



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, April 21, 2015

5:00 PM

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

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

#### **5 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

##### **1 Call to Order in the West Conference Room**

##### **2 Roll Call**

##### **3 Public Comment**

*The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*

##### **4 Convene to Closed Session**

[15-0446](#)

Closed Session held pursuant to California Government Code  
Section 54956.9: CONFERENCE WITH LEGAL  
COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph (2) of  
subdivision (d) of Section 54956.9: (One potential case)  
Synergy Golf Management, Incorporated license

##### **5 Adjourn Special Meeting**

#### **5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)**

##### **1 Call to Order in the West Conference Room (Open to the Public)**

##### **2 Roll Call**

##### **3 Public Comment**

##### **4 Study Session**

[15-0293](#)

Transportation Policy and Process

**5 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 (Open to the Public)*

**SALUTE TO THE FLAG****ROLL CALL****CLOSED SESSION REPORT****SPECIAL ORDER OF THE DAY**[15-0382](#)

SPECIAL ORDER OF THE DAY - Serra Little League  
Recognition

**PUBLIC ANNOUNCEMENTS**

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

**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 submit a speaker card to the City Clerk prior to the start of the meeting or before approval of the consent calendar.*

**1.A**    [15-0068](#)    Approve City Council Meeting Minutes of April 7, 2015

**Recommendation:** Approve the City Council Meeting Minutes of April 7, 2015 as submitted.

- 1.B**     [15-0399](#)     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.C**     [15-0313](#)     Award of Contract for the Cooperative Purchase of Industrial and Commercial Supplies (F15-82)

**Recommendation:** 1) Award a one-year contract to Grainger in substantially the same form as the draft blanket purchase order attached to the report and based upon the State of California Western States Contracting Alliance (WSCA) cooperative contract, not to exceed budgeted amounts; and 2) Authorize the City Manager to renew the contract for two additional one-year periods provided that pricing and service remain acceptable to the City.

- 1.D**     [15-0357](#)     Award of Bid No. PW15-15 for Pavement Rehabilitation 2015 and Finding of CEQA Categorical Exemption

**Recommendation:** 1) Make a finding of CEQA categorical exemption pursuant to Class 1, Section 15301 (d) for rehabilitation of an existing public facility with negligible or no expansion of an existing use; 2) Award a contract, in substantially the same format as Attachment 2 to the report and in the amount of \$2,656,857, to O'Grady Paving, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 3) Approve a 10% construction contingency in the amount of \$265,686

- 1.E**     [15-0346](#)     Award of Contract for Lawrence Expressway Sanitary Sewer Rehabilitation Condition Assessment and Preliminary Design Report (F15-24)

**Recommendation:** 1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$426,000, to Waste Water Engineers, LLC, for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of \$42,600.

- 1.F**     [15-0352](#)     Award of Bid No. PW15-08 for Roof Replacement at Fire Station Nos. 1, 3, 4 and 6, and Finding of CEQA Categorical Exemption

**Recommendation:** 1) Make a finding of CEQA categorical exemption pursuant to Class 1 Section 15301 (d) for the restoration or rehabilitation of deteriorated or damaged structures; 2) Award a contract, in substantially the same format as Attachment 2 to the report and in the amount of \$369,355 (base bid of \$280,290 and additive alternate of \$89,065) to Alcal Specialty Contracting, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 3) Approve a 10% construction contingency in the amount of \$36,936.

- 1.G**     [15-0433](#)     Adopt Ordinance No. 3056-15 Amending the Sunnyvale Municipal Code to Allow the use of Tandem and Stacker Parking in Residential Districts

**Recommendation:** Adopt Ordinance No. 3056-15.

### **PUBLIC COMMENTS**

*This category 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 three minutes per speaker. If your subject is not on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

### **PUBLIC HEARINGS/GENERAL BUSINESS**

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the City Clerk. You will be recognized at the time the item is being considered by Council. 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      [14-0027](#)      Design Guidelines for mixed-use projects, known as the Toolkit for Mixed-use Developments; Find that the project is exempt under CEQA pursuant to Guidelines 15060(3) and 15378(b)(5) (Study Issue)

**Recommendation:** Alternatives 1 and 2: 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5), and 2) Approve the Toolkit for Mixed-use Developments for mixed-use projects in all zoning districts.

- 3      [15-0025](#)      Review and Selection of the Murphy Park Public Art Project

**Recommendation:** Staff makes no recommendation.

- 4      [15-0362](#)      Consideration of Potential Elections Code Section 9212 Report from City Agencies on the Effect of the Proposed Initiative Ordinance to Amend the City of Sunnyvale's Municipal Code to Require Voter Approval for any Sale, Lease, Lease Extension, Lease Renewal, Land Swap, or Transfer of Property Owned, Leased, or Used by the City as a Public Park or Community Service Amenity

**Recommendation:** Pursuant to Elections Code Section 9212, consider directing preparation of a report from City agencies on the effect of the proposed initiative to amend the City of Sunnyvale's Municipal Code to require voter approval for any sale, lease, lease extension, lease renewal, land swap, or transfer of property owned, leased, or used by the City as a public park or community service amenity.

- 5      [15-0401](#)      Consider Revisions to Council Policy 7.2.19: Boards and Commissions

**Recommendation:** Staff makes no recommendation.

- 6      [15-0070](#)      City Legislative Advocacy Position to Increase Disclosure Statement Requirements for Political Advertisements

**Recommendation:** Staff makes no recommendation.

- 7      [15-0448](#)      Ratification of Intergovernmental Assignment Appointment for Councilmember Jim Davis

**Recommendation:** Staff makes no recommendation.

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

**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

<a href="#"><u>15-0041</u></a>	Tentative Council Meeting Agenda Calendar
<a href="#"><u>15-0214</u></a>	Information/Action Items
<a href="#"><u>15-0397</u></a>	Minimum Wage Regional Update (Information Only)
<a href="#"><u>15-0069</u></a>	Board/Commission Meeting Minutes

**ADJOURNMENT**

**NOTICE TO THE PUBLIC**

*The agenda reports to council (RTCs) may be viewed on the City's Web site at [sunnyvale.ca.gov](http://sunnyvale.ca.gov) after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, California during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at (408) 730-7483 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.*

*Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.106 ADA Title II).*

**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" document available at [Presentations.inSunnyvale.com](http://Presentations.inSunnyvale.com).*

**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 City Clerk (located to the left of the Council dais). The City Clerk will distribute your items to the Council.*

**Upcoming Meetings**

*Visit [CouncilMeetings.inSunnyvale.com](http://CouncilMeetings.inSunnyvale.com) for upcoming Council meeting information.*

*Visit [BoardsandCommissions.inSunnyvale.com](http://BoardsandCommissions.inSunnyvale.com) for upcoming board and commission meeting information.*

*For a complete schedule of KSUN-15 Council meeting broadcasts, visit [KSUN.insunnyvale.com](http://KSUN.insunnyvale.com).*



# City of Sunnyvale

## Agenda Item

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**15-0446**

**Agenda Date:** 4/21/2015

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Closed Session held pursuant to California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:  
(One potential case)

Synergy Golf Management, Incorporated license



# City of Sunnyvale

## Agenda Item

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**15-0293**

**Agenda Date: 4/21/2015**

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Transportation Policy and Process



# City of Sunnyvale

## Agenda Item

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**15-0382**

**Agenda Date:** 4/21/2015

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SPECIAL ORDER OF THE DAY - Serra Little League Recognition



# City of Sunnyvale

## Agenda Item

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**15-0068**

**Agenda Date:** 4/21/2015

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**SUBJECT**

Approve City Council Meeting Minutes of April 7, 2015

**RECOMMENDATION**

Approve the City Council Meeting Minutes of April 7, 2015 as submitted.





# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, April 7, 2015

5:00 PM

West Conference Room and Council  
Chambers, City Hall, 456 W. Olive Ave.,  
Sunnyvale, CA 94086

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

### **7 P.M. COUNCIL MEETING**

#### **CALL TO ORDER**

Mayor Griffith opened the meeting in honor of fallen San Jose Police Officer Michael J. Johnson and held a moment of silence.

#### **SALUTE TO THE FLAG**

Mayor Griffith led the salute to the flag.

#### **ROLL CALL**

**Present:** 7 - Mayor Jim Griffith  
Vice Mayor Tara Martin-Milius  
Councilmember David Whittum  
Councilmember Pat Meyering  
Councilmember Jim Davis  
Councilmember Glenn Hendricks  
Councilmember Gustav Larsson

#### **CLOSED SESSION REPORT**

Vice Mayor Martin-Milius reported Council met in Closed Session pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; no direction was given, no action was taken.

#### **SPECIAL ORDERS OF THE DAY**

[15-0142](#) SPECIAL ORDER OF THE DAY - National Library Week

Mayor Griffith presented a proclamation in honor of "National Library Week – April 12 - 18, 2015" to Director of Library and Community Services Lisa Rosenblum.

[15-0349](#) SPECIAL ORDER OF THE DAY - "April is Fair Housing Month" Proclamation Presentation

Mayor Griffith presented a proclamation for “April is Fair Housing Month” to Annette Corbin, Senior Attorney, Fair Housing Law Project.

### **PUBLIC ANNOUNCEMENTS**

Councilmember Larsson announced upcoming board and commission vacancies and an application deadline, the upcoming Sunnyvale Fit and Fun Earth Day Fair, and the Sunnyvale Public Library E-book Launch Party.

Michael Goldman provided an announcement regarding a signature event for the Sunnyvale Public Lands for Public Use initiative, and presented a PowerPoint presentation.

Misuk Park announced Charles Street Gardens and Full Circle Farm Earth Day events.

David Wessel announced an upcoming meeting of the Democratic Club of Sunnyvale.

### **PRESENTATION**

[15-0361](#)      PRESENTATION - Presentation by the Santa Clara Valley Water District Regarding the Drought and Water Rates

Jim Fiedler, Chief Operating Officer, and Darin Taylor, Senior Project Manager, Santa Clara Valley Water District, presented information regarding the drought and water rates.

### **CONSENT CALENDAR**

**1.A**      [15-0168](#)      Approve City Council Meeting Minutes of March 24, 2015

Public Hearing opened at 10:50 p.m.

No speakers.

Public Hearing closed at 10:50 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to approve the City Council Meeting Minutes of March 24, 2015 as submitted. The motion carried by the following vote:

**Yes:** 6 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No:** 1 - Councilmember Meyering

**1.B**     [15-0355](#)     Approve the List(s) of Claims and Bills Approved for Payment  
by the City Manager

Public Hearing opened at 10:53 p.m.

No speakers.

Public Hearing closed at 10:53 p.m.

MOTION: Councilmember Davis moved and Vice Mayor Martin-Milius seconded the motion to approve the list(s) of claims and bills. The motion carried by the following vote:

**Yes:** 6 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No:** 1 - Councilmember Meyering

**1.C**     [15-0242](#)     Approve Budget Modification No. 41 to Provide Funding for  
Temporary Public Works Engineering Development Staff

Public Hearing opened at 10:56 p.m.

No speakers.

Public Hearing closed at 10:56 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to: 1) Approve Budget Modification No. 41 to appropriate \$300,000 to a special project for temporary engineering services; and 2) Delegate authority to the City Manager to amend resultant contract(s) to a level greater than \$100,000 so long as the total appropriation of \$300,000 is not exceeded. The motion carried by the following vote:

**Yes:** 6 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No:** 1 - Councilmember Meyering

**1.D**      [15-0341](#)      Award of Bid No. PW15-17 for Slurry Seal - 2015 and Finding of CEQA Categorical Exemption

Public Hearing opened at 10:59 p.m.

No speakers.

Public Hearing closed at 10:59 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to: 1) Make a finding of CEQA categorical exemption pursuant to Class 1, Section 15301(c) for the rehabilitation of existing streets, 2) Award a construction contract, in substantially the same format as Attachment 2 to the report and in the amount of \$361,300, to Graham Contractors, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 3) Approve a 10% construction contingency in the amount of \$36,130. The motion carried by the following vote:

**Yes:** 6 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No:** 1 - Councilmember Meyering

**1.E**      [15-0299](#)      Adopt a Resolution to Authorize the Receipt of a \$973,525 Grant from the State Department of Housing and Community Development, Approve Budget Modification No. 42 to Appropriate the Grant Funding, and Award a Contract to Design the Fair Oaks Park New Auxiliary Restroom and Parking Lot Improvements (F15-60)

Public Hearing opened at 10:59 p.m.

No speakers.

Public Hearing closed at 10:59 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to: 1) Adopt a resolution to authorize the receipt of \$973,525 in HRP Grant Funds; 2) Approve Budget Modification No. 42 to appropriate the funding; 3) Award a contract, in substantially the same format as Attachment 2 to the report and in the amount of \$144,883 to Harris Design for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 4) Approve a 10% design contingency in the amount of \$14,488. The motion carried by the following vote:

**Yes:** 6 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No:** 1 - Councilmember Meyering

**1.F**      [15-0297](#)      Approve Final Map (Tract No. 10284) - 13 Single-family Homes at 300 West Iowa Avenue by Classic 300 Iowa, L.P., a California Limited Partnership

Public Hearing opened at 11:01 p.m.

No speakers.

Public Hearing closed at 11:01 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Whittum seconded the motion to approve the final map for Tract No. 10284; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation. The motion carried by the following vote:

**Yes:** 6 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No:** 1 - Councilmember Meyering

### **PUBLIC COMMENTS**

Richard Walrod spoke regarding the status of the downtown Town Center.

Michael Goldman spoke regarding alternatives for the Civic Center and a park proposal.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

#### **2      [14-0270](#)      Leaf Blower Study and Findings (Study Issue)**

Director of Environmental Services John Stufflebean presented the staff report. Environmental Programs Manager Elaine Marshall provided additional information.

