate income households.
- Above moderate: 9-15% of market rate units were affordable to above moderate income households.

The data is summarized in the chart below.

Table 4. Affordability of Market Rate Units

	Very Low	Low	Moderate	Above Moderate
East Bay	0%	15%	70%	15%
Peninsula	6%	31%	48%	15%
North Bay	7%	44%	40%	9%

This chart only shows ADUs rented on the open market. The response rate in San Francisco was too low for meaningful comparison so it is excluded from this analysis.

Discount Rate ADUs

Based on previous HCD precedent, this analysis uses actual rents to determine affordability. The occupant's relationship to the owner is secondary, the relevant factor is the rent charged. (Please note the potential fair housing concerns that can arise from this approach). Specifically, this analysis assigns units made available to family or friends available at no rent as very low income. Additionally, this analysis assigns units *rented* to family or friends as low income³.

Combined Market and Affordable ADUs

Table 5, below, combines the information for discounted and market rate ADUs.

Table 5. Usage of No Rent/Discount Rent ADUs and Affordability - Combined

Region	Friend/ Family Rental	Family - No Rent	Very Low Income Rents	Low Income Rents	Moderate Income Rents	Above Mod. Income Rents
East Bay	20%	33%	0%	7%	33%	7%
Peninsula	24%	28%	3%	15%	23%	7%
North Bay	20%	25%	4%	24%	22%	5%
Bay Total (9 Counties)	22%	28%	2%	14%	26%	7%
State-Wide Total	24%	28%	1%	9%	23%	14%

The response rate in San Francisco was too low for meaningful comparison so it is not presented separately, but is included in the Bay Area total.

³ The survey did not ask the rent of units that were rented to family members.

Assigning the family/friends ADUs to income categories produces the following results:

Table 6. Affordability Including Family/Friends Rentals

Region	Very Low Income Rents	Low Income Rents	Moderate Income Rents	Above Mod. Income Rents
East Bay	33%	27%	33%	7%
Peninsula	31%	39%	23%	7%
North Bay	29%	44%	22%	5%
Bay Total (9 Counties)	30%	36%	26%	7%
Statewide Total	29%	33%	23%	14%

This chart combines ADUs made available for free with Very Low Income and ADUs available for a discount with the Low Income category. The response rate in San Francisco was too low for meaningful comparison so it is not presented as its own line, but is included in the SF Bay Area Total.

Figure 2 shows affordability levels for the region. It is a graphical representation of the Bay Area as a whole.

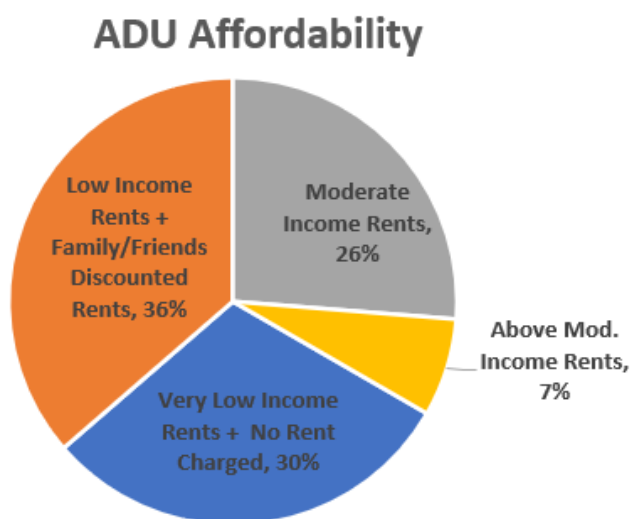


Figure 2: Results shown for 9-county Bay Area. "Very low" rents include units available to family or friends at no cost. "Low" rents include discounted family rentals.

6. Additional Research and Considerations

In general, ADUs are affordable for several reasons:

- Many units are available for no or low cost rent to family members or friends. Additionally, a smaller number of owners intentionally rent their ADUs below market because they believe affordable housing is important. Source: Implementing the Backyard Revolution
- ADUs tend to be fewer square feet than units in apartment buildings after controlling for bedroom size, which results in lower prices. Source: Wegmann & Chapple (2012)
- ADU owners tend to prefer their choice of tenant versus maximizing rent. Additionally, they will often not significantly raise rents once they have a tenant they like. Source: Baird + Driskell homeowner focus groups.
- ADU owners often do not know the value of their unit so they may underprice it unintentionally. Source: Baird + Driskell homeowner focus groups.

A number of other studies have found that many ADUs are used as housing for friends or family for free or very low cost, consistent with the UC Berkeley Report. A selection of these are outlined below:

- A 2012 UC Berkeley publication entitled “Scaling up Secondary Unit Production in the East Bay” indicates that approximately half of all secondary dwelling units are available for no rent.⁴
- A 2018 report entitled “Jumpstarting the market for ADUs” surveyed ADUs in Portland, Seattle, and Vancouver and found that approximately 17% of ADUs were occupied by a friend or family member for free.⁵
- A 2014 analysis entitled “Accessory dwelling units in Portland, Oregon: evaluation and interpretation of a survey of ADU owners” found that “18% of Portland ADUs are occupied for free or extremely low cost.”⁶

7. Notes

This report was funded by the Regional Early Action Grant, which the state legislature provided to ABAG and other council of governments. Analysis was conducted by Baird + Driskell Community Planning. Please contact Josh Abrams, abrams@bdplanning.com for more information.

⁴https://communityinnovation.berkeley.edu/sites/default/files/scaling_up_secondary_unit_production_in_the_east_bay.pdf?width=1200&height=800&iframe=true

⁵ http://ternercenter.berkeley.edu/uploads/ADU_report_4.18.pdf

⁶ <https://accessorydwellings.files.wordpress.com/2014/06/adusurveyinterpret.pdf>



City of Sunnyvale

Agenda Item

24-0377

Agenda Date: 3/26/2024

Tentative Council Meeting Agenda Calendar



City of Sunnyvale

Tentative Council Meeting Agenda Calendar

Tuesday, March 26, 2024 - City Council

Closed Session

- 24-0460** 5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)
- Closed Session held pursuant to California Government Code Section 54956.9 (d)(1)
CONFERENCE WITH LEGAL COUNSEL- PENDING LITIGATION
Name of Case: O'Hara, Casey v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ10063871)

Study Session

- 24-0413** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Study Session on Ambulance Services

Special Order of the Day

- 24-0327** SPECIAL ORDER OF THE DAY - Arab-American Heritage Month
- 24-0325** SPECIAL ORDER OF THE DAY - Poetry Month
- 24-0326** SPECIAL ORDER OF THE DAY - Library Week

Public Hearings/General Business

- 24-0026** Receive Information Regarding Potential Shuttle Options and Authorize City Manager to Apply for Micro Transit Grants With 50% Maximum Local Match Not to Exceed \$2.4 Million
- 24-0429** Direction on Modifications to ITD Study Issues ITD 23-01(Access Sunnyvale CRM System) and ITD 23-02 (Development of Sunnyvale App) and consider a Budget Modification to Project 836610.
- 24-0248** Approve the 2023 Draft Housing Element Annual Progress Report

Tuesday, April 9, 2024 - City Council

Closed Session

- 24-0471** 5 P.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session Held Pursuant to California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Paragraph (1) of Subdivision (d) of Section 54956.9) Name of case: City of Sunnyvale v. Sunnyvale Partners Ltd., Santa Clara County Superior Court
Case No. 23CV027736

Study Session

24-0083 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Civic Center Phase 2: Main Library Project Update

Special Order of the Day

24-0330 SPECIAL ORDER OF THE DAY - Recognition of Green Businesses

24-0328 SPECIAL ORDER OF THE DAY - Fair Housing Month

24-0329 SPECIAL ORDER OF THE DAY - Earth Month

Public Hearings/General Business

24-0280 Approve Art in Private Development Project - Hunter Properties/Cityline, titled Redwood Blue (Phase 2, Artwork 3 of 4)

24-0295 Approve Budget Modification No. XX 14 in the amount of \$36,955 to enable study of changes to Chapter 3 of the Citywide Objective Design Standards for Multi-Family Residential and Mixed-Use Developments

24-0075 Proposed Project: Adopt an Interim Urgency Ordinance to Extend the Urgency Ordinance adopted on February 27, 2024 to April 25, 2024 to Amend By-Right Approval (Chapter 19.73) to the Sunnyvale Municipal Code to clarify ministerial review of projects as it relates to proposed subdivisions.
File #: PLNG-2024-0105
Location: Citywide
Applicant: City of Sunnyvale
Environmental Review: Non-discretionary project (Public Resources Code Section 21080(b)(1), CEQA Guidelines Sections 15268, 15357)
Project Planner: Julia Klein, (408) 730-7463, jklein@sunnyvale.ca.gov

Wednesday, April 10, 2024 - City Council

Closed Session

24-0148 4 P.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session Held Pursuant to California Government Code Section 54957:
PUBLIC EMPLOYEE APPOINTMENT
Title: City Attorney

Thursday, April 18, 2024 - City Council

Closed Session

24-0393 8 A.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session Held Pursuant to California Government Code Section
54957:
PUBLIC EMPLOYEE APPOINTMENT
Title: City Attorney

Friday, April 19, 2024 - City Council

Closed Session

24-0394 8 A.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session Held Pursuant to California Government Code Section
54957:
PUBLIC EMPLOYEE APPOINTMENT
Title: City Attorney

Tuesday, April 23, 2024 - City Council

Study Session

24-0152 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
ITD 20-01: Establish a Formal Smart Cities Initiative and Potential Program
(Study Issue)

Special Order of the Day

24-0220 SPECIAL ORDER OF THE DAY - Recognition of Winners for the FoodCycle
Art Contest

24-0331 SPECIAL ORDER OF THE DAY - Small Business Week

24-0332 SPECIAL ORDER OF THE DAY - Affordable Housing Month

Presentation

24-0403 PRESENTATION - Caltrain's City Partnerships Effort and Electrification
Update

Public Hearings/General Business

24-0461 Review 4th of July Drone Show

24-0030 Consider Request from MidPen Housing for Extension of Housing Mitigation
Fund (HMF) Loan for Carroll Inn

24-0472 Discussion and Possible Action Regarding Funding for the Expansion of the
Sunnyvale Heritage Museum

Tuesday, May 7, 2024 - City Council

Study Session

24-0177 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
35% Design for Homestead Road, Safe Routes to School Project

Special Order of the Day

24-0334 SPECIAL ORDER OF THE DAY - Municipal Clerks Week

24-0335 SPECIAL ORDER OF THE DAY - Public Service Recognition Week

24-0336 SPECIAL ORDER OF THE DAY - Jewish Heritage Month

Presentation

24-0402 PRESENTATION - Midpeninsula Regional Open Space District (Midpen)
Update by District Board Members Jed Cyr and Curt Riffle

Public Hearings/General Business

24-0031 General Plan Amendment for 1313 S. Wolfe Road

24-0229 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 2024/25

24-0233 FY 2024/25 HUD Annual Action Plan

Monday, May 13, 2024 - City Council

Study Session

24-0020 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, May 14, 2024 - City Council

Study Session

24-0021 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, May 21, 2024 - City Council

Workshop

24-0234 5 P.M. SPECIAL COUNCIL MEETING (Workshop)
Civic Center Phase 2: Main Library Preferred Concept Selection

Special Order of the Day

24-0333 SPECIAL ORDER OF THE DAY - Asian Pacific American (APA) Heritage Month

24-0338 SPECIAL ORDER OF THE DAY - Public Works Week

Public Hearings/General Business

24-0022 Board and Commission Appointments

24-0290 Public Safety Military Equipment Use Annual Report Pursuant to California Assembly Bill No. 481

Thursday, May 23, 2024 - City Council

Workshop

24-0023 8:30 A.M. SPECIAL COUNCIL MEETING
Budget Workshop

Tuesday, June 4, 2024 - City Council

Study Session

24-0002 5 P.M. SPECIAL COUNCIL MEETING (Study Session)
Tasman Bike and Pedestrian Facilities Study

Special Order of the Day

24-0337 6:30 P.M. SPECIAL COUNCIL MEETING (Special Order of the Day)
Department of Public Safety Special Awards

24-0024 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members

24-0339 SPECIAL ORDER OF THE DAY - Lesbian, Gay, Bisexual, Transgender, and Queer Pride Month

Public Hearings/General Business

24-0262 Annual Review of Proposed Fees and Charges for Fiscal Year 2024/25

24-0263 Annual City Council Public Hearing on FY 2024/25 Budget and Resource Allocation Plan and Establishment of Appropriations Limit and Sunnyvale Financing Authority Public Hearing on FY 2024/25 Budget

Tuesday, June 18, 2024 - City Council

Study Session

24-0458 5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)
Re-evaluate Traffic Calming Program and Policy Update

Public Hearings/General Business

24-0264 City Council Adoption of the Fiscal Year (FY) 2024/25 Budget, Fee Schedule and Appropriations Limit, and Sunnyvale Financing Authority Adoption of the FY 2024/25 Budget