Public Hearing opened at 8:44 p.m.

Steve Pavlina spoke in opposition to banning gas-driven leaf blowers.

Peter Cirigliano expressed concerns regarding consideration of a leaf blower ban and spoke in support of the staff recommendation.

Janet Hamma spoke regarding the effects of gasoline spillage and spoke in support of electric leaf blowers and use of brooms.

David Wessel spoke in favor of a phase out of two-cycle leaf blowers for residential use.

Sharlene Liu spoke in support of banning leaf blowers in residential zones or in all areas, citing impacts of pollution, particulates and noise for bicyclists and pedestrians.

Jose Martinez spoke in opposition to banning gasoline leaf blowers.

Dan Hafeman spoke in support of changing attitudes about leaves and encouraging allowing leaves to remain on the ground as mulch.

Public Hearing closed at 9:08 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternative 1: Direct staff to incorporate public education to Sunnyvale residents and landscape professionals regarding the current Municipal Code restrictions related to leaf blower use and education to leaf blower operators on best practices into the City's environmental education efforts as allowed within existing resources and priorities.

AMENDMENT: Councilmember Whittum moved to amend the motion and Councilmember Meyering seconded to include a permit system for leaf blowers to

help provide the funding and personal contact with the users to support the education which is proposed in the staff alternative. The motion to amend failed by the following vote:

**Yes:** 2 - Councilmember Whittum  
Councilmember Meyering

**No:** 5 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

AMENDMENT: Councilmember Meyering moved to amend the motion to include a provision amending the Sunnyvale Municipal Code to ban gas-powered leaf blowers either in residential zones or within 80 feet of any Sunnyvale residence.

Mayor Griffith ruled the amendment out of order.

SUBSTITUTE MOTION: Councilmember Meyering moved a substitute motion and Councilmember Whittum seconded to include a provision amending the Sunnyvale Municipal Code to ban gas-powered leaf blowers either in residential zones or within 80 feet of any Sunnyvale residence. The substitute motion failed by the following vote:

**Yes:** 2 - Councilmember Whittum  
Councilmember Meyering

**No:** 5 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

AMENDMENT: Councilmember Meyering moved an amendment to include a provision amending the municipal code to require any gas-powered leaf blower operator who is being paid to conduct that operation be provided by the person making the payment with noise-canceling headphones.  
The motion to amend died due to lack of a second.

The main motion carried by the following vote:

- Yes:** 5 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson
- No:** 2 - Councilmember Whittum  
Councilmember Meyering

Council recessed at 9:43 p.m.

Council reconvened at 9:55 p.m. with all Councilmembers present.

- 3**      [15-0282](#)      Introduce an Ordinance to Amend Sunnyvale Municipal Code Chapters 19.28 (DSP) and 19.46 (Parking) to include Modifications based on the Tandem and Stacker Parking Study Issue (2014-7435); Finding of CEQA Exemption Pursuant to CEQA Guideline 15061 (b)(3) - Continued from February 24, 2015

Councilmember Whittum disclosed his residence is within 500 feet of portions of the district, recused himself and left the room.

Senior Planner Amber El-Hajj presented the staff report. Director of Community Development Hanson Hom provided additional information.

Public Hearing opened at 10:15 p.m.

David Heindel, representing Unitronics Automated Parking Solutions, spoke in support of mechanical parking and provided written materials.

Public Hearing closed at 10:27 p.m.

MOTION: Councilmember Hendricks moved to approve Alternatives 1 and 2, and an Alternative 8: 1) Find that the project is exempt from CEQA under Guideline 15061(b)(3); 2) Introduce an ordinance to amend Chapter 19.46 of Title 19 of the Sunnyvale Municipal Code to allow (a) tandem parking in existing single family dwellings in certain circumstances and (b) to exclude garage square footage from gross floor area for existing single family dwellings when determining if additional parking is required; and an Alternative 8) Staff to bring back language that says we are open to a developer coming in and doing something with stacker or tandem spaces with the same ratios that have been described in the report, but that they would have to come to Council to explain



specific benefits that by using tandem or stacker parking that would relate to actually increasing open space or better siting of buildings or other tangible benefits that a developer could describe.

Motion died due to lack of a second.

MOTION: Councilmember Davis moved and Councilmember Larsson seconded the motion to approve Alternatives 1, 2, 3 and 4: 1) Find that the project is exempt from CEQA under Guideline 15061(b)(3); 2) Introduce an ordinance to amend Chapter 19.46 of Title 19 of the Sunnyvale Municipal Code to allow (a) tandem parking in existing single family dwellings in certain circumstances and (b) to exclude garage square footage from gross floor area for existing single family dwellings when determining if additional parking is required; 3) Introduce an ordinance to amend Chapter 19.46 of Title 19 of the Sunnyvale Municipal Code to (a) allow tandem parking for up to 50 percent of the units in multi family developments and require unassigned parking consistent with other 2 car garage provisions, (b) allow independent and dependent mechanical lift parking in multi family developments and (c) to require all mechanical lift parking to be in a parking structure; and 4) Introduce an ordinance to amend Chapter 19.28 of Title 19 of the Sunnyvale Municipal Code to consider tandem parking in multi family developments within the DSP with review of a parking management plan.

FRIENDLY AMENDMENT: Councilmember Hendricks offered a friendly amendment that, with staff's help, to add language that would help express through design guidelines additional benefits that would facilitate getting actual or potentially more open space and lead to better siting of buildings. Councilmember Davis declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Mayor Griffith offered a friendly amendment to include a guideline that says consideration will be given if tandem or stacker parking is proposed in order to gain some benefit to the project or make the project better in a material way.

Councilmember Davis accepted the friendly amendment.

Following discussion, City Attorney Joan Borger stated that if the motion is approved, staff would draft language to include in the ordinance for the second reading.

FRIENDLY AMENDMENT: Mayor Griffith offered a friendly amendment to bring the issue back in two years for review by Council.

Councilmember Davis accepted the friendly amendment

Mayor Griffith stated the motion has been amended to include a report from staff in two years at a Council meeting to review the ordinance and its effectiveness.

The motion as amended carried by the following vote:

**Yes: 5 -** Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No: 1 -** Councilmember Meyering

**Recused: 1 -** Councilmember Whittum

City Clerk Franco Simmons read the ordinance title.

Following action on this item, Councilmember Whittum returned to the room and took his seat at the dais.

- 4**      [15-0317](#)      Approve Changes to Council Policies 7.4.1, 7.4.2, and 7.4.3 in Council Policy Manual Chapter 7, Section 4 Regarding Council Support and Processes

Senior Management Analyst Yvette Blackford presented the staff report.

Public Hearing opened at 10:45 p.m.

No speakers.

Public Hearing closed at 10:45 p.m.

MOTION: Councilmember Larsson moved and Vice Mayor Martin-Milius seconded the motion to approve proposed changes to Council Policies as recommended in Attachments 1, 2, and 3 to the report, with edits to Attachment 2, Policy 7.4.2, to state rather than “a key card programmed to access City Hall and a mechanical key” to “the means to access City Hall.” The motion carried by the following vote:

**Yes: 7 -** Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Whittum  
Councilmember Meyering  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No: 0**

**5**      [15-0280](#)      Ratification of Intergovernmental Assignment Appointment  
for Councilmember Gustav Larsson

Public Hearing opened at 10:46 p.m.

No speakers.

Public Hearing closed at 10:46 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Davis seconded the motion to ratify the Intergovernmental Assignment Appointment of Councilmember Gustav Larsson as a Director to the Boards of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority. The motion carried by the following vote:

**Yes: 6 -**    Mayor Griffith  
                 Vice Mayor Martin-Milius  
                 Councilmember Whittum  
                 Councilmember Davis  
                 Councilmember Hendricks  
                 Councilmember Larsson

**No: 1 -**    Councilmember Meyering

**6**      [15-0351](#)      Discussion and Possible Action on Recommendations from  
the Community Event Grant Distribution Subcommittee

Subcommittee Chair Martin-Milius presented the report.

Public Hearing opened at 10:48 p.m.

No speakers.

Public Hearing closed at 10:48 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Davis seconded the motion to approve the same process used the previous year. The motion carried by the following vote:

**Yes: 6 -**    Mayor Griffith  
                 Vice Mayor Martin-Milius  
                 Councilmember Meyering  
                 Councilmember Davis  
                 Councilmember Hendricks  
                 Councilmember Larsson

**No: 0**

**Abstain:** 1 - Councilmember Whittum

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

Councilmember Davis reported his attendance at a Grand Boulevard Initiative meeting, a meeting of the Housing and Human Services Commission, the Subcommittee on Paramedics, and a meeting of the Emergency Operations Council.

Councilmember Whittum reported his attendance at a VTA Board meeting and announced an upcoming El Camino Real Bus Rapid Transit Policy Advisory Board meeting and an upcoming VTA Board Workshop. Councilmember Whittum announced Federal Surplus Transportation Program Funds to be used for a Tasman Drive Complete Street Corridor Study, and encouraged participation in a survey at [vta.org](http://vta.org).

Vice Mayor Martin-Milius reported she attended a LAFCO meeting and a meeting of the Parks and Recreation Commission.

Mayor Griffith reported his attendance at a meeting of the Community Choice Energy Subcommittee.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

Councilmember Davis reported his attendance at a Stevens Creek Trail Working Group meeting, Senator Hill's Open House, a meeting with Fremont Union High School District representatives, the Cesar Chavez Teen Service Project at Baylands Park, a NASA-sponsored call-in, the Wireless Infrastructure Update in Cupertino, Officer Johnson's memorial service, a meeting with Senator Bell and the flag raising ceremony in San Jose.

Councilmember Whittum reported a note he wrote regarding sidewalks and budgeting and its availability with the City Clerk. Councilmember Whittum reported an article in San Jose Mercury News regarding Google working with a contractor to upgrade and maintain the Moffett Field golf course. Whittum reported his service as a volunteer on the SUSD Strategic Planning Financial Sustainability Team and a recent meeting of the group. Whittum requested of staff information regarding whether there is a "Fremont Corridor Study" from Belleville to Wolfe; and how the City will quantify the impact of the Stanford Clinic. Councilmember Whittum reported a March 26 email from a Bicycle and Pedestrian Advisory Commission member regarding OBAG grant projects and requested a response from staff

regarding his comments.

Mayor Griffith reported regarding the OBAG issue, BPAC members are concerned the City is missing an opportunity and requested a response from staff as soon as possible.

Councilmember Meyering inquired as to how many projects the environmental consultant PlaceWorks is working on.

Director of Community Development Hanson Hom responded to the request.

Councilmember Whittum reported April 27 at 5 p.m. is the close date for the comment period on the Notice of Preparation of the Environmental Impact Report for Butcher's Corner.

MOTION: Councilmember Whittum moved and Councilmember Meyering seconded the motion to put discussion of the Butcher's Corner Notice of Preparation and Environmental Impact Report scoping on an agenda for a study session this month. The motion failed by the following vote:

**Yes:** 2 - Councilmember Whittum  
Councilmember Meyering

**No:** 5 - Mayor Griffith  
Vice Mayor Martin-Milius  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

#### **-Council**

Mayor Griffith expressed appreciation to Department of Public Safety staff for their assistance in San Jose during the memorial for fallen officer Michael Johnson so that all San Jose officers could attend the memorial.

#### **-City Manager**

None.

#### **INFORMATION ONLY REPORTS/ITEMS**

[15-0347](#) Tentative Council Meeting Agenda Calendar

[15-0374](#) Information/Action Items

[15-0344](#) Study Session Summary of March 17, 2015 - Proposed Fiscal

Year 2015/16 Utility Rates

[15-0335](#)

Board/Commission Meeting Minutes

**ADJOURNMENT**

Mayor Griffith adjourned the meeting at 11:31 p.m.



# City of Sunnyvale

## Agenda Item

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15-0399

Agenda Date: 4/21/2015

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### 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.

List No.	Date	Total Disbursements
758	03/29/15 through 04/04/15	\$2,803,352.52
759	04/05/15 through 04/11/15	\$2,371,075.72

#### **PUBLIC CONTACT**

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

#### **RECOMMENDATION**

Approve the list(s) of claims and bills.