Tuesday, June 25, 2024 - City Council

Special Order of the Day

24-0340 SPECIAL ORDER OF THE DAY - Park and Recreation Month

24-0341 SPECIAL ORDER OF THE DAY - Disability Pride Month

Public Hearings/General Business

24-0246 Proposed Utility Rate Increases for FY 2024/25 Rates for Water, Wastewater, and Solid Waste Utilities for Service Provided to Customers Within and Outside City Boundaries; Finding of California Environmental Quality Act (CEQA) Exemption Pursuant to Public Resource Code Section 21080(b)(8) and CEQA Guidelines Section 15273

24-0384 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 2024/25

24-0432 Adopt Updates to the Climate Action Playbook and Game Plan 2028

Tuesday, July 23, 2024 - City Council

Study Session

24-0010 5 P.M. SPECIAL COUNCIL MEETING (Study Session)
Las Palmas Tennis Center Needs Assessment

Public Hearings/General Business

24-0281 Approve Lakewood Branch Library Art

Tuesday, July 30, 2024 - City Council

Special Order of the Day

24-0342 SPECIAL ORDER OF THE DAY - Silicon Valley Pride

Public Hearings/General Business

24-0034 Agenda Items Pending - to be scheduled

Monday, August 5, 2024 - City Council

Study Session

24-0035 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, August 13, 2024 - City Council

Public Hearings/General Business

24-0036 Board and Commission Appointments

24-0076 Second Quarter General Plan Initiation Requests

Tuesday, August 27, 2024 - City Council

Study Session

24-0433 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Future of the Ponds and Levees

Special Order of the Day

24-0037 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and
Commission Members

24-0343 SPECIAL ORDER OF THE DAY - National Library Card Sign-Up Month

24-0345 SPECIAL ORDER OF THE DAY - Workforce Development Month

Public Hearings/General Business

24-0038 Agenda Items Pending - to be scheduled

Tuesday, September 10, 2024 - City Council

Special Order of the Day

24-0344 SPECIAL ORDER OF THE DAY - Prisoners of War/Missing in Action
(POW/MIA) Recognition Day

24-0346 SPECIAL ORDER OF THE DAY - Hispanic Heritage Month

24-0356 SPECIAL ORDER OF THE DAY - Sunnyvale Stands United Against Hate
Week

Public Hearings/General Business

24-0039 Agenda Items Pending - to be scheduled

Tuesday, September 24, 2024 - City Council

Special Order of the Day

24-0347 SPECIAL ORDER OF THE DAY - Active Aging Week

24-0348 SPECIAL ORDER OF THE DAY - Hindu American Heritage Month

24-0349 SPECIAL ORDER OF THE DAY - Arts and Humanities Month

Public Hearings/General Business

24-0040 Agenda Items Pending - to be scheduled

Tuesday, October 1, 2024 - City Council

Special Order of the Day

24-0350 SPECIAL ORDER OF THE DAY - Domestic Violence Awareness Month

24-0351 SPECIAL ORDER OF THE DAY - Indigenous Peoples' Day

24-0352 SPECIAL ORDER OF THE DAY - Cybersecurity Awareness Month

Public Hearings/General Business

24-0257 Adopt Positions on State and Local Ballot Measures for the November 5,
2024 Election

Tuesday, October 15, 2024 - City Council

Special Order of the Day

24-0353 SPECIAL ORDER OF THE DAY - National Friends of the Library Week

24-0354 SPECIAL ORDER OF THE DAY - Filipino American History Month

Public Hearings/General Business

24-0042 Agenda Items Pending - to be scheduled

Tuesday, October 29, 2024 - City Council

Special Order of the Day

24-0355 SPECIAL ORDER OF THE DAY - Picture Book Month

Public Hearings/General Business

24-0043 Agenda Items Pending - to be scheduled

Monday, November 4, 2024 - City Council

Study Session

24-0044 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, November 12, 2024 - City Council

Study Session

24-0068 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Joint Meeting of City Council with Board and Commission Chairs and Vice
Chairs to Review and Improve Overall Effectiveness of Commission Meetings

Public Hearings/General Business

24-0045 Board and Commission Appointments

24-0077 Third Quarter General Plan Initiation Requests

Tuesday, November 19, 2024 - City Council

Special Order of the Day

24-0046 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and
Commission Members

24-0357 SPECIAL ORDER OF THE DAY - Small Business Saturday

Public Hearings/General Business

24-0047 Agenda Items Pending - to be scheduled

Tuesday, December 3, 2024 - City Council

Study Session

24-0048 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Discussion of Upcoming Selection of Vice Mayor

24-0049 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Discussion of 2025 Council Intergovernmental Assignments

Public Hearings/General Business

24-0050 Agenda Items Pending - to be scheduled

Tuesday, December 10, 2024 - City Council

Public Hearings/General Business

24-0052 Agenda Items Pending - to be scheduled

Tuesday, January 7, 2025 - City Council

Special Order of the Day

24-0053 SPECIAL ORDER OF THE DAY - Certification of Election Results for Council Seats

24-0054 SPECIAL ORDER OF THE DAY - Recognition of Outgoing Mayor and Councilmembers

24-0055 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Council-Elect and Mayor-Elect

Public Hearings/General Business

24-0056 Selection of Vice Mayor for a One-Year Term Effective January 7, 2025

24-0057 Determine the 2025 Seating Arrangements for City Council

24-0258 Appoint Councilmembers to Intergovernmental Assignments; Ratify Appointments of Councilmembers Made by Outside Agencies; and Take Action to Modify, Create, or Terminate Council Subcommittees

Tuesday, January 14, 2025 - City Council

Special Order of the Day

24-0058 SPECIAL ORDER OF THE DAY - Recognition of Outgoing Vice Mayor

24-0059 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Vice Mayor

Public Hearings/General Business

24-0060 Agenda Items Pending - to be scheduled

Tuesday, January 28, 2025 - City Council

Public Hearings/General Business

24-0260 Annual Public Hearing-Discussion of Potential Council Study Issues and

Budget Proposals for Calendar Year 2025

24-0261 Approve the Proposed 2025 Priority Advocacy Issues and Review Long-term Legislative Advocacy Positions (LAPs)

Thursday, January 30, 2025 - City Council

Workshop

24-0062 8:30 A.M. SPECIAL COUNCIL MEETING
Council Strategic Workshop

Monday, February 3, 2025 - City Council

Study Session

24-0063 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as needed)

Tuesday, February 4, 2025 - City Council

Public Hearings/General Business

24-0078 Fourth Quarter General Plan Initiation Requests

Thursday, February 13, 2025 - City Council

Workshop

24-0065 8:30 A.M. SPECIAL COUNCIL MEETING
Study Issues/Budget Proposals Workshop

Tuesday, February 25, 2025 - City Council

Public Hearings/General Business

24-0066 Board and Commission Appointments

Date to be Determined - City Council

Study Session

23-0793 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Public Facility Impact Fee Study Review

Public Hearings/General Business

23-0765 Low Density Design Standards



City of Sunnyvale

Agenda Item

24-0378

Agenda Date: 3/26/2024

Board/Commission Meeting Minutes



City of Sunnyvale

Notice and Agenda - Final Board of Library Trustees

Monday, March 4, 2024

7:00 PM

Online and Bay Conference Room, City
Hall, 456 W. Olive Ave., Sunnyvale, CA
94086

Special Joint Meeting with the Parks and Recreation Commission

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/97058153563>

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the Recording Officer.*

As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

The Chair may determine it would be impractical to include remote public comment during Oral Communications.