Prepared by: Pete Gonda, Purchasing Officer

Reviewed by: Grace K. Leung, Director of Finance

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

#### **ATTACHMENTS**

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

**List of All Claims and Bills Approved for Payment**  
**For Payments Dated 3/29/2015 through 4/4/2015**

**Sorted by Payment Number**

<b>Payment No.</b>	<b>Payment Date</b>	<b>Vendor Name</b>	<b>Invoice No.</b>	<b>Description</b>	<b>Invoice Amount</b>	<b>Discount Taken</b>	<b>Amount Paid</b>	<b>Payment Total</b>
2106046	3/30/15	AIMEE FOSBENNER	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	206.99	0.00	206.99	<b>\$206.99</b>
2106047	3/30/15	ALEX MICHAELIS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106048	3/30/15	ANNABEL YURUTUCU	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	421.96	0.00	421.96	<b>\$421.96</b>
2106049	3/30/15	BYRON K PIPKIN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	920.12	0.00	920.12	<b>\$920.12</b>
2106050	3/30/15	CATHY E MERRILL	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	206.99	0.00	206.99	<b>\$206.99</b>
2106051	3/30/15	CATHY HAYNES	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,100.30	0.00	1,100.30	<b>\$1,100.30</b>
2106052	3/30/15	CHARLES J SCHWABE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106053	3/30/15	CHERYL BUNNELL	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	<b>\$707.02</b>
2106054	3/30/15	CHRIS CARRION	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	<b>\$707.02</b>
2106055	3/30/15	CORYN CAMPBELL	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	<b>\$369.62</b>
2106056	3/30/15	DAN HAMMONS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	4,393.26	0.00	4,393.26	<b>\$4,393.26</b>
2106057	3/30/15	DAVID A LEWIS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	<b>\$828.28</b>
2106058	3/30/15	DAVID KAHN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	977.43	0.00	977.43	<b>\$977.43</b>
2106059	3/30/15	DAVID L NIETO	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	421.96	0.00	421.96	<b>\$421.96</b>
2106060	3/30/15	DAVID L VERBRUGGE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	<b>\$1,693.18</b>
2106061	3/30/15	DAVID LEWIS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	585.28	0.00	585.28	<b>\$585.28</b>
2106062	3/30/15	DAVID M GOTT	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	<b>\$369.62</b>



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2106063	3/30/15	DEE SCHABOT	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,135.86	0.00	1,135.86	<b>\$1,135.86</b>
2106064	3/30/15	DON JOHNSON	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	585.28	0.00	585.28	<b>\$585.28</b>
2106065	3/30/15	DONALD R OLSEN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106066	3/30/15	DONNA A SCOTT	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106067	3/30/15	DOUGLAS MELLO	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	<b>\$559.62</b>
2106068	3/30/15	ENCARNACION HERNANDEZ	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	271.17	0.00	271.17	<b>\$271.17</b>
2106069	3/30/15	ERWIN YOUNG	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,293.33	0.00	1,293.33	<b>\$1,293.33</b>
2106070	3/30/15	ESTRELLA AGRAVIADOR KAWCZYNSKI	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	592.45	0.00	592.45	<b>\$592.45</b>
2106071	3/30/15	EUGENE J WADDELL	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,135.86	0.00	1,135.86	<b>\$1,135.86</b>
2106072	3/30/15	FRANK CURTIS BLACK	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	475.44	0.00	475.44	<b>\$475.44</b>
2106073	3/30/15	FRANK P BELLUCCI	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106074	3/30/15	GARY K CARLS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	318.43	0.00	318.43	<b>\$318.43</b>
2106075	3/30/15	GARY LUEBBERS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	<b>\$369.62</b>
2106076	3/30/15	GLENN FORTIN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	<b>\$570.12</b>
2106077	3/30/15	GREGORY E KEVIN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	<b>\$570.12</b>
2106078	3/30/15	HIRA L RAINA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	318.43	0.00	318.43	<b>\$318.43</b>
2106079	3/30/15	IRWIN I BAKIN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106080	3/30/15	JAMES A BRICE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>

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2106081	3/30/15	JAMES BOUZIANE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	723.60	0.00	723.60	<b>\$723.60</b>
2106082	3/30/15	JAMES R RAND	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106083	3/30/15	JAMES WEBB JR	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	716.75	0.00	716.75	<b>\$716.75</b>
2106084	3/30/15	JEROME P AMMERMAN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	<b>\$707.02</b>
2106085	3/30/15	JERRY D BAKER	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106086	3/30/15	JERRY RONDEAU	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106087	3/30/15	JOHN ADDEO	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106088	3/30/15	JOHN DEBATTISTA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	<b>\$707.02</b>
2106089	3/30/15	JOHN HOWE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	<b>\$828.28</b>
2106090	3/30/15	JOHN S WITTHAUS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	<b>\$1,693.18</b>
2106091	3/30/15	KAREN D WILLES	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	398.09	0.00	398.09	<b>\$398.09</b>
2106092	3/30/15	KAREN L DAVIS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	53.20	0.00	53.20	<b>\$53.20</b>
2106093	3/30/15	KAREN WOBLESKY	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	<b>\$828.28</b>
2106094	3/30/15	KATHERINE B CHAPPELEAR	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106095	3/30/15	KATHRYN BERRY	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,135.86	0.00	1,135.86	<b>\$1,135.86</b>
2106096	3/30/15	KELLY FITZGERALD	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	<b>\$570.12</b>
2106097	3/30/15	KELLY MENEHAN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	53.20	0.00	53.20	<b>\$53.20</b>
2106098	3/30/15	KENNETH C HOWELL	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>

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2106099	3/30/15	LELAND W VANDIVER	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106100	3/30/15	MARIO R NAPPI	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106101	3/30/15	MARK STIVERS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	920.12	0.00	920.12	<b>\$920.12</b>
2106102	3/30/15	MARVIN A ROSE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	<b>\$1,693.18</b>
2106103	3/30/15	MICHAEL A CHAN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	<b>\$1,693.18</b>
2106104	3/30/15	MICHAEL CURRAN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	<b>\$559.62</b>
2106105	3/30/15	MICHAEL N JONES	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106106	3/30/15	MYRIAM CASTANEDA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	887.01	0.00	887.01	<b>\$887.01</b>
2106107	3/30/15	NANCY BOLGARD STEWARD	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	<b>\$828.28</b>
2106108	3/30/15	NANCY F JACKSON	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106109	3/30/15	OSCAR J BARBA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106110	3/30/15	PATRICIA E CASTILLO	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106111	3/30/15	RAE BARBARA WALDMAN	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106112	3/30/15	RAYMOND C WILLIAMSON	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	<b>\$369.62</b>
2106113	3/30/15	RICHARD C GURNEY	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	<b>\$828.28</b>
2106114	3/30/15	ROBERT PATERNOSTER	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	293.99	0.00	293.99	<b>\$293.99</b>
2106115	3/30/15	ROMOLA GEORGIA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106116	3/30/15	RONALD DALBA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	<b>\$570.12</b>

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2106117	3/30/15	SIMON C LEMUS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,293.33	0.00	1,293.33	<b>\$1,293.33</b>
2106118	3/30/15	SONJA GUPTA	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106119	3/30/15	STEVEN D PIGOTT	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106120	3/30/15	TAMMY PARKHURST	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	723.60	0.00	723.60	<b>\$723.60</b>
2106121	3/30/15	THEODORE R BRESLER	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106122	3/30/15	THOMAS A BAISLEY	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106123	3/30/15	TIM CARLYLE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	<b>\$570.12</b>
2106124	3/30/15	TIM JOHNSON	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	<b>\$570.12</b>
2106125	3/30/15	TONY J PEREZ	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	<b>\$559.62</b>
2106126	3/30/15	WILLIAM BIELINSKI	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	585.28	0.00	585.28	<b>\$585.28</b>
2106127	3/30/15	WILLIAM F POWERS	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	<b>\$15.64</b>
2106128	3/30/15	WILLIAM L DISQUE	APRIL 2015	Insurances - Retiree Medical - Retiree Reimbursement	372.42	0.00	372.42	<b>\$372.42</b>
100267374	4/1/15	3M	TP31037	Miscellaneous Equipment	7,904.38	0.00	7,904.38	<b>\$7,904.38</b>
100267375	4/1/15	AARON'S INDUSTRIAL PUMPING	03/24/2015	Facilities Maint & Repair - Labor	375.00	0.00	375.00	<b>\$375.00</b>
100267376	4/1/15	AIR LIQUIDE AMERICA LP	59359120	Inventory Purchase	152.46	0.00	152.46	<b>\$152.46</b>
100267377	4/1/15	ARROWHEAD MOUNTAIN SPRING WATER	15C5740154009	General Supplies	4.34	0.00	4.34	<b>\$13.03</b>
			15C5740156004	General Supplies	8.69	0.00	8.69	
100267378	4/1/15	ASSETWORKS LLC	604-1067	Computer Software	92.44	0.00	92.44	<b>\$92.44</b>
100267379	4/1/15	BAKER & TAYLOR	4011158946	Library Acquisitions, Books	616.44	0.00	616.44	<b>\$1,076.64</b>
			4011158946	Library Materials Preprocessing	23.49	0.00	23.49	
			4011161093	Library Acquisitions, Books	13.59	0.00	13.59	
			4011161093	Library Materials Preprocessing	1.26	0.00	1.26	

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			4011173264	Library Acquisitions, Books	403.57	0.00	403.57	
			4011173264	Library Materials Preprocessing	18.29	0.00	18.29	
100267380	4/1/15	BANK OF SACRAMENTO	SEVENSEASPK# 11	Construction Project Contract Retainage	4,195.57	0.00	4,195.57	<b>\$4,195.57</b>
100267381	4/1/15	BANK OF SACRAMENTO	ANAEROBC123 #14	Construction Project Contract Retainage	15,359.42	0.00	15,359.42	<b>\$15,359.42</b>
100267382	4/1/15	CPS EXECUTIVE SEARCH	SOP38934	Personnel Testing Services	2,098.80	0.00	2,098.80	<b>\$2,098.80</b>
100267383	4/1/15	CSG CONSULTANTS INC	029405R	Miscellaneous Services	8,050.00	0.00	8,050.00	<b>\$8,050.00</b>
100267384	4/1/15	CALIFORNIA BUILDING OFFICIALS	4/1/15-3/31/16	Membership Fees	215.00	0.00	215.00	<b>\$215.00</b>
100267386	4/1/15	CALLAWAY GOLF CO	925807933	Inventory Purchase	259.02	0.00	259.02	<b>\$2,238.27</b>
			925823023	Inventory Purchase	368.40	0.00	368.40	
			925823024	Inventory Purchase	914.43	0.00	914.43	
			925824625	Inventory Purchase	696.42	0.00	696.42	
100267387	4/1/15	CENTURY GRAPHICS	41273	Clothing, Uniforms & Access	365.40	0.00	365.40	<b>\$1,303.37</b>
			41306	Clothing, Uniforms & Access	27.19	0.00	27.19	
			41397	Clothing, Uniforms & Access	910.78	0.00	910.78	
100267388	4/1/15	CHEMSEARCH	1833749	Chemicals	2,666.02	0.00	2,666.02	<b>\$2,666.02</b>
100267389	4/1/15	CHRISP CO	SNYVLBKLNES #01	Construction Services	18,115.17	0.00	18,115.17	<b>\$18,115.17</b>
100267390	4/1/15	CITY OF MOUNTAIN VIEW	101-6451	Services Maintain Land Improv	4,000.00	0.00	4,000.00	<b>\$4,000.00</b>
100267391	4/1/15	CLEANSOURCE INC	1613998-00	Inventory Purchase	305.98	0.00	305.98	<b>\$305.98</b>
100267392	4/1/15	COLUMBIA ELECTRIC INC	3TRFFCSGNLS# 03	Construction Services	158,434.52	0.00	158,434.52	<b>\$158,434.52</b>
100267393	4/1/15	CORIX WATER PRODUCTS (US) INC	17513005118	Hand Tools	258.60	0.00	258.60	<b>\$1,811.13</b>
			17513005349	Miscellaneous Equipment	84.48	0.00	84.48	
			17513005550	Hand Tools	88.36	0.00	88.36	
			17513006122	Materials - Land Improve	126.07	0.00	126.07	
			17513006958	Inventory Purchase	1,265.25	11.63	1,253.62	
100267394	4/1/15	CROP PRODUCTION SERVICES INC	26237941	Materials - Land Improve	1,580.02	0.00	1,580.02	<b>\$1,580.02</b>
100267395	4/1/15	DAPPER TIRE CO INC	41708692	Inventory Purchase	503.25	0.00	503.25	<b>\$503.25</b>
100267396	4/1/15	DAVIDOVITZ & BENNETT LLP	9246	Legal Services	17,762.37	0.00	17,762.37	<b>\$17,762.37</b>
100267397	4/1/15	DELL MARKETING LP	XJN92F859	Computer Hardware	1,358.77	0.00	1,358.77	<b>\$1,358.77</b>

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100267398	4/1/15	ERT INC	RF1503-15	Occupational Health and Safety Services	1,800.00	0.00	1,800.00	<b>\$1,800.00</b>
100267399	4/1/15	ECONOMIC DRIVING SCHOOL	2232015	Rec Instructors/Officials	1,140.00	0.00	1,140.00	<b>\$1,140.00</b>
100267400	4/1/15	EMPIRE SAFETY & SUPPLY	0070511-IN	Inventory Purchase	741.46	0.00	741.46	<b>\$741.46</b>
100267401	4/1/15	EUPHRAT MUSEUM OF ART	131	Recreation Fee Waivers	533.33	0.00	533.33	<b>\$533.33</b>
100267402	4/1/15	EVERLAST BUILDERS INC	STRTLGHTPLS# 02	Construction Services	34,485.00	0.00	34,485.00	<b>\$34,485.00</b>
100267403	4/1/15	EVOQUA WATER TECHNOLOGIES LLC	902075447	Miscellaneous Services	169.65	0.00	169.65	<b>\$169.65</b>
100267404	4/1/15	FEDERAL EXPRESS CORP	2-952-20209	Mailing & Delivery Services	24.42	0.00	24.42	<b>\$58.36</b>
			2-959-46395	Mailing & Delivery Services	10.57	0.00	10.57	
			2-967-80142	Mailing & Delivery Services	5.73	0.00	5.73	
			2-974-34178	Mailing & Delivery Services	17.64	0.00	17.64	
100267405	4/1/15	GARDENLAND POWER EQUIPMENT	271144	Parts, Vehicles & Motor Equip	60.79	0.00	60.79	<b>\$60.79</b>
100267406	4/1/15	GEORGE HILLS CO INC	INV1008754	Liability Claims Adjustor	5,154.30	0.00	5,154.30	<b>\$5,154.30</b>
100267407	4/1/15	GOLDFARB LIPMAN ATTORNEYS	114622REV	Legal Services	-687.50	0.00	-687.50	<b>\$1,508.65</b>
			114678REV	Legal Services	-4,369.48	0.00	-4,369.48	
			114878	Legal Services	5,056.98	0.00	5,056.98	
			115201	Legal Services	163.35	0.00	163.35	
			115202	Legal Services	1,127.50	0.00	1,127.50	
			115358	Legal Services	217.80	0.00	217.80	
100267408	4/1/15	GRAINGER	9586402779	General Supplies	126.21	0.00	126.21	<b>\$628.27</b>
			9692579494	General Supplies	502.06	0.00	502.06	
100267409	4/1/15	GRANICUS INC	63130	Software As a Service	4,530.12	0.00	4,530.12	<b>\$4,530.12</b>
100267410	4/1/15	GRANITE CONSTRUCTION CO	780801	Materials - Land Improve	2,823.48	0.00	2,823.48	<b>\$8,878.48</b>
			781118	Materials - Land Improve	3,612.14	0.00	3,612.14	
			782096	Materials - Land Improve	2,442.86	0.00	2,442.86	
100267411	4/1/15	GRANITEROCK CO	880604	Materials - Land Improve	1,523.51	0.00	1,523.51	<b>\$244,472.68</b>
			PVMTRHB2013 #R	Construction Project Contract Retainage	242,949.17	0.00	242,949.17	
100267412	4/1/15	HDR ENGINEERING INC	13	Consultants	108,793.84	0.00	108,793.84	<b>\$108,793.84</b>
100267413	4/1/15	HORIZON DISTRIBUTORS INC	1Y168437	Materials - Land Improve	326.63	0.00	326.63	<b>\$326.63</b>
100267415	4/1/15	HOWARD ROME MARTIN & RIDLEY LLP	33029	Legal Services	213.23	0.00	213.23	<b>\$363.15</b>