- *Online participation: You may provide audio public comment by connecting to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/97058153563>

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 970 5815 3563

*(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Joint Board of Library Trustees and Parks and Recreation Commission meeting at: www.Sunnyvale.ca.gov/YouTubeMeetings*

- *Submit written comments to the Board of Library Trustees no later than 4 hours prior to the meeting start to LibraryTrusteesBoard@sunnyvale.ca.gov or by mail to: City Clerk, 456 W. Olive Avenue, Sunnyvale, CA 94086.*

- Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>

Accessibility/Americans with Disabilities Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. ADA contact: Angela Chan may be reached at 408-730-7599 or ncs@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

PRESENTATION

- 1 [24-0028](#) Main Library Project Update: Phase 2
- 2 [24-0392](#) Branch Library Update
- 3 [24-0390](#) Study Issues Update

ORAL COMMUNICATIONS

The Chair may determine it would be impractical to include remote public comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on Oral Communications.

This category provides an opportunity for members of the public to address the Board of Library Trustees or Parks and Recreation Commission 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 Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Board of Library Trustees or Parks and Recreation Commission to take action on an item not listed on the agenda. If you

wish to address the Board of Library Trustees or the Parks and Recreation Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS & COMMENTS

-Board Member/Commissioner Comments

-Staff Comments

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents distributed to members of this meeting body regarding any item on this agenda will be made available for public inspection in the originating department or can be accessed through the Office of the City Clerk located at 456 W. Olive Avenue, during normal business hours and in the Bay Conference Room on the evening of the Board of Library Trustees Meeting, pursuant to Government Code §54957.5.

Agenda information is available by contacting Elizabeth Rich at 408-730-7316 or erich@sunnyvale.ca.gov. Agendas and associated reports are also available 72 hours before the meeting on the City's website at sunnyvale.ca.gov and during normal business hours at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue.



City of Sunnyvale

Agenda Item

24-0379

Agenda Date: 3/26/2024

Information/Action Items

Information/Action Items - Council Directions to Staff

Date Requested	Directive/Action Required	Dept	Anticipated Completion Date	Notes
9/14/21	Provide to Council a copy of final encroachment permit for the Intuitive Surgical bridge over Kifer.	DPW	Pending	Pending Application Submittal
1/10/23	Provide information on metering at the Community Center and identify if there is a way to separate water usage per facility at this location.	DPW	March 2024	
1/10/23	Incorporate and address Council comments when the final Community Center grounds renovation project design is presented to Council for award of construction contract.	DPW	Pending	Pending Project Design Award
2/7/23	Murphy Ave. pedestrian mall items for follow up: *Evaluate the crosswalk treatments at Murphy and Evelyn. *Look for more opportunities for bike racks on or near Murphy Ave *Identify options available to make Murphy Ave. more bike friendly *Look for ways to mark the clear pedestrian zone in the center of Murphy Ave. *Provide an update on the plan for Washington when Murphy Ave. is closed to vehicles	DPW	Aug. 2024	
9/26/23	Would like a Council Report on Human Relation Commission's first year of work and the effectiveness of Artificial Intelligence usage for translation services in City programs and services.	OCM	July 2024	
12/12/23	Scope of parking study issue to come back; desire to keep on the books and expand scope if needed	CDD	March 2024 TCMAC 24-0430	
1/9/24	Bring back an agenda item to evaluate ways to pursue SV Hopper shuttle system in Sunnyvale, including potential for grant funding and local match through a budget modification. Evaluate this replacing Study Issue DWP 23-06	DPW	March 2024 TCMAC 24-0026	
1/25/24	Agendize study session on future of the ponds, including current algal bloom, levees study issue, wetlands protection against sea level rise, potential levee failure sites	ESD	Aug 2024 TCMAC 24-0433	
2/6/24	Study Session on Ambulance Services	DPS	March 2024 TCMAC 24-0413	
2/6/24	Agendize item to consider amending Council Policy Manual to include a policy statement against new artificial turf on City property	DPW	TBD	

Information/Action Items - Council Directions to Staff

Date Requested	Directive/Action Required	Dept	Anticipated Completion Date	Notes
2/15/24	Access Sunnyvale Customer Relationship Management System Upgrade to include access designed for Mobile Apps	ITD	March 2024 TCMAC 24-0429	
2/15/24	Evaluate the Development of a Single Mobile Application (Sunnyvale App) for All of the Functions of the Current City of Sunnyvale Mobile Applications	ITD	March 2024 TCMAC 24-0429	
2/27/24	Discuss allocated \$1.5M for Hertitge Museum Expansion that includes funding sources	FIN	April 2024 TCMAC 24-0472	
2/27/24	Discuss plan for a City sponsored 4th of July Celebration	LRS	April 2024 TCMAC 24-0461	
3/19/24	Agendize colleagues' memo on changing vision zero language	OCM	TBD	

New Study Issues and Budget Proposals Sponsored by Council

Study Issue/ Budget Proposal	Date Requested	RTC #	Study Issue/Budget Proposal Topic	Requested By	Dept
N/A					



City of Sunnyvale

Agenda Item

24-0441

Agenda Date: 3/26/2024

REPORT TO COUNCIL

SUBJECT

Planned Study Issue Work for Continuing and 2024 Council-Ranked Study Issues (Information Only)

BACKGROUND

At its Study Issues/Budget Proposals Workshop on February 15, 2024, Council reviewed and prioritized the proposed 2024 Study Issues. Upon establishing the inventory of study issues, the next step in the process is for the City Manager to assess the organization's capacity to undertake the Council prioritized study issues, evaluate their connection to the Council policy priorities and operational initiatives, and balance the study issues with the delivery of core services. This report presents planned work on continuing and new study issues, and estimated start and completion timelines.