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			33030	Legal Services	149.92	0.00	149.92	
100267416	4/1/15	INDEPENDENT ELECTRIC SUPPLY INC	S102237827.001	Electrical Parts & Supplies	29.52	0.00	29.52	<b>\$29.52</b>
100267417	4/1/15	KELLY MOORE PAINT CO INC	1106-491222	Bldg Maint Matls & Supplies	42.04	0.00	42.04	<b>\$42.04</b>
100267418	4/1/15	KOHLWEISS AUTO PARTS INC	01OE4784	Inventory Purchase	93.18	1.86	91.32	<b>\$91.32</b>
100267419	4/1/15	L N CURTIS & SONS INC	1343492-00	Safety Equipment Maintenance & Repair	17,245.58	0.00	17,245.58	<b>\$17,752.35</b>
			1347239-00	Clothing, Uniforms & Access	342.56	0.00	342.56	
			1349417-00	Inventory Purchase	164.21	0.00	164.21	
100267420	4/1/15	LAWSON PRODUCTS INC	9303160639	Miscellaneous Equipment Parts & Supplies	845.16	0.00	845.16	<b>\$845.16</b>
100267421	4/1/15	MALLORY SAFETY & SUPPLY LLC	3929012	Inventory Purchase	104.40	0.00	104.40	<b>\$104.40</b>
100267422	4/1/15	MCMASTER CARR SUPPLY CO	26221063	Hand Tools	532.70	0.00	532.70	<b>\$532.70</b>
100267423	4/1/15	METROPOLITAN PLANNING GROUP	1941	Professional Services	687.50	0.00	687.50	<b>\$687.50</b>
100267424	4/1/15	MIDWEST TAPE	92635101	Library Acquis, Audio/Visual	929.84	0.00	929.84	<b>\$3,904.78</b>
			92654147	Library Acquis, Audio/Visual	648.42	0.00	648.42	
			92665208	Library Acquis, Audio/Visual	171.20	0.00	171.20	
			92666092	Library Acquis, Audio/Visual	1,466.15	0.00	1,466.15	
			92669286	Library Acquis, Audio/Visual	-43.49	0.00	-43.49	
			92683536	Library Technology Services	732.66	0.00	732.66	
100267425	4/1/15	MISSION LINEN SERVICE	470242820	Laundry & Cleaning Services	45.89	0.00	45.89	<b>\$137.67</b>
			470244340	Laundry & Cleaning Services	45.89	0.00	45.89	
			470245852	Laundry & Cleaning Services	45.89	0.00	45.89	
100267426	4/1/15	MUNICIPAL MAINTENANCE EQUIPMENT INC	0099022-IN	Parts, Vehicles & Motor Equip	302.71	0.00	302.71	<b>\$302.71</b>
100267427	4/1/15	NEXTEL COMMUNICATIONS	194062036-120	Utilities - Mobile Phones - City Mobile Phones	70.58	0.00	70.58	<b>\$70.58</b>
100267428	4/1/15	NEXTEL COMMUNICATIONS	399952037-120	Utilities - Mobile Phones - City Mobile Phones	39.48	0.00	39.48	<b>\$39.48</b>
100267429	4/1/15	NOEMI PEREIDA	NOV14-AMARI 5	DED Services/Training - Books	322.99	0.00	322.99	<b>\$322.99</b>
100267430	4/1/15	OGRADY PAVING INC	HENDYAVENU E#12	Construction Services	150,493.96	0.00	150,493.96	<b>\$383,935.85</b>
			HENDYAVENU E#13	Construction Services	233,441.89	0.00	233,441.89	

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100267431	4/1/15	OMEGA ENGRAVING	025435	Supplies, Office 1	24.50	0.00	24.50	<b>\$24.50</b>
100267432	4/1/15	PMC	42090	Professional Services	3,060.00	0.00	3,060.00	<b>\$11,085.00</b>
			42260	Professional Services	4,382.50	0.00	4,382.50	
			42526	Professional Services	3,642.50	0.00	3,642.50	
100267433	4/1/15	PACIFIC WEST SECURITY INC	0989498	Alarm Services	79.00	0.00	79.00	<b>\$907.00</b>
			0989526	Facilities Maint & Repair - Labor	116.00	0.00	116.00	
			0989527	Facilities Maint & Repair - Labor	199.00	0.00	199.00	
			0989528	Facilities Maint & Repair - Labor	121.00	0.00	121.00	
			0989529	Facilities Maint & Repair - Labor	167.00	0.00	167.00	
			0989538	Alarm Services	133.00	0.00	133.00	
			0989597	Facilities Maint & Repair - Labor	92.00	0.00	92.00	
100267434	4/1/15	PEOPLES ASSOC STRUCTURAL ENGINEERS	26652	Professional Services	2,463.00	0.00	2,463.00	<b>\$11,373.00</b>
			26861	Professional Services	8,910.00	0.00	8,910.00	
100267435	4/1/15	PINE CONE LUMBER CO INC	582005	Inventory Purchase	895.90	8.96	886.94	<b>\$890.77</b>
			582583	Bldg Maint Matls & Supplies	3.83	0.00	3.83	
100267436	4/1/15	PITNEY BOWES INC	328542	General Supplies	233.84	0.00	233.84	<b>\$233.84</b>
100267438	4/1/15	PROPER WOOD FINISHING	COS03292015	Professional Services	6,025.00	0.00	6,025.00	<b>\$6,025.00</b>
100267439	4/1/15	R & R PRODUCTS INC	CD1879827	General Supplies	177.29	0.00	177.29	<b>\$177.29</b>
100267440	4/1/15	RALPH ANDERSEN & ASSOC	11712	Professional Services	2,950.00	0.00	2,950.00	<b>\$2,950.00</b>
100267441	4/1/15	REED & GRAHAM INC	829562	Materials - Land Improve	47.50	0.00	47.50	<b>\$47.50</b>
100267442	4/1/15	SWANA LEGISLATIVE TASK FORCE	2015-02	Membership Fees	750.00	0.00	750.00	<b>\$750.00</b>
100267443	4/1/15	SAFEWAY INC	438808-032415	Food Products	9.97	0.00	9.97	<b>\$76.72</b>
			828552-032515	Food Products	66.75	0.00	66.75	
100267444	4/1/15	SAN FRANCISCO BAY BIRD OBSERVATORY	791	Water Lab Services	1,364.00	0.00	1,364.00	<b>\$1,364.00</b>
100267446	4/1/15	SIGN WIZ	11471	General Supplies	153.88	0.00	153.88	<b>\$153.88</b>
100267447	4/1/15	SIMPLEX GRINNELL	77647214	Facilities Maint & Repair - Labor	346.10	0.00	346.10	<b>\$4,375.56</b>
			77647519	Facilities Maint & Repair - Labor	849.18	0.00	849.18	
			77648083	Facilities Maint & Repair - Labor	657.59	0.00	657.59	
			77648500	Facilities Maint & Repair - Labor	751.17	0.00	751.17	
			77648563	Facilities Maint & Repair - Labor	117.87	0.00	117.87	



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			77649038	Facilities Maint & Repair - Labor	398.38	0.00	398.38	
			77649115	Facilities Maint & Repair - Labor	215.07	0.00	215.07	
			77649318	Facilities Maint & Repair - Labor	402.61	0.00	402.61	
			77649445	Facilities Maint & Repair - Labor	637.59	0.00	637.59	
100267448	4/1/15	SMART & FINAL INC	144609-032515	Food Products	154.93	0.00	154.93	<b>\$174.74</b>
			144609-032515	General Supplies	19.81	0.00	19.81	
100267449	4/1/15	SUBURBAN PROPANE	17373	Chemicals	847.68	0.00	847.68	<b>\$847.68</b>
100267450	4/1/15	SUNNYVALE BUILDING MAINTENANCE	97865	Professional Services	7,421.00	0.00	7,421.00	<b>\$26,371.52</b>
			97866	Professional Services	18,950.52	0.00	18,950.52	
100267451	4/1/15	SUNNYVALE FORD	437784	Parts, Vehicles & Motor Equip	2.70	0.00	2.70	<b>\$1,336.79</b>
			437786	Parts, Vehicles & Motor Equip	27.09	0.00	27.09	
			437788	Parts, Vehicles & Motor Equip	24.39	0.00	24.39	
			438048	Parts, Vehicles & Motor Equip	405.58	0.00	405.58	
			438053	Parts, Vehicles & Motor Equip	4.69	0.00	4.69	
			438265	Parts, Vehicles & Motor Equip	670.47	0.00	670.47	
			FOCS710030	Auto Maint & Repair - Labor	187.00	0.00	187.00	
			FOCS710030	Auto Maint & Repair - Materials	14.87	0.00	14.87	
100267452	4/1/15	SUNNYVALE TOWING INC	289424	Vehicle Towing Services	40.00	0.00	40.00	<b>\$40.00</b>
100267453	4/1/15	SUPERIOR PRESS	2288548	Printing & Related Services	52.96	0.00	52.96	<b>\$297.24</b>
			2289527	Printing & Related Services	244.28	0.00	244.28	
100267454	4/1/15	TSOLOG PANOSSIAN	14-15-086	Liability Claims Paid	1,230.85	0.00	1,230.85	<b>\$1,230.85</b>
100267455	4/1/15	TURF STAR INC	6886292-00	Parts, Vehicles & Motor Equip	48.55	0.00	48.55	<b>\$48.55</b>
100267456	4/1/15	US SECURITY ASSOC INC	989926	Professional Services	450.00	0.00	450.00	<b>\$650.00</b>
			989935	Professional Services	200.00	0.00	200.00	
100267457	4/1/15	UNITED RENTALS	126962515-001	Misc Equip Maint & Repair - Materials	572.24	0.00	572.24	<b>\$572.24</b>
100267458	4/1/15	UNITED ROTARY BRUSH CORP	CI167453	Inventory Purchase	1,736.54	0.00	1,736.54	<b>\$1,736.54</b>
100267459	4/1/15	VWR INTERNATIONAL LLC	8040716366	General Supplies	543.05	0.00	543.05	<b>\$543.05</b>
100267460	4/1/15	VERIZON WIRELESS	INV8471994	Communication Equipment	39.37	0.00	39.37	<b>\$224.98</b>
			INV8471995	Communication Equipment	93.74	0.00	93.74	
			INV8471996	Communication Equipment	17.50	0.00	17.50	
			INV8471997	Communication Equipment	39.37	0.00	39.37	

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			INV8471998	Communication Equipment	17.50	0.00	17.50	
			INV8471999	Communication Equipment	17.50	0.00	17.50	
100267461	4/1/15	WECK LABORATORIES INC	W5C0902-COSV	Water Lab Services	761.25	0.00	761.25	<b>\$1,294.25</b>
			W5C0903-COSV	Water Lab Services	517.77	0.00	517.77	
			W5C0904-COSV	Water Lab Services	15.23	0.00	15.23	
100267462	4/1/15	WECO INDUSTRIES LLC	0033542-IN	Misc Equip Maint & Repair - Labor	367.11	0.00	367.11	<b>\$9,878.15</b>
			0033542-IN	Misc Equip Maint & Repair - Materials	1,058.54	0.00	1,058.54	
			0033620-IN	Miscellaneous Equipment	6,101.09	0.00	6,101.09	
			0033621-IN	Hand Tools	155.65	0.00	155.65	
			0033622-IN	Miscellaneous Equipment	860.13	0.00	860.13	
			0033623-IN	Miscellaneous Equipment	1,335.63	0.00	1,335.63	
100267463	4/1/15	WELLS FARGO FINANCIAL LEASING	5001899487	Equipment Rental/Lease	171.71	0.00	171.71	<b>\$343.42</b>
			5001986690	Equipment Rental/Lease	171.71	0.00	171.71	
100267464	4/1/15	WEST VALLEY STAFFING GROUP	133648	Professional Services	4,924.77	0.00	4,924.77	<b>\$4,924.77</b>
100267465	4/1/15	ZAP MANUFACTURING INC	43540	Materials - Land Improve	302.31	0.00	302.31	<b>\$302.31</b>
100267466	4/1/15	WAITER.COM INC	F0324263061	Food Products	119.37	0.00	119.37	<b>\$119.37</b>
100267467	4/1/15	CWEA - SFBS	041515TOUR	Training and Conferences	40.00	0.00	40.00	<b>\$40.00</b>
100267468	4/1/15	DEPT OF FORESTRY & FIRE PROTECTION	124455	Training and Conferences	408.00	0.00	408.00	<b>\$408.00</b>
100267469	4/1/15	PACIFIC GAS & ELECTRIC CO	03142830050315	Utilities - Electric	8,358.99	0.00	8,358.99	<b>\$95,417.26</b>
			11059220090215	Utilities - Electric	3,755.23	0.00	3,755.23	
			11059220250215	Utilities - Gas	1,802.80	0.00	1,802.80	
			11059220400215	Utilities - Gas	444.55	0.00	444.55	
			11059220450215	Utilities - Gas	1,802.79	0.00	1,802.79	
			11059220500215	Utilities - Gas	57.53	0.00	57.53	
			11059220550215	Utilities - Electric	658.29	0.00	658.29	
			11059220600215	Utilities - Gas	4,779.14	0.00	4,779.14	
			11059220750215	Utilities - Gas	1,754.45	0.00	1,754.45	
			11059220810215	Utilities - Electric	396.00	0.00	396.00	
			11059220900215	Utilities - Gas	159.41	0.00	159.41	
			11059221020215	Utilities - Electric	270.50	0.00	270.50	
			11059221050215	Utilities - Gas	130.22	0.00	130.22	

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			11059221060215	Utilities - Electric	897.06	0.00	897.06	
			11059221080215	Utilities - Electric	541.94	0.00	541.94	
			11059221150215	Utilities - Gas	127.03	0.00	127.03	
			11059221180215	Utilities - Electric	7,079.61	0.00	7,079.61	
			11059221250215	Utilities - Gas	122.53	0.00	122.53	
			11059221350215	Utilities - Gas	71.73	0.00	71.73	
			11059221400215	Utilities - Gas	2,253.82	0.00	2,253.82	
			11059221600215	Utilities - Gas	111.69	0.00	111.69	
			11059221700215	Utilities - Gas	256.56	0.00	256.56	
			11059221730215	Utilities - Electric	1,591.80	0.00	1,591.80	
			11059221850215	Utilities - Gas	8.12	0.00	8.12	
			11059221930215	Utilities - Electric	11,714.69	0.00	11,714.69	
			11059221980215	Utilities - Electric	418.38	0.00	418.38	
			11059222630215	Utilities - Electric	1,141.22	0.00	1,141.22	
			11059222720215	Utilities - Electric	559.38	0.00	559.38	
			11059224060215	Utilities - Electric	9,388.34	0.00	9,388.34	
			11059224270215	Utilities - Electric	9.85	0.00	9.85	
			11059225290215	Utilities - Electric	506.75	0.00	506.75	
			11059225650215	Utilities - Gas	2,316.90	0.00	2,316.90	
			11059226380215	Utilities - Electric	6,556.50	0.00	6,556.50	
			11059227030215	Utilities - Electric	420.98	0.00	420.98	
			11059227230215	Utilities - Electric	4,400.23	0.00	4,400.23	
			11059227790215	Utilities - Electric	97.55	0.00	97.55	
			11059228050215	Utilities - Electric	6,652.19	0.00	6,652.19	
			11059228580215	Utilities - Electric	10,097.18	0.00	10,097.18	
			61266000050215	Utilities - Gas	3,705.33	0.00	3,705.33	
100267472	4/1/15	PALO ALTO MEDICAL FOUNDATION	1941	Pre-Employment Testing	125.00	0.00	125.00	<b>\$5,806.00</b>
			1942	Pre-Employment Testing	75.00	0.00	75.00	
			1943	Pre-Employment Testing	125.00	0.00	125.00	
			1944	Pre-Employment Testing	30.00	0.00	30.00	
			1945	Medical Services	125.00	0.00	125.00	

**List of All Claims and Bills Approved for Payment**  
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			1946	Pre-Employment Testing	75.00	0.00	75.00	
			1947	Pre-Employment Testing	125.00	0.00	125.00	
			1948	Pre-Employment Testing	30.00	0.00	30.00	
			1949	Pre-Employment Testing	75.00	0.00	75.00	
			1950	Pre-Employment Testing	125.00	0.00	125.00	
			1951	Pre-Employment Testing	45.00	0.00	45.00	
			1952	Pre-Employment Testing	30.00	0.00	30.00	
			1953	Pre-Employment Testing	57.00	0.00	57.00	
			1954	Pre-Employment Testing	75.00	0.00	75.00	
			1955	Pre-Employment Testing	125.00	0.00	125.00	
			1956	Pre-Employment Testing	57.00	0.00	57.00	
			1957	Pre-Employment Testing	75.00	0.00	75.00	
			1958	Pre-Employment Testing	125.00	0.00	125.00	
			1959	Pre-Employment Testing	57.00	0.00	57.00	
			1960	Pre-Employment Testing	75.00	0.00	75.00	
			1961	Pre-Employment Testing	125.00	0.00	125.00	
			1962	Pre-Employment Testing	30.00	0.00	30.00	
			1963	Medical Services	125.00	0.00	125.00	
			1964	Pre-Employment Testing	75.00	0.00	75.00	
			1965	Pre-Employment Testing	125.00	0.00	125.00	
			1966	Pre-Employment Testing	30.00	0.00	30.00	
			1967	Pre-Employment Testing	57.00	0.00	57.00	
			1968	Pre-Employment Testing	75.00	0.00	75.00	
			1969	Pre-Employment Testing	125.00	0.00	125.00	
			1970	Pre-Employment Testing	30.00	0.00	30.00	
			1971	Pre-Employment Testing	30.00	0.00	30.00	
			1972	Pre-Employment Testing	75.00	0.00	75.00	
			1973	Pre-Employment Testing	125.00	0.00	125.00	
			1974	Pre-Employment Testing	60.00	0.00	60.00	
			1975	Pre-Employment Testing	125.00	0.00	125.00	
			1976	Medical Services	125.00	0.00	125.00	

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			1977	Medical Services	125.00	0.00	125.00	
			1978	Pre-Employment Testing	75.00	0.00	75.00	
			1979	Pre-Employment Testing	125.00	0.00	125.00	
			1980	Pre-Employment Testing	30.00	0.00	30.00	
			1981	Pre-Employment Testing	57.00	0.00	57.00	
			1982	Pre-Employment Testing	75.00	0.00	75.00	
			1983	Pre-Employment Testing	125.00	0.00	125.00	
			1984	Pre-Employment Testing	30.00	0.00	30.00	
			1985	Pre-Employment Testing	75.00	0.00	75.00	
			1986	Pre-Employment Testing	125.00	0.00	125.00	
			1987	Pre-Employment Testing	30.00	0.00	30.00	
			1988	Pre-Employment Testing	125.00	0.00	125.00	
			1989	Pre-Employment Testing	75.00	0.00	75.00	
			1990	Pre-Employment Testing	30.00	0.00	30.00	
			1991	Pre-Employment Testing	57.00	0.00	57.00	
			1992	Medical Services	125.00	0.00	125.00	
			1994	Pre-Employment Testing	75.00	0.00	75.00	
			1995	Pre-Employment Testing	125.00	0.00	125.00	
			1996	Pre-Employment Testing	30.00	0.00	30.00	
			1997	Pre-Employment Testing	75.00	0.00	75.00	
			1998	Pre-Employment Testing	125.00	0.00	125.00	
			1999	Pre-Employment Testing	30.00	0.00	30.00	
			2000	Pre-Employment Testing	57.00	0.00	57.00	
			2001	Pre-Employment Testing	30.00	0.00	30.00	
			818	Medical Services	290.00	0.00	290.00	
			819	Medical Services	45.00	0.00	45.00	
			820	Medical Services	45.00	0.00	45.00	
			821	Medical Services	105.00	0.00	105.00	
			822	Medical Services	104.00	0.00	104.00	
			823	Medical Services	105.00	0.00	105.00	
			824	Medical Services	104.00	0.00	104.00	

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			825	Medical Services	105.00	0.00	105.00	
			826	Medical Services	104.00	0.00	104.00	
100267478	4/1/15	WITMER TYSON IMPORTS INC	042015-052915	Training and Conferences	4,500.00	0.00	4,500.00	<b>\$4,500.00</b>
100267479	4/1/15	BT PROPERTIES	111547-37486	Refund Utility Account Credit	998.54	0.00	998.54	<b>\$998.54</b>
100267480	4/1/15	CALMAR LASER INC	114073-49480	Refund Utility Account Credit	89.90	0.00	89.90	<b>\$89.90</b>
100267481	4/1/15	DAVID HEFFERNAN	153061-2432	Refund Utility Account Credit	715.98	0.00	715.98	<b>\$715.98</b>
100267482	4/1/15	DEBBIE LYN'S COSTUMES	46087-51700	Refund Utility Account Credit	73.00	0.00	73.00	<b>\$73.00</b>
100267483	4/1/15	DONG ZHANG	62669-38908	Refund Utility Account Credit	386.65	0.00	386.65	<b>\$386.65</b>
100267484	4/1/15	EBRAHIM ABEDIFARD	15283-9432	Refund Utility Account Credit	250.77	0.00	250.77	<b>\$250.77</b>
100267485	4/1/15	FORTREND CORPORATION	96661-49454	Refund Utility Account Credit	461.10	0.00	461.10	<b>\$461.10</b>
100267486	4/1/15	GRISWOLD LAW APC	178915-31854	Refund Utility Account Credit	214.95	0.00	214.95	<b>\$214.95</b>
100267487	4/1/15	HILL & CO REALTORS	108881-26604	Refund Utility Account Credit	118.64	0.00	118.64	<b>\$629.64</b>
			108881-45422	Refund Utility Account Credit	221.22	0.00	221.22	
			3497-13096	Refund Utility Account Credit	275.48	0.00	275.48	
			3497-50406	Refund Utility Account Credit	14.30	0.00	14.30	
100267488	4/1/15	IRENE GRUTCHFIELD	148295-4292	Refund Utility Account Credit	144.55	0.00	144.55	<b>\$144.55</b>
100267489	4/1/15	JAMES NEUBERT ARCHITECTS	2015-7026	Minor Permit Application Fees - Other	204.50	0.00	204.50	<b>\$204.50</b>
100267490	4/1/15	JENNIFER POLVERARI	137551-74430	Refund Utility Account Credit	196.14	0.00	196.14	<b>\$196.14</b>
100267491	4/1/15	JOE SIMAS	73041-45282	Refund Utility Account Credit	180.76	0.00	180.76	<b>\$180.76</b>
100267492	4/1/15	KEN T HUANG	60973-37868	Refund Utility Account Credit	104.88	0.00	104.88	<b>\$104.88</b>
100267493	4/1/15	LINDA KILIAN	50755-31918	Refund Utility Account Credit	133.28	0.00	133.28	<b>\$133.28</b>
100267494	4/1/15	LOUIS CHAN	153143-35504	Refund Utility Account Credit	48.62	0.00	48.62	<b>\$48.62</b>
100267495	4/1/15	LYNN LEGASPI	131893-12794	Refund Utility Account Credit	106.54	0.00	106.54	<b>\$106.54</b>
100267496	4/1/15	MAK COMPASS REALTY INC	30827-51666	Refund Utility Account Credit	61.16	0.00	61.16	<b>\$61.16</b>
100267497	4/1/15	MARY LEWIS	267459	Refund Recreation Fees	198.00	0.00	198.00	<b>\$198.00</b>
100267498	4/1/15	MICHLEY ELECTRONICS INC	152875-73062	Refund Utility Account Credit	34.36	0.00	34.36	<b>\$34.36</b>
100267499	4/1/15	PARASBHAI JITENDRABHAI SHAH	235574	Lib - Lost & Damaged Circulation	23.99	0.00	23.99	<b>\$23.99</b>
100267500	4/1/15	PAUL DANRICH	165019-32554	Refund Utility Account Credit	167.55	0.00	167.55	<b>\$167.55</b>
100267501	4/1/15	STEVE SCHUMANN	47529-29834	Refund Utility Account Credit	301.75	0.00	301.75	<b>\$301.75</b>
100267502	4/1/15	SUNNYVALE CHAMBER OF COMMERCE	266953	Refund Recreation Fees	400.00	0.00	400.00	<b>\$400.00</b>
100267503	4/1/15	TERRASEP LLC	172341-58600	Refund Utility Account Credit	125.82	0.00	125.82	<b>\$125.82</b>