EXISTING POLICY

Council Policy 7.3.26 Study Issues Process

Council Policy 7.1.7 Budget Proposal Process

Council Policy 7.3.1 Legislative Management- Goals and Policies

Policy 7.3A.1: Utilize the General Plan as the City's principal long-range planning tool; utilize the Resource Allocation Plan and Program Outcome Statements as the City's principal mid-range planning tool; and utilize the Council Study Calendar as the City's principal short-range planning tool.

DISCUSSION

At the February 15, 2024 Study Issues/Budget Proposals Workshop, Council reviewed 40 Study Issues to rank and prioritize for the 2024 Work Plan. Twenty-two (22) Study Issues were ranked by Council for City Manager assessment and consideration. The remaining 18 were dropped from consideration or deferred for consideration in a future year.

Since the February 15 Workshop, staff has assessed its ability to undertake Council's prioritized issues, taking into consideration available financial resources and departmental workloads, including capacity for maintaining core service delivery, advancing existing study issues, and beginning new study.

Recommended Study Issues

As outlined in Attachment 1, the City Manager has determined that the organization can begin work on 12 of the 22 Council-ranked study issues in 2024, in addition to continuing work on 25 continuing study issues from prior years.

Ten of the 12 recommended new study issues will require funding to be appropriated as part of the

FY 2024/25 budget development process, and work would begin on those in the latter half of 2024 if funded. These will be considered within the context of the City's overall fiscal condition as Budget Supplements to be considered further in the City Manager's FY 2024/25 Recommended Budget.

Study Issue Number	Title	Cost
CDD 24-01	Determine Cost and Feasibility of Requiring Structural Retrofitting of Existing Seismically Vulnerable Buildings within a Specific Time Frame	\$125,000
CDD 24-03	Establishment of a Sanctioned Encampment for Unhoused Individuals in Sunnyvale	\$40,000
DPS 24-02	Evaluate Municipal Code 10.16.120 (Use of Streets or Public Parking Facilities for Storage of Vehicles Prohibited) and Modernize Parking Requirements and Restrictions	\$50,000
DPW 20-11	Evaluate Feasibility of Dog Off leash Hours in Select Sunnyvale Park(s)	\$75,000
DPW 24-08	Explore the Feasibility of Converting the PG&E Lots Facing Ramona Avenue, Lois Avenue, and/or Dona Avenue into an Open Green Space Linear Park for the Community	\$100,000
DPW 24-09	Improving Pedestrian and Bicycle Safety Near Intersections and Crosswalks at Fremont High School and at Homestead High School and Other Innovative Traffic Improvements (Revised title and scope)	\$100,000
ESD 24-01	Evaluate the Use of Artificial Turf versus Living Groundcover	\$100,000
LRS 24-01	Examine the Permanent Closure of the Interior Levee Trails Surrounding Sunnyvale's Wastewater Treatment Ponds for Public Recreation	\$5,000
LRS 24-02	Benchmark Sunnyvale Public Library Collections and Budget to Understand the Effect of the Cost of Digital Materials and the Addition of New Branch Library	\$20,000
OCM 24-02	Evaluate the City of Sunnyvale Study Issues Process	\$75,000
Total Cost		\$690,000

Two of the 12 recommended study issues do not require funding. These are:

Study Issue Number	Title
CDD 23-02	Consider General Plan Land Use Designation Amendments and Rezoning for 26 Legal Non Conforming Single and Two Family Dwellings
DPS 24-04	Explore the Creation of a Disability Awareness Program

The updated Work Plan will include a total of 37 continuing and new Study Issues if all are funded. Every effort will be made to keep study issues on track to meet the estimated timelines. The City's Study Issues/Budget Proposals webpage will be updated throughout the year with any changes to

dates or completion status (Attachment 2).

At the February 15 Workshop, Council supported limiting the scope of Study Issue DPW 24-09, *Improving Pedestrian and Bicycle Safety Near Intersections and Crosswalks at Fremont High School and at Homestead High School and Other Innovative Traffic Improvements*, to evaluate the potential of implementing a pedestrian scramble only during school peak hours at the signalized intersection of Sunnyvale-Saratoga Road/Fremont Avenue and No Right Turn on Red for all approaches at the signalized intersection of Homestead Road/Kennewick Drive. The updated study issue paper is attached (Attachment 3).

Council also supported modifying the title of Study Issue DPS 24-04, *Explore the Creation of a Special Needs Awareness Program*, to Disability Awareness Program (Attachment 4).

Study Issues Below the Line

Study Issues not undertaken for study are considered “below the line” and are considered deferred and brought back to Council for consideration at the following year’s Study Issues/Budget Proposals Workshop. This year ten study issues were identified as “below the line” due to limitations in staff capacity. Additional information is provided below:

Study Issue Number	Title	Council Rank
CDD 22-05	Consider Modifications to the Sunnyvale Municipal Code Related to Underground Utilities	5
CDD 24-02	Explore the Creation of a Dark Sky Ordinance for Single Family Dwellings	4
CDD 24-04	Peery Park Specific Plan Amendment (area east of Mathilda Avenue)	6
DPS 24-01	Evaluate an Ordinance or Resolution Allowing Traffic Enforcement on Private Roadways in the Moffett Park Specific Plan Area	3
DPW 24-02	Complete Streets Redesign of Fair Oaks Avenue	4
DPW 24-03	Create a Council Policy Framework to Establish a Process for Evaluating Requests for City to Take Over Private Infrastructure Based on Potential Offers of Dedication in the Moffett Park Specific Plan Area	8
DPW 24-04	Evaluate Late Night Lights at Public Parks	6
DPW 24-07	Explore the Benefits and Costs of Project Labor Agreements (PLAs) to Establish the Terms and Conditions of Employment for Specific City Construction Projects	7
DPW 24-11	Sunnyvale Gateway Program	5
ESD 22-02	Promotion and Assessment of Sustainable Landscaping Strategies	2

For CDD 22-05, CDD 24-02, and CDD 24-04, staff in the Community Development Department are

working on a large number of studies issues already in the queue along with completion of several grant supported studies that respond to recent state housing laws. There are also a sizable number of action items from the Housing Element of the General Plan that need to be completed or at least started this year. The three study issues that are above the line this year coincidentally fall into each of the three divisions of the department (Housing, Planning and Building) and use up the capacity of each of the divisions for additional studies.

For DPS 24-01, Public Safety Staff within the Division of Police Services are committed to providing operational services daily. This includes response and oversight of all patrol related calls for service within the city as well as Traffic Enforcement, SWAT response, and Communications. Staff from the same Bureau (Police Services) will be committing resources next year to work on the two above the line study issues (DPS 24-02, if funded, and DPS 24-04).