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100267505	4/3/15	ADVANTEL NETWORKS	6051173	Comm Equip Maintain & Repair - Labor 1	241.25	0.00	241.25	<b>\$241.25</b>
100267506	4/3/15	AIR EXCHANGE INC	35078	Bldg Maint Matls & Supplies	35,588.11	0.00	35,588.11	<b>\$35,588.11</b>
100267507	4/3/15	AIR LIQUIDE AMERICA SPECIALTY GASES LLC	58899624	Supplies, First Aid	181.30	0.00	181.30	<b>\$252.91</b>
			59399669	Inventory Purchase	71.61	0.00	71.61	
100267508	4/3/15	ANDERSON PACIFIC ENGINEERING	AIRFLOAT1+4#10	Construction Services	2,737.00	0.00	2,737.00	<b>\$2,737.00</b>
100267509	4/3/15	ARROWHEAD MOUNTAIN SPRING WATER	05C0028805083	General Supplies	24.27	0.00	24.27	<b>\$125.60</b>
			15C0023249071	General Supplies	31.77	0.00	31.77	
			15C0023360647	General Supplies	5.43	0.00	5.43	
			15C5736476002	General Supplies	13.02	0.00	13.02	
			15C5740132005	Miscellaneous Services	14.01	0.00	14.01	
			15C5740153001	General Supplies	37.10	0.00	37.10	
100267510	4/3/15	ATLAS COPCO COMPRESSORS LLC	453858	Miscellaneous Equipment Parts & Supplies	798.05	0.00	798.05	<b>\$798.05</b>
100267511	4/3/15	BAKER & TAYLOR	4011166833	Library Acquisitions, Books	423.29	0.00	423.29	<b>\$439.80</b>
			4011166833	Library Materials Preprocessing	16.51	0.00	16.51	
100267512	4/3/15	BOETHING TREELAND FARMS INC	SI1007633	Materials - Land Improve	0.00	0.00	0.00	<b>\$1,021.34</b>
			SI-1007633	Materials - Land Improve	876.09	0.00	876.09	
			SI-1007634	Materials - Land Improve	145.25	0.00	145.25	
100267513	4/3/15	BOUND TREE MEDICAL LLC	81738082	Supplies, First Aid	577.73	0.00	577.73	<b>\$577.73</b>
100267514	4/3/15	CDM SMITH	80516466/14	Engineering Services	8,347.77	0.00	8,347.77	<b>\$225,090.78</b>
			80516467	Consultants	216,743.01	0.00	216,743.01	
100267515	4/3/15	CAROLLO ENGINEERS	0140408	Engineering Services	195,332.23	0.00	195,332.23	<b>\$195,332.23</b>
100267516	4/3/15	CENTURY GRAPHICS	41276	Clothing, Uniforms & Access	32.63	0.00	32.63	<b>\$32.63</b>
100267517	4/3/15	COLORMASTERS CUSTOM PAINTING & DECORATING	2077	Facilities Maint & Repair - Labor	420.00	0.00	420.00	<b>\$550.00</b>
			2077	Facilities Maint & Repair - Materials	130.00	0.00	130.00	
100267519	4/3/15	CORINNE O TAKARA	003	General Supplies	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100267520	4/3/15	CORIX WATER PRODUCTS (US) INC	17513002736	Inventory Purchase	672.40	0.00	672.40	<b>\$4,353.78</b>
			17513007726	Inventory Purchase	3,715.55	34.17	3,681.38	
100267521	4/3/15	D W NICHOLSON CORP	4341	Misc Equip Maint & Repair - Labor	8,083.56	0.00	8,083.56	<b>\$8,083.56</b>
100267522	4/3/15	DAVES MOBILE CRANE SERVICE	4040	Misc Equip Maint & Repair - Labor	390.00	0.00	390.00	<b>\$390.00</b>
100267523	4/3/15	DAVID SIMONS	TE03/04-06/15	Training and Conferences	436.16	0.00	436.16	<b>\$436.16</b>

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100267524	4/3/15	DELL MARKETING LP	XJMJ297T3	Computer Hardware	238.93	0.00	238.93	<b>\$9,090.53</b>
			XJMKRF948	Computer Hardware	1,160.86	0.00	1,160.86	
			XJN7C44C9	Computer Hardware	7,690.74	0.00	7,690.74	
100267525	4/3/15	DISCOUNT SCHOOL SUPPLY	W22209080102	General Supplies	135.65	0.00	135.65	<b>\$304.22</b>
			W22235390101	General Supplies	168.57	0.00	168.57	
100267526	4/3/15	DRYCO CONSTRUCTION INC	PRKTNBSKBBL #03	Construction Services	7,827.14	0.00	7,827.14	<b>\$7,827.14</b>
100267528	4/3/15	FEDERAL EXPRESS CORP	2-967-42616	Mailing & Delivery Services	4.94	0.00	4.94	<b>\$64.32</b>
			2-974-89367	Mailing & Delivery Services	59.38	0.00	59.38	
100267529	4/3/15	FISHER SCIENTIFIC CO LLC	3128614	General Supplies	109.81	0.00	109.81	<b>\$802.19</b>
			3128615	General Supplies	158.65	0.00	158.65	
			3176201	General Supplies	194.16	0.00	194.16	
			3221459	General Supplies	339.57	0.00	339.57	
100267530	4/3/15	GRAYBAR ELECTRIC CO INC	977861089	Comm Equip Maintain & Repair - Materials 2	101.31	0.00	101.31	<b>\$695.75</b>
			977876492	Comm Equip Maintain & Repair - Materials 2	594.44	0.00	594.44	
100267531	4/3/15	GUERRA CONSTRUCTION GROUP	BYLNDSRKEQ #01	Construction Services	33,250.00	0.00	33,250.00	<b>\$33,250.00</b>
100267532	4/3/15	GURDEEP KAUR CHAWLA	CR15-2082	Investigation Expense	250.00	0.00	250.00	<b>\$250.00</b>
100267533	4/3/15	HACH CO INC	9275230	General Supplies	292.98	0.00	292.98	<b>\$292.98</b>
100267535	4/3/15	HAWKINS TRAFFIC SAFETY SUPPLY	INV000439	Materials - Land Improve	517.37	0.00	517.37	<b>\$517.37</b>
100267536	4/3/15	HEXAGON TRANSPORTATION CONSULTANTS INC	8807	Consultants	16,000.00	0.00	16,000.00	<b>\$16,000.00</b>
100267537	4/3/15	HYBRID COMMERCIAL PRINTING INC	25140	Printing & Related Services	299.06	0.00	299.06	<b>\$2,635.01</b>
			25149	Printing & Related Services	542.66	0.00	542.66	
			25150	Printing & Related Services	1,397.44	0.00	1,397.44	
			25158	Printing & Related Services	395.85	0.00	395.85	
100267538	4/3/15	IDEXX DISTRIBUTION GROUP	286513432	General Supplies	2,153.17	0.00	2,153.17	<b>\$2,153.17</b>
100267539	4/3/15	INDUSTRIAL SAFETY SUPPLY CORP	1013769	Safety Equipment Maintenance & Repair	7,280.82	0.00	7,280.82	<b>\$7,323.92</b>
			1014089	Miscellaneous Equipment Parts & Supplies	43.10	0.00	43.10	
100267540	4/3/15	INTERSTATE SALES	9938	Materials - Land Improve	1,256.06	0.00	1,256.06	<b>\$1,256.06</b>



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100267541	4/3/15	JMB CONSTRUCTION INC	STRMSYSTRSH #06	Construction Services	104,428.75	0.00	104,428.75	<b>\$104,428.75</b>
100267542	4/3/15	JOHNSON ROBERTS & ASSOC INC	124900	Investigation Expense	39.00	0.00	39.00	<b>\$39.00</b>
100267543	4/3/15	KAREN L PIKE	KLP300-03	Medical Services	4,000.00	0.00	4,000.00	<b>\$4,000.00</b>
100267544	4/3/15	KELLY PAPER CO	7165218	General Supplies	202.64	0.00	202.64	<b>\$546.29</b>
			7165420	General Supplies	343.65	0.00	343.65	
100267545	4/3/15	KEN OLEVSON	TE03/04-06/15	Training and Conferences	742.45	0.00	742.45	<b>\$742.45</b>
100267546	4/3/15	KOHLWEISS AUTO PARTS INC	01OE5739	Inventory Purchase	236.56	4.73	231.83	<b>\$231.83</b>
100267547	4/3/15	L N CURTIS & SONS INC	1349417-01	Inventory Purchase	406.51	0.00	406.51	<b>\$1,467.91</b>
			1349417-02	Inventory Purchase	1,061.40	0.00	1,061.40	
100267548	4/3/15	LARRY KLEIN	TE03/04-06/15	Training and Conferences	533.78	0.00	533.78	<b>\$533.78</b>
100267549	4/3/15	LEARNINGTECH.ORG	2015_4556	Professional Services	2,400.00	0.00	2,400.00	<b>\$2,400.00</b>
100267550	4/3/15	LEHR AUTO ELECTRIC	01 108262	Parts, Vehicles & Motor Equip	257.12	0.00	257.12	<b>\$3,483.13</b>
			01 109209	Parts, Vehicles & Motor Equip	174.28	0.00	174.28	
			01 109275	Vehicles & Motorized Equip	3,051.73	0.00	3,051.73	
100267551	4/3/15	MCMASTER CARR SUPPLY CO	26278113	Hand Tools	218.79	0.00	218.79	<b>\$480.73</b>
			26295072	Miscellaneous Equipment Parts & Supplies	42.81	0.00	42.81	
			26312145	Miscellaneous Equipment Parts & Supplies	74.84	0.00	74.84	
			26312146	Miscellaneous Equipment Parts & Supplies	23.46	0.00	23.46	
			26324117	General Supplies	9.61	0.00	9.61	
			26532743	General Supplies	17.81	0.00	17.81	
			26589158	Hand Tools	59.06	0.00	59.06	
			26589159	Miscellaneous Equipment Parts & Supplies	34.35	0.00	34.35	
100267552	4/3/15	MEYERS NAVE	2015020739	Legal Services	11,627.00	0.00	11,627.00	<b>\$13,689.50</b>
			2015020740	Legal Services	2,062.50	0.00	2,062.50	
100267553	4/3/15	MIDWEST TAPE	92604891	Library Technology Services	846.58	0.00	846.58	<b>\$846.58</b>
100267554	4/3/15	OLDCASTLE PRECAST INC	500007284	Construction Services	750.00	0.00	750.00	<b>\$750.00</b>
100267555	4/3/15	OTIS ELEVATOR COMPANY	SJ66427215	Facilities Maint & Repair - Labor	1,369.11	0.00	1,369.11	<b>\$1,369.11</b>
100267557	4/3/15	PACIFIC COAST TRANE CONTROLS	S73042	Facilities Maint & Repair - Labor	1,675.00	0.00	1,675.00	<b>\$1,675.00</b>
100267558	4/3/15	PACIFIC JANITORIAL SUPPLY CO	30029037	Inventory Purchase	463.06	0.00	463.06	<b>\$463.06</b>
100267559	4/3/15	PAPE MACHINERY	9369430	Parts, Vehicles & Motor Equip	408.72	0.00	408.72	<b>\$408.72</b>

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<b>Payment No.</b>	<b>Payment Date</b>	<b>Vendor Name</b>	<b>Invoice No.</b>	<b>Description</b>	<b>Invoice Amount</b>	<b>Discount Taken</b>	<b>Amount Paid</b>	<b>Payment Total</b>
100267560	4/3/15	PATSONS MEDIA GROUP	172835	Printing & Related Services	560.00	0.00	560.00	<b>\$3,819.85</b>
			172836	Printing & Related Services	85.91	0.00	85.91	
			172837	Printing & Related Services	70.69	0.00	70.69	
			172859	Printing & Related Services	478.50	0.00	478.50	
			172860	Printing & Related Services	1,435.50	0.00	1,435.50	
			173144	Printing & Related Services	70.69	0.00	70.69	
			173148	Printing & Related Services	536.74	0.00	536.74	
			173151	Printing & Related Services	244.69	0.00	244.69	
			173153	Printing & Related Services	152.25	0.00	152.25	
			173154	Printing & Related Services	184.88	0.00	184.88	
100267561	4/3/15	PINE CONE LUMBER CO INC	580728	General Supplies	270.03	0.00	270.03	<b>\$270.03</b>
100267562	4/3/15	POLYDYNE INC	952970	Chemicals	47,848.40	0.00	47,848.40	<b>\$47,848.40</b>
100267563	4/3/15	RANKIN STOCK HEABERLIN	32553	Legal Services	2,238.50	0.00	2,238.50	<b>\$5,174.31</b>
			32554	Legal Services	1,788.51	0.00	1,788.51	
			32555	Legal Services	1,147.30	0.00	1,147.30	
100267564	4/3/15	REED & GRAHAM INC	829756	Materials - Land Improve	47.50	0.00	47.50	<b>\$2,168.79</b>
			829838	Materials - Land Improve	95.00	0.00	95.00	
			829934	Materials - Land Improve	47.50	0.00	47.50	
			830025	Materials - Land Improve	1,978.79	0.00	1,978.79	
100267565	4/3/15	ROBERT A BOTHMAN INC	ORCHARDGRD N#02	Construction Services	164,642.88	0.00	164,642.88	<b>\$164,642.88</b>
100267566	4/3/15	ROYAL BRASS INC	753475-001	Parts, Vehicles & Motor Equip	86.69	0.00	86.69	<b>\$539.05</b>
			754660-001	Parts, Vehicles & Motor Equip	406.21	0.00	406.21	
			755732-001	Parts, Vehicles & Motor Equip	35.97	0.00	35.97	
			755745-001	Parts, Vehicles & Motor Equip	10.18	0.00	10.18	
100267567	4/3/15	S & L FENCE CO	03650	Facilities Maint & Repair - Labor	2,487.30	0.00	2,487.30	<b>\$3,179.54</b>
			03652	Facilities Maint & Repair - Labor	692.24	0.00	692.24	
100267568	4/3/15	SC FUELS	2719746	Inventory Purchase	18,286.05	0.00	18,286.05	<b>\$18,286.05</b>
100267569	4/3/15	SAFARILAND LLC	115-044548	General Supplies	384.68	0.00	384.68	<b>\$384.68</b>
100267570	4/3/15	SANDERSON SAFETY SUPPLY CO	8084566-03	Inventory Purchase	10.11	0.09	10.02	<b>\$10.02</b>
100267571	4/3/15	STATCOMM INC	99325	Facilities Maint & Repair - Labor	375.00	0.00	375.00	<b>\$650.00</b>

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			99393	Facilities Maint & Repair - Labor	275.00	0.00	275.00	
100267572	4/3/15	SUE HARRISON	TE03/04-06/15	Training and Conferences	444.25	0.00	444.25	<b>\$444.25</b>
100267573	4/3/15	SUNNYVALE BUILDING MAINTENANCE	97839	Professional Services	145.00	0.00	145.00	<b>\$320.00</b>
			97895	Professional Services	175.00	0.00	175.00	
100267575	4/3/15	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DENTAL0415	Insurances - Dental	28,812.75	0.00	28,812.75	<b>\$28,812.75</b>
100267576	4/3/15	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DISABILITY0415	Insurances - Long Term Disability	3,591.00	0.00	3,591.00	<b>\$3,591.00</b>
100267577	4/3/15	SUNNYVALE WINDUSTRIAL CO INC	638909 02	Miscellaneous Equipment Parts & Supplies	137.07	0.00	137.07	<b>\$137.07</b>
100267578	4/3/15	SUSTAINABLE LANDSCAPE DESIGNS	20150330	Services Maintain Land Improv	375.00	0.00	375.00	<b>\$375.00</b>
100267579	4/3/15	SYNAGRO-WWT INC	03-101769	Miscellaneous Services	361,349.98	0.00	361,349.98	<b>\$361,349.98</b>
100267580	4/3/15	TRI DIM FILTER CORP	1598326-1	Bldg Maint Matls & Supplies	330.58	0.00	330.58	<b>\$330.58</b>
100267581	4/3/15	TRIDENT CONTRACTORS INC	CRBRMPS2015#01	Construction Services	57,349.44	0.00	57,349.44	<b>\$57,349.44</b>
100267582	4/3/15	TURF STAR INC	6885844-00	Parts, Vehicles & Motor Equip	247.98	0.00	247.98	<b>\$452.68</b>
			6886291-00	Parts, Vehicles & Motor Equip	134.77	0.00	134.77	
			6886921-00	Parts, Vehicles & Motor Equip	69.93	0.00	69.93	
100267583	4/3/15	USA BLUEBOOK	592529	General Supplies	84.53	0.00	84.53	<b>\$84.53</b>
100267585	4/3/15	VMI INC	233390	Miscellaneous Services	220.00	0.00	220.00	<b>\$220.00</b>
100267586	4/3/15	VWR INTERNATIONAL LLC	8040751117	General Supplies	94.63	0.00	94.63	<b>\$227.74</b>
			8040751118	General Supplies	27.73	0.00	27.73	
			8040759646	General Supplies	13.18	0.00	13.18	
			8040759647	General Supplies	92.20	0.00	92.20	
100267587	4/3/15	VALLEY OIL CO	29576	Fuel, Oil & Lubricants	607.70	0.00	607.70	<b>\$607.70</b>
100267588	4/3/15	WHCI PLUMBING SUPPLY	S2005819.001	Bldg Maint Matls & Supplies	1,048.79	0.00	1,048.79	<b>\$2,535.51</b>
			S2007419.001	Bldg Maint Matls & Supplies	1,486.72	0.00	1,486.72	
100267589	4/3/15	WALKER PROCESS EQUIPMENT	INV010494	Miscellaneous Equipment Parts & Supplies	9,486.98	0.00	9,486.98	<b>\$9,486.98</b>
100267590	4/3/15	WEST COAST RUBBER & RECYCLING INC	15-589	Auto Maint & Repair - Labor	111.00	0.00	111.00	<b>\$122.10</b>
			15-589	Auto Maint & Repair - Materials	11.10	0.00	11.10	
100267591	4/3/15	ZALCO LABORATORIES	1503131	Miscellaneous Services	355.00	0.00	355.00	<b>\$355.00</b>
100267592	4/3/15	FIRST STUDENT INC	REF#7158218	Travel Related Services	660.09	0.00	660.09	<b>\$660.09</b>
100267593	4/3/15	610 WEDDELL-SUNNYVALE LLC	PROJ#2013-7240	Miscellaneous Payment	789.75	0.00	789.75	<b>\$789.75</b>

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100267594	4/3/15	ACTION PROPERTIES	162885-72462	Refund Utility Account Credit	221.76	0.00	221.76	<b>\$221.76</b>
100267595	4/3/15	ANNE BURNEY	151459-11584	Refund Utility Account Credit	163.98	0.00	163.98	<b>\$163.98</b>
100267596	4/3/15	CATHERINE O'NEILL	12621-7840	Refund Utility Account Credit	254.31	0.00	254.31	<b>\$403.21</b>
			12621-7842	Refund Utility Account Credit	148.90	0.00	148.90	
100267597	4/3/15	DEVCON CONSTRUCTION	26195-49134	Refund Utility Account Credit	408.99	0.00	408.99	<b>\$408.99</b>
100267598	4/3/15	EVERGREEN GLOBAL SOLUTIONS	167149-69874	Refund Utility Account Credit	112.44	0.00	112.44	<b>\$112.44</b>
100267599	4/3/15	JDW ENTERPRISES INC	106437-32476	Refund Utility Account Credit	228.80	0.00	228.80	<b>\$228.80</b>
100267600	4/3/15	MRS P Y G LEE	54825-34074	Refund Utility Account Credit	1,395.96	0.00	1,395.96	<b>\$1,395.96</b>
100267601	4/3/15	RAINTREE EVERGREEN MANAGEMENT LLC	PROJ#2013-7240	Miscellaneous Payment	3,972.10	0.00	3,972.10	<b>\$3,972.10</b>
100267602	4/3/15	SRGNC LLC	PROJ#2013-7240	Miscellaneous Payment	3,182.36	0.00	3,182.36	<b>\$3,182.36</b>
100267603	4/3/15	TOLL BROTHERS INC	127105-76098	Refund Utility Account Credit	100.44	0.00	100.44	<b>\$100.44</b>
100267604	4/3/15	XL CONSTRUCTION	165603-6014	Refund Utility Account Credit	20.43	0.00	20.43	<b>\$22.43</b>
			165603-73468	Refund Utility Account Credit	2.00	0.00	2.00	
100267605	4/3/15	ZAHRA STAHL	94625-58224	Refund Utility Account Credit	177.90	0.00	177.90	<b>\$177.90</b>
950002377	4/3/15	INTERNAL REVENUE SERVICE	950002377	Employer Taxes - FICA - Total	343.08	0.00	343.08	<b>\$49,025.26</b>
			950002377	Employer Taxes - Medicare - Total	48,682.18	0.00	48,682.18	
950002378	4/2/15	ICMA RETIREMENT CORP	950002378	Retirement Benefits - Deferred Comp - City Portion	10,451.35	0.00	10,451.35	<b>\$11,548.25</b>
			950002378	Retirement Benefits - PARS	1,096.90	0.00	1,096.90	
<b>Grand Total Payment Amount</b>								<b><u>\$2,803,352.52</u></b>

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100267606	4/8/15	AAA SPEEDY SMOG TEST ONLY STATION	17863	Auto Maint & Repair - Labor	40.00	0.00	40.00	<b>\$160.00</b>
			17886	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			17930	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			17935	Auto Maint & Repair - Labor	40.00	0.00	40.00	
100267607	4/8/15	ACE FIRE EQUIPMENT & SERVICE CO INC	126617	Inventory Purchase	331.08	0.00	331.08	<b>\$331.08</b>
100267608	4/8/15	ADVANCED GRAPHIX INC	191929	Vehicles & Motorized Equip	975.00	0.00	975.00	<b>\$975.00</b>
100267609	4/8/15	ALAMEDA COUNTY SHERIFFS OFFICE	3814	Real Property Rental/Lease	400.00	0.00	400.00	<b>\$400.00</b>
100267610	4/8/15	AMFASOFT CORP	SHASHIKANTH -01	DED Services/Training - Training	3,712.50	0.00	3,712.50	<b>\$3,712.50</b>
100267611	4/8/15	APPLEONE EMPLOYMENT SERVICES	01-3592492	Contracts/Service Agreements	1,525.95	0.00	1,525.95	<b>\$3,804.57</b>
			01-3601569	Contracts/Service Agreements	2,278.62	0.00	2,278.62	
100267612	4/8/15	AZTEC CONSULTANTS	ANAEROBC123 #15	Construction Services	357,443.22	0.00	357,443.22	<b>\$357,443.22</b>
100267613	4/8/15	BAKER & TAYLOR	4011180562	Library Acquisitions, Books	356.41	0.00	356.41	<b>\$372.18</b>
			4011180562	Library Materials Preprocessing	15.77	0.00	15.77	
100267614	4/8/15	BAY AREA POLYGRAPH	587	Investigation Expense	2,200.00	0.00	2,200.00	<b>\$2,200.00</b>
100267615	4/8/15	BAY AREA WATER SUPPLY & CONSERVATION ACY	2615	Membership Fees	37,056.34	0.00	37,056.34	<b>\$37,056.34</b>
100267616	4/8/15	BOUND TREE MEDICAL LLC	81746082	Inventory Purchase	5,311.35	0.00	5,311.35	<b>\$5,311.35</b>
100267617	4/8/15	BURTONS FIRE INC	S27175	Parts, Vehicles & Motor Equip	261.45	0.00	261.45	<b>\$261.45</b>
100267618	4/8/15	CSAC EXCESS INSURANCE AUTHORITY	15401247	Insurances - Dental	13,349.76	0.00	13,349.76	<b>\$13,349.76</b>
100267619	4/8/15	CALCON SYSTEMS INC	35267	Contracts/Service Agreements	660.72	0.00	660.72	<b>\$1,103.72</b>
			35355	Contracts/Service Agreements	443.00	0.00	443.00	
100267620	4/8/15	CALIFORNIA DEPT OF GENERAL SERVICES	1407198	Utilities - Gas	12,015.89	0.00	12,015.89	<b>\$12,015.89</b>
100267622	4/8/15	CENTURY GRAPHICS	41372	Clothing, Uniforms & Access	191.94	0.00	191.94	<b>\$191.94</b>
100267623	4/8/15	CLEANSOURCE INC	1616785-00	Inventory Purchase	1,387.72	0.00	1,387.72	<b>\$1,387.72</b>
100267624	4/8/15	CORIX WATER PRODUCTS (US) INC	17513005119	Water Backflow Valves	245.67	0.00	245.67	<b>\$7,800.16</b>
			17513006596	Water Backflow Valves	410.53	0.00	410.53	
			17513007407	Inventory Purchase	104.29	0.96	103.33	

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			17513008301	Inventory Purchase	437.18	4.02	433.16	
			17513008304	Inventory Purchase	6,688.13	61.50	6,626.63	
			17513008311	Inventory Purchase	131.04	1.21	129.83	
			1751500720	Inventory Purchase	-148.99	0.00	-148.99	
100267625	4/8/15	CUBE SOLUTIONS	16672	Occupational Health and Safety Services	646.99	0.00	646.99	<b>\$646.99</b>
100267626	4/8/15	DAVIDOVITZ & BENNETT LLP	9221	Legal Services	6,966.93	0.00	6,966.93	<b>\$6,966.93</b>
100267627	4/8/15	DELL MARKETING LP	XJN92DC58	Computer Hardware	65,220.59	0.00	65,220.59	<b>\$66,068.59</b>
			XJN9R5869	Hardware Maintenance	848.00	0.00	848.00	
100267628	4/8/15	DELTA DENTAL INSURANCE CO	BE001098528	Insurances - Dental	1,454.42	0.00	1,454.42	<b>\$1,454.42</b>
100267629	4/8/15	DEPARTMENT OF JUSTICE	084606	Contracts/Service Agreements	897.00	0.00	897.00	<b>\$897.00</b>
100267630	4/8/15	DRYCO CONSTRUCTION INC	PRKTNSBSKBL #04	Construction Services	10,952.31	0.00	10,952.31	<b>\$10,952.31</b>
100267631	4/8/15	ELECTRO-MOTION INC	1503294	Facilities Maint & Repair - Labor	1,118.28	0.00	1,118.28	<b>\$1,570.08</b>
			1503296	Facilities Maint & Repair - Labor	451.80	0.00	451.80	
100267632	4/8/15	EMPIRE SAFETY & SUPPLY	0070833-IN	Inventory Purchase	1,327.62	0.00	1,327.62	<b>\$1,327.62</b>
100267633	4/8/15	ERLER & KALINOWSKI INC	39	Consultants	2,988.78	0.00	2,988.78	<b>\$2,988.78</b>
100267634	4/8/15	FEDERAL EXPRESS CORP	2-974-67094	Postage	51.00	0.00	51.00	<b>\$83.19</b>
			2-975-54093	Mailing & Delivery Services	9.52	0.00	9.52	
			2-981-84600	Mailing & Delivery Services	10.72	0.00	10.72	
			2-982-17645	Postage	11.95	0.00	11.95	
100267635	4/8/15	FERGUSON ENTERPRISES INC	1071333	Construction Services	1,445.80	0.00	1,445.80	<b>\$1,445.80</b>
100267636	4/8/15	FERRARA FIRE APPARATUS INC	INV0000W70327	Parts, Vehicles & Motor Equip	84.13	0.00	84.13	<b>\$84.13</b>
100267637	4/8/15	FIX AIR	305239	Bldg Maint Matls & Supplies	1,141.89	0.00	1,141.89	<b>\$1,141.89</b>
100267638	4/8/15	FLAGSHIP FLEET MANAGEMENT LLC	436	Software Licensing & Support	880.00	0.00	880.00	<b>\$880.00</b>
100267639	4/8/15	FOSTER BROS SECURITY SYSTEMS INC	267562	Bldg Maint Matls & Supplies	24.29	0.00	24.29	<b>\$24.29</b>
100267640	4/8/15	FREEDMAN TUNG + SASAKI	1217	Professional Services	33,736.94	0.00	33,736.94	<b>\$33,736.94</b>
100267641	4/8/15	GARDENLAND POWER EQUIPMENT	273832	Misc Equip Maint & Repair - Materials	50.07	0.00	50.07	<b>\$50.07</b>
100267642	4/8/15	GENERAL BUSINESS MACHINES	105346	Miscellaneous Services	156.53	0.00	156.53	<b>\$156.53</b>
100267643	4/8/15	GOLDER ASSOC INC	409805	Engineering Services	577.80	0.00	577.80	<b>\$577.80</b>
100267644	4/8/15	GRAINGER	9703650565	Inventory Purchase	452.33	0.00	452.33	<b>\$452.33</b>
100267645	4/8/15	GRANITE CONSTRUCTION CO	782571	Materials - Land Improve	3,459.37	0.00	3,459.37	<b>\$21,147.79</b>