For DPW 24-02, DPW 24-03, DPW 24-04, DPW 24-07, and DPW 24-11, staff in the Public Works Department are working on nine continuing study issues and multiple capital projects, including ones that are time sensitive due to grant requirements, looking for additional grant funding opportunities, working with developers on transportation studies and specific area plans, and conducting citizen requested transportation studies. Staff is also working on several development projects as well as identifying and addressing new processes relating to legislative requirements (e.g., SB-9, SB-330, MRP 3.0). Adding to this workload staff is also participating in the citywide effort to upgrade the City's Energov permitting system.

For ESD 22-02, staff in the Sustainability Division are fully engaged in developing the Next Game Plan and will be focused on implementing the new moves next fiscal year. The same team is leading the work on the Climate Budgeting study issue which was approved last year and work on that study issue is still underway. In addition, Sustainability staff will be working on the one new above the line study issue (ESD 24-01), if funded.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

Prepared by: Michelle Zahraie, Senior Management Analyst
Reviewed by: Sarah Johnson-Rios, Assistant City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENT

1. Planned Presentation Dates for 2024 Council-ranked Study Issues and Continuing Issues
2. Study Issues/Budget Proposals Webpage
3. Revised Study Issue Paper DPW 24-09
4. Revised Study Issue Paper DPS 24-04

Planned Presentation Dates for 2024 Council-ranked Study Issues and Continuing Issues

RANKED 2024 STUDY ISSUES					
Department Line	Start Date <i>If ATL & Bud. Supp. dependent "July 1, 2024"</i>	Council Meeting Date <i>Month/Year; or if ATL & Bud. Supp. Dependent: TBD - \$</i>	Council Rank	Number	Title
Above the Line	July-24	Early 2025	2	CDD 23-02	Consider General Plan Land Use Designation Amendments and Rezoning for 26 Legal Non- Conforming Single- and Two-Family Dwellings
Above the Line	July-24	TBD - \$	1	CDD 24-03	Establishment of a Sanctioned Encampment for Unhoused Individuals in Sunnyvale
Above the Line	July-24	TBD - \$	3	CDD 24-01	Determine Cost and Feasibility of Requiring Structural Retrofitting of Existing Seismically-Vulnerable Buildings within a Specific Time Frame
Above the Line	July-24	TBD - \$	1	DPS 24-02	Evaluate Municipal Code 10.16.120 (Use of Streets or Public Parking Facilities for Storage of Vehicles Prohibited) and Modernize Parking Requirements and Restrictions
Above the Line	April-24	October-24	2	DPS 24-04	Explore the Creation of a Disability Awareness Program
Above the Line	July-24	TBD - \$	1	DPW 24-09	Pedestrian Scramble During School Peak Hours at Sunnyvale-Saratoga Road/Fremont Avenue and No Right Turn on Red at Homestead Road/Kennewick Drive
Above the Line	July-24	TBD - \$	2	DPW 20-11	Evaluate Feasibility of Dog Off-leash Hours in Select Sunnyvale Park(s)
Above the Line	July-24	TBD - \$	3	DPW 24-08	Explore the Feasibility of Converting the PG&E Lots Facing Ramona Avenue, Lois Avenue, and/or Dona Avenue into an Open Green Space Linear Park for the Community
Above the Line	July-24	TBD - \$	1	ESD 24-01	Evaluate the Use of Artificial Turf versus Living Groundcover
Above the Line	July-24	TBD - \$	1	LRS 24-02	Benchmark Sunnyvale Public Library Collections and Budget to Understand the Effect of the Cost of Digital Materials and the Addition of New Branch Library
Above the Line	July-24	TBD - \$	2	LRS 24-01	Examine the Permanent Closure of the Interior Levee Trails Surrounding Sunnyvale’s Wastewater Treatment Ponds for Public Recreation
Above the Line	July-24	TBD - \$	1	OCM 24-02	Evaluate the City of Sunnyvale Study Issues Process
Below the Line	N/A	N/A	4	CDD 24-02	Explore the Creation of a Dark Sky Ordinance for Single-Family Dwellings
Below the Line	N/A	N/A	5	CDD 22-05	Consider Modifications to the Sunnyvale Municipal Code Related to Undergrounding Utilities
Below the Line	N/A	N/A	6	CDD 24-04	Peery Park Specific Plan Amendment (area east of Mathilda Avenue)
Below the Line	N/A	N/A	4	DPW 24-02	Complete Streets Redesign of Fair Oaks Avenue
Below the Line	N/A	N/A	5	DPW 24-11	Sunnyvale Gateway Program
Below the Line	N/A	N/A	6	DPW 24-04	Evaluate Late Night Lights at Public Parks
Below the Line	N/A	N/A	7	DPW 24-07	Explore the Benefits and Costs of Project Labor Agreements (PLAs) to Establish theTerms and Conditions of Employment for Specific City Construction Projects
Below the Line	N/A	N/A	8	DPW 24-03	Create a Council Policy Framework to Establish a Process for Evaluating Requests for City to Take Over Private Infrastructure Based on Potential Offers of Dedication in the Moffett Park Specific Plan Area
Below the Line	N/A	N/A	3	DPS 24-01	Evaluate an Ordinance or Resolution Allowing Traffic Enforcement on Private Roadways in the Moffett Park Specific Plan Area
Below the Line	N/A	N/A	2	ESD 22-02	Promotion and Assessment of Sustainable Landscaping Strategies

Planned Presentation Dates for 2024 Council-ranked Study Issues and Continuing Issues

CONTINUING STUDY ISSUES			
Anticipated Completion Date	Number	Title	Status Update
April-25	CDD 19-04	Update to the Historical Context Statement to Include Historical Contributions Made by Asian Americans and Other Minority Groups	The Council approved a budget supplement of \$50k in June 2023 to cover consultant costs to prepare the update. A planner has been assigned and RFP process will begin in the next few months. Kickoff is expected in Summer-2024.
March-25	CDD 19-05	Update to the Heritage Resource Inventory to Include Potential Resources Associated with Technological Innovation	The contract with the project consultant has been executed and kick off will occur in March 2024.
TBD based on scope changes	CDD 19-07	Evaluate the Minimum Parking Requirements for Residential Uses	Staff brought the analysis of residential parking standards and potential revisions to consider to the Planning Commission on February 26, 2024 and will bring it to the City Council on March 19, 2024. Preparation formal code amendments following direction by the City Council.
June-24	CDD 20-01	Updates to the Single-Family Home Design Techniques Document	Staff is reviewing the consultant's updated administrative draft of the new Low Density Development Standards and is making refinements to the proposed standards. Once complete, study sessions and public hearings will be scheduled.
June-24	CDD 22-07	Evaluate a Pilot Program for Universal Basic Income including Potential Funding Sources	The final report is being reviewed by staff. Once completed staff will meet with the City Manager to discuss findings and recommendations and prepare for a Council hearing date in Spring 2024.
December-24	CDD 23-01	Consider Increasing Inclusionary Housing Requirements to 20% in New Residential Development, and Review and Update the Housing In-Lieu Fees for Rental and Ownership Housing	Santa Clara County Planning Collaborative is leading this effort on a countywide basis for all cities to participate. The Collaborative plans to award a Contract in March 2024 and begin work immediately.
November-24	CDD 23-05	Evaluate Existing and Potential Emergency Housing and Shelter Opportunities for Families with Minor Children Experiencing Homelessness	The Homeless Services Manager was hired in January 2024 and will begin working on this study issue as time allows throughout 2024.
March-25	DPW 17-05	Orchard Heritage Park and Heritage Park Museum - Analysis and Options for the Long-Term Operations and Maintenance of Orchard Heritage Park and Review of the Sunnyvale Historical Society and Museum Association Proposed Expansion of the Sunnyvale Heritage Park Museum Site	Study is underway. Outreach meetings are being scheduled.
February-25	DPW 20-02	Improve Bicycle and Pedestrian Access at Sunnyvale Caltrain Station	Staff is going through the contract process with the consultant. Staff anticipates having an consultant under contract by March 2024.

Planned Presentation Dates for 2024 Council-ranked Study Issues and Continuing Issues

CONTINUING STUDY ISSUES			
Anticipated Completion Date	Number	Title	Status Update
June-25	DPW 20-15	Feasibility of Establishing of a Cricket Stadium at Baylands Park	Staff is reviewing a draft scope of work for consultant services for the project. A Request For Proposals is anticipated to be released late Spring 2024.
February-25	DPW 21-01	Bike Lanes on Hollenbeck Avenue between El Camino Real and Homestead Road	Staff has selected a consultant and is working with Finance to negotiate a contract.
December-24	DPW 21-03	Pedestrian and Bicycle Facility Installation on Tasman Drive from Fair Oaks Avenue to Lawrence Expressway	Staff hosted a Community Outreach meeting on February 29, 2024. A Council Study Session is scheduled for June 2024.
June-25	DPW 22-03	Research Possible Causes of and Potential Mitigation Measures for Nuisance Bird Populations in Sunnyvale Public Spaces	Staff is preparing an Invitation for Bid.
April-25	DPW 22-04	Street Tree Repopulation with an Equity Lens	Staff is preparing an Invitation for Bid.
November-24	DPW 22-06	Re-evaluate Traffic Calming Program and Policy Including Thresholds to Begin a Project and Types of Measures Available	Staff is reviewing draft memos from the consultant benchmarking the City's process and traffic calming tools.
August-25	DPW 23-06	Evaluate Range of Options for Shuttle Service and Alternative Transportation Options for Fremont and Homestead High School Students Who Live in North Sunnyvale	Staff is in the process of finalizing the scope of work for the Request For Proposal.
June-25	ESD 17-01	Eliminate the Use of Chemical Pesticide on City Owned or Leased Property	Staff are finalizing the Scope of Work for consultant services to support cost benefit analysis, current IPM assessment, and development of a pilot project. Staff will work with Finance to develop and issue the Request For Proposal.
June-25	ESD 22-01	Complete a Comprehensive Update of the 2013 Feasibility Study for Recycled Water Expansion	As of February 2024, the consultant for the project is nearing 70% completion. The draft Master Plan is progressing as scheduled and is expected to be submitted in April 2024, followed by the final plan in June 2024.
July-25	ESD 23-01	Climate Budgeting	Staff held a kickoff meeting and are conducting and compiling research on the topic.
July-24	ITD 20-01	Establish a Formal Smart Cities Initiative and Potential Program	Staff and vendor working on final presentation to Council for a Study Session on April 23, 2024.
July-24	ITD 23-01	Access Sunnyvale Customer Relationship Management System Upgrade to include access designed for Mobile Apps	Staff is presenting alternatives to the study issue for Council consideration. Council presentation on March 26, 2024

Planned Presentation Dates for 2024 Council-ranked Study Issues and Continuing Issues

CONTINUING STUDY ISSUES			
Anticipated Completion Date	Number	Title	Status Update
July-24	ITD 23-02	Evaluate the Development of a Single Mobile Application (Sunnyvale App) for All of the Functions of the Current City of Sunnyvale Mobile Applications	Staff is presenting alternatives to the study issue for Council consideration. Council presentation on March 26, 2024
Late 2024	LRS 20-03	Assessment of Needs for Additional Outdoor Sports Programs and Facilities	The Finance Department is working on the final agreement. The project is expected to begin in April 2024 and the current timeline for this project is estimated between 6-8 months.
Summer 2024	OCM 20-01	Service Worker Retention Ordinance	Outreach meetings scheduled to begin in Mid/Late April 2024.
Late 2024	OCM 22-02	Investigate Potential Locations, Funding, and Outreach for Overnight Warming Centers in the City of Sunnyvale During Inclement Weather	Potential operators for an overnight warming shelter are needed. Staff received the County Office of Supportive Housing qualified consultant/provider list. Staff will discuss with the agencies on this list whether they have the interest and capacity for such a service. Community outreach and funding sources are still needed.



RTC #: 24-0441

Document Title: Study Issue Presentation Dates for Recommended Studies in 2024 (Information Only)

Link: <https://www.sunnyvale.ca.gov/your-government/governance/city-council/study-issues-and-budget-proposals/study-issues-underway>



City of Sunnyvale

Agenda Item

24-0397

Agenda Date: 3/26/2024

2024 COUNCIL STUDY ISSUE

NUMBER

DPW 24-09

TITLE Pedestrian Scramble During School Peak Hours at Sunnyvale-Saratoga Road/Fremont Avenue and No Right Turn on Red at Homestead Road/Kennewick Drive

BACKGROUND

Lead Department: Department of Public Works

Support Departments: Office of the City Manager

Office of the City Attorney

Sponsor(s): Councilmembers: Sell, Cisneros, Mehlinger, Klein,
Srinivasan

History: 1 year ago: N/A
2 years ago: N/A

SCOPE OF THE STUDY

What precipitated this study?

Councilmember Sell sponsored this study issue citing ongoing concerns from community members regarding the safety of students walking or cycling to school. Fremont and Homestead High Schools both serve Sunnyvale residents and have a combined enrollment of approximately 4,500 students. Residents and students have requested that the City further improve pedestrian and bicyclist safety as students walk and bike on Fremont Avenue in front of Fremont High School and on Homestead Road in front of Homestead High School. The proposed study would consider improvements that are within Sunnyvale's jurisdiction.

Fremont High School is located in South Sunnyvale at the northwest corner of the Sunnyvale-Saratoga Road/Fremont Avenue intersection. Along the school frontage, Sunnyvale-Saratoga Road is a divided, north-south, six-lane, Class I Arterial with a speed limit of 40 mph; Fremont Avenue is a divided, east-west, four-lane, Class II Arterial that connects SR-85 to El Camino Real, with a speed limit of 40 mph.

Homestead High School is located in the City of Cupertino south of Homestead Road between S. Mary Avenue and Kennewick Drive. A portion of Homestead Road along the school frontage and the intersections of Homestead Road at S. Mary Avenue and at Kennewick Drive are under the City of Sunnyvale's jurisdiction. Homestead Road is an east-west, four-lane, Class II Arterial with a speed limit of 35 mph.

What are the key elements of the study?

At the February 15, 2024 Study Issues/Budget Proposals Workshop, Council took action to limit the scope of the study. The following reflects the revised scope.

24-0397

Agenda Date: 3/26/2024

The proposed study would evaluate the potential of implementing a pedestrian scramble only during school peak hours at the signalized intersection of Sunnyvale-Saratoga Road/Fremont Avenue and No Right Turn on Red for all approaches at the signalized intersection of Homestead Road/Kennewick Drive. The study would involve hiring a consultant to identify existing conditions near Fremont and Homestead High Schools, collect data, and conduct traffic analysis to determine the feasibility for each potential improvement. The consultant would also provide conceptual designs and cost estimates for the potential improvements.

Estimated years to complete study: 1 to 1.5 years

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost):	Moderate
Funding Required for Non-Budgeted Costs:	\$100,000
Funding Source:	Would seek budget supplement

A consultant would be involved to collect data, perform transportation analysis, field investigation, develop conceptual designs, and engineering and construction cost estimates.

Cost to Implement Study Results

Unknown. Study would include assessment of potential costs, including capital and operating, as well as revenue/savings.

EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION

Council-Approved Work Plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission

STAFF RECOMMENDATION

Drop. This policy issue does not merit discussion at a Study Issues Workshop.

The signalized intersection at Homestead Road/Mary Avenue operates as a pedestrian scramble during school peak hours, which is Monday thru Friday between 7 to 9:15 a.m. and 3:30 to 4:30 p.m. The proposed pedestrian scramble at Sunnyvale-Saratoga Road/Fremont Avenue will likely have similar operating periods during school peak hours. Adding a pedestrian scramble will likely cause significant backups and delays along the Sunnyvale-Saratoga Road corridor which may cause a reduction in safety. Although the intersection of Sunnyvale-Saratoga Road/Fremont Avenue is under the City of Sunnyvale's jurisdiction, Santa Clara Valley Transportation Authority (VTA), the Congestion Management Agency for Santa Clara County, has identified this intersection as a regionally significant Congestion Management Program intersection. The operation at this intersection is monitored by VTA and must follow regionally significant guidelines for managing congestion.

Implementing No Right Turn on Red at Homestead Road/Kennewick Drive for all approaches will likely impact throughput and may cause delays at the intersection. The study results will provide insight on potential impacts and determine if No Right Turn on Red is feasible.

24-0397

Agenda Date: 3/26/2024

Prepared by: Lillian Tsang, Principal Transportation Engineer
Reviewed by: Chip Taylor, Director, Department of Public Works
Reviewed by: Sarah Johnson-Rios, Assistant City Manager
Approved by: Kent Steffens, City Manager



City of Sunnyvale

Agenda Item

24-0434

Agenda Date: 3/26/2024

2024 COUNCIL STUDY ISSUE

NUMBER

DPS 24-04

TITLE Explore the Creation of a Disability Awareness Program

BACKGROUND

Lead Department: Department of Public Safety

Support Departments: Office of the City Manager

Office of the City Attorney

Sponsor(s): Councilmembers: Klein, Srinivasan, Din, Sell, Cisneros,
Melton, Mehlinger

History: 1 year ago: N/A
2 years ago: N/A

SCOPE OF THE STUDY

What precipitated this study?

At the January 23, 2024 City Council meeting, Mayor Klein sponsored a Study Issue to research implementing a Special Needs Awareness Program. The Study Issue was co-sponsored by Councilmembers Srinivasan, Din, Sell, Cisneros, Melton, and Mehlinger. At the February 15, 2024 Study Issues/Budget Proposals Workshop, a motion was made by Councilmember Mehlinger to update the title of the study issue paper to a Disability Awareness Program. The motion passed by unanimous vote.

The Disability Awareness Program is designed to improve first responder interactions with members of the community with disabilities. The program would provide Sunnyvale DPS with important information when responding to calls for service that involve individuals with disabilities. Registration in the program would be voluntary, and information collected would be stored in a confidential database. Public Safety Dispatchers would provide the information to public safety personnel during emergency or non-emergency calls for service.

What are the key elements of the study?

The Study will examine the City's ability to create a Disability Awareness Program. It will identify general guidelines and criteria for the program, as well as determine the necessary resources for enrollment, data collection, training, and program administration. Legal requirements, waivers, and necessary forms for program implementation will also be evaluated.

The Study will determine effective methods of promoting the program to the community, identify

24-0434

Agenda Date: 3/26/2024

outreach platforms and determine program information to be placed on the city website. Additionally, it will consider strategies for maintaining an updated database and determine the appropriate frequency for families to re-register in the program.

The Study will also examine the ability of our dispatch system to disseminate the disability alerts to first responders and the associated cost to train all professional staff and first responders.

Estimated years to complete study: 1 year

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost):	Moderate
Funding Required for Non-Budgeted Costs:	\$0
Funding Source:	N/A

Moderate staff time will be required to perform research.

Cost to Implement Study Results

Unknown. The Study would include an assessment of potential and anticipated costs resulting from program implementation.

EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION

Council-Approved Work Plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

STAFF RECOMMENDATION

Support. This policy issue merits discussion at the 2024 Study Issues Workshop.

This Study supports General Plan Goal SN-3 *Safe and secure city. Ensure a safe and secure environment for people and property in the community by providing effective Public Safety response and prevention and education services.* This Study also supports the Council strategic priority of *Equity, Access, and Inclusion.*

Prepared by: Ava Fanucchi, Deputy Chief

Reviewed by: Phan S. Ngo, Director, Department of Public Safety

Reviewed by: Sarah Johnson-Rios, Assistant City Manager

Approved by: Kent Steffens, City Manager