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			783155	Materials - Land Improve	986.58	0.00	986.58	
			783553	Materials - Land Improve	4,435.81	0.00	4,435.81	
			783696	Materials - Land Improve	3,947.08	0.00	3,947.08	
			784328	Materials - Land Improve	3,795.60	0.00	3,795.60	
			784344	Materials - Land Improve	4,523.35	0.00	4,523.35	
100267647	4/8/15	HLP INC	10490	Software Licensing & Support	2,349.00	0.00	2,349.00	<b>\$2,349.00</b>
100267648	4/8/15	HAO EXPRESSION	SRC559804	Rec Instructors/Officials	889.50	0.00	889.50	<b>\$889.50</b>
100267649	4/8/15	HI-TECH OPTICAL INC	616265	Benefits and Incentives - Prescription Safety Glasses	166.50	0.00	166.50	<b>\$1,321.00</b>
			616266	Benefits and Incentives - Prescription Safety Glasses	166.50	0.00	166.50	
			616267	Benefits and Incentives - Prescription Safety Glasses	148.50	0.00	148.50	
			616270	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			617921	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
			617926	Benefits and Incentives - Prescription Safety Glasses	182.50	0.00	182.50	
			617937	Benefits and Incentives - Prescription Safety Glasses	157.00	0.00	157.00	
			619495	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
100267650	4/8/15	HYDROSCIENCE ENGINEERS INC	262001064	Professional Services	8,408.20	0.00	8,408.20	<b>\$8,408.20</b>
100267651	4/8/15	IMAGEX	200428	Printing & Related Services	517.28	0.00	517.28	<b>\$1,596.79</b>
			200498	Printing & Related Services	872.89	0.00	872.89	
			200971	Printing & Related Services	206.62	0.00	206.62	
100267652	4/8/15	INDEPENDENT ELECTRIC SUPPLY INC	S102252803.001	Bldg Maint Matls & Supplies	18.88	0.00	18.88	<b>\$18.88</b>
100267653	4/8/15	INGRAM LIBRARY SERVICES INC	84365879	Library Acquisitions, Books	-123.16	0.00	-123.16	<b>\$25,924.81</b>
			84532250	Library Acquisitions, Books	20.91	0.00	20.91	
			84532251	Library Acquisitions, Books	388.72	0.00	388.72	
			84532252	Library Acquisitions, Books	5,686.77	0.00	5,686.77	
			84532252	Library Materials Preprocessing	410.31	0.00	410.31	

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			84532253	Library Acquisitions, Books	2,011.50	0.00	2,011.50	
			84532253	Library Materials Preprocessing	147.27	0.00	147.27	
			84532254	Library Acquisitions, Books	3,381.19	0.00	3,381.19	
			84532254	Library Materials Preprocessing	231.53	0.00	231.53	
			84532255	Library Acquisitions, Books	2,348.28	0.00	2,348.28	
			84532255	Library Materials Preprocessing	222.01	0.00	222.01	
			84532256	Library Acquisitions, Books	7,675.32	0.00	7,675.32	
			84532256	Library Materials Preprocessing	953.98	0.00	953.98	
			84532257	Library Acquisitions, Books	2,390.67	0.00	2,390.67	
			84532257	Library Materials Preprocessing	179.51	0.00	179.51	
100267655	4/8/15	IRVINE & JACHENS INC	9829	Clothing, Uniforms & Access	483.06	0.00	483.06	<b>\$483.06</b>
100267656	4/8/15	KELLY MOORE PAINT CO INC	820-254946	Bldg Maint Matls & Supplies	63.24	0.00	63.24	<b>\$63.24</b>
100267657	4/8/15	KENNEDY JENKS CONSULTANTS	91020	HazMat Disposal - Hazardous Waste Disposal	900.90	0.00	900.90	<b>\$900.90</b>
100267658	4/8/15	KOHLWEISS AUTO PARTS INC	01OE5300	Parts, Vehicles & Motor Equip	49.24	0.00	49.24	<b>\$138.44</b>
			01OE5808	Parts, Vehicles & Motor Equip	8.06	0.00	8.06	
			01OE6125	Parts, Vehicles & Motor Equip	16.11	0.00	16.11	
			01OE8403	Inventory Purchase	66.36	1.33	65.03	
100267659	4/8/15	L N CURTIS & SONS INC	1350182-00	Inventory Purchase	530.70	0.00	530.70	<b>\$1,393.09</b>
			1351169-00	Inventory Purchase	862.39	0.00	862.39	
100267660	4/8/15	LC ACTION POLICE SUPPLY	327870	Clothing, Uniforms & Access	28.55	0.00	28.55	<b>\$28.55</b>
100267661	4/8/15	LANDTEC NORTH AMERICA INC	0122487-IN	Misc Equip Maint & Repair - Labor	762.92	0.00	762.92	<b>\$762.92</b>
100267662	4/8/15	LAW ENFORCEMENT PSYCHOLOGICAL SERV INC	1503744	Investigation Expense	1,250.00	0.00	1,250.00	<b>\$2,375.00</b>
			1503745	Investigation Expense	1,125.00	0.00	1,125.00	
100267663	4/8/15	LISA MOREL	032515PURCHASE	DED Services/Training - Books	32.98	0.00	32.98	<b>\$32.98</b>
100267664	4/8/15	MALLORY SAFETY & SUPPLY LLC	3929810	Inventory Purchase	156.60	0.00	156.60	<b>\$168.96</b>
			3929814	Inventory Purchase	12.36	0.00	12.36	
100267665	4/8/15	MCMASTER CARR SUPPLY CO	26714267	Chemicals	119.89	0.00	119.89	<b>\$348.78</b>
			26752805	Miscellaneous Equipment Parts & Supplies	25.70	0.00	25.70	
			26752806	Miscellaneous Equipment Parts & Supplies	203.19	0.00	203.19	
100267666	4/8/15	MIDWEST TAPE	92673573	Library Acquis, Audio/Visual	1,977.22	0.00	1,977.22	<b>\$2,962.79</b>



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100267667	4/8/15	MISSION LINEN SERVICE	92679528	Library Acquis, Audio/Visual	293.50	0.00	293.50	<b>\$1,277.43</b>
			92702193	Library Technology Services	692.07	0.00	692.07	
			470241312-2015	Laundry & Cleaning Services	49.25	0.00	49.25	
			470246398	Laundry & Cleaning Services	53.39	0.00	53.39	
			470246722	Laundry & Cleaning Services	39.82	0.00	39.82	
			470247064-2015	Laundry & Cleaning Services	50.94	0.00	50.94	
			470247376	Laundry & Cleaning Services	18.27	0.00	18.27	
			470247381	Laundry & Cleaning Services	49.25	0.00	49.25	
			470247382	Laundry & Cleaning Services	65.42	0.00	65.42	
			470247921	Laundry & Cleaning Services	53.39	0.00	53.39	
			470248243	Laundry & Cleaning Services	39.82	0.00	39.82	
			470248581	Laundry & Cleaning Services	50.94	0.00	50.94	
			470248895	Laundry & Cleaning Services	18.27	0.00	18.27	
			470248900	Laundry & Cleaning Services	49.25	0.00	49.25	
			470248901	Laundry & Cleaning Services	76.54	0.00	76.54	
			470249442	Laundry & Cleaning Services	53.39	0.00	53.39	
			470249767	Laundry & Cleaning Services	39.82	0.00	39.82	
			470250114	Laundry & Cleaning Services	50.94	0.00	50.94	
			470250428	Laundry & Cleaning Services	18.27	0.00	18.27	
			470250433	Laundry & Cleaning Services	49.25	0.00	49.25	
			470250434	Laundry & Cleaning Services	65.42	0.00	65.42	
			470250977	Laundry & Cleaning Services	53.39	0.00	53.39	
			470251298	Laundry & Cleaning Services	43.18	0.00	43.18	
			470251637	Laundry & Cleaning Services	50.94	0.00	50.94	
			470251952	Laundry & Cleaning Services	19.28	0.00	19.28	
			470251957	Laundry & Cleaning Services	45.89	0.00	45.89	
			470251958	Laundry & Cleaning Services	76.54	0.00	76.54	
			470252500	Laundry & Cleaning Services	53.39	0.00	53.39	
			470252823	Laundry & Cleaning Services	43.18	0.00	43.18	
100267670	4/8/15	MUNICIPAL MAINTENANCE EQUIPMENT INC	0098820-IN	Parts, Vehicles & Motor Equip	2,843.83	0.00	2,843.83	<b>\$2,864.16</b>
			0099024-IN	Parts, Vehicles & Motor Equip	20.33	0.00	20.33	

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100267671	4/8/15	NAPA AUTO PARTS	165287	Parts, Vehicles & Motor Equip	46.51	0.00	46.51	<b>\$251.47</b>
			166979	Parts, Vehicles & Motor Equip	126.79	0.00	126.79	
			166991	Parts, Vehicles & Motor Equip	13.39	0.00	13.39	
			167063	Parts, Vehicles & Motor Equip	8.12	0.00	8.12	
			167144	Parts, Vehicles & Motor Equip	19.87	0.00	19.87	
			167151	Parts, Vehicles & Motor Equip	-8.12	0.00	-8.12	
			167367	Parts, Vehicles & Motor Equip	7.96	0.00	7.96	
			167628	Parts, Vehicles & Motor Equip	36.95	0.00	36.95	
100267672	4/8/15	NI GOVERNMENT SERVICES INC	5020970105	Miscellaneous Services	84.05	0.00	84.05	<b>\$84.05</b>
100267673	4/8/15	NET TRANSCRIPTS INC	031315-124	Investigation Expense	39.80	0.00	39.80	<b>\$39.80</b>
100267674	4/8/15	NETFILE	4008	Software As a Service	4,162.50	0.00	4,162.50	<b>\$4,162.50</b>
100267675	4/8/15	P&R PAPER SUPPLY CO INC	30022087-00	Inventory Purchase	-23.81	0.00	-23.81	<b>\$1,766.08</b>
			30031400-00	Inventory Purchase	1,789.89	0.00	1,789.89	
100267676	4/8/15	PAYFLEX SYSTEMS USA INC	000211234	Miscellaneous Payment	830.00	0.00	830.00	<b>\$830.00</b>
100267677	4/8/15	PAYFLEX SYSTEMS USA INC	130534-648040	Professional Services	150.00	0.00	150.00	<b>\$180.00</b>
			130536-648042	Professional Services	30.00	0.00	30.00	
100267678	4/8/15	PANKEYS RADIATOR SHOP INC	224642	Parts, Vehicles & Motor Equip	2,578.21	0.00	2,578.21	<b>\$2,578.21</b>
100267679	4/8/15	PEARSON BUICK GMC	253711	Parts, Vehicles & Motor Equip	22.70	0.00	22.70	<b>\$23.76</b>
			254139	Parts, Vehicles & Motor Equip	67.72	0.00	67.72	
			CM251925	Parts, Vehicles & Motor Equip	-66.66	0.00	-66.66	
100267680	4/8/15	PETERSON TRUCKS	404995	Auto Maint & Repair - Labor	729.60	0.00	729.60	<b>\$761.51</b>
			404995	Auto Maint & Repair - Materials	31.91	0.00	31.91	
100267681	4/8/15	PRIORITY 1 PUBLIC SAFETY EQUIPMENT	4969	Parts, Vehicles & Motor Equip	600.00	0.00	600.00	<b>\$14,503.38</b>
			4971	Vehicles & Motorized Equip	3,481.64	0.00	3,481.64	
			4972	Vehicles & Motorized Equip	2,990.95	0.00	2,990.95	
			4974	Vehicles & Motorized Equip	3,102.91	0.00	3,102.91	
			4975	Vehicles & Motorized Equip	750.00	0.00	750.00	
			4982	Vehicles & Motorized Equip	96.24	0.00	96.24	
			4983	Vehicles & Motorized Equip	3,481.64	0.00	3,481.64	
100267682	4/8/15	R E P NUT N BOLT GUY	26039	Inventory Purchase	358.80	0.00	358.80	<b>\$358.80</b>
100267683	4/8/15	RAYVERN LIGHTING SUPPLY CO INC	32789-0	Inventory Purchase	1,277.60	0.00	1,277.60	<b>\$1,788.64</b>

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			32806-0	Inventory Purchase	511.04	0.00	511.04	
100267684	4/8/15	REED & GRAHAM INC	830224	Materials - Land Improve	188.00	0.00	188.00	<b>\$188.00</b>
100267685	4/8/15	SCS FIELD SERVICES INC	0250754	Engineering Services	660.63	0.00	660.63	<b>\$660.63</b>
100267686	4/8/15	SAFETY KLEEN SYSTEMS INC	66080804	General Supplies	299.58	0.00	299.58	<b>\$299.58</b>
100267687	4/8/15	SAFEWAY INC	439035-032515	General Supplies	29.20	0.00	29.20	<b>\$103.83</b>
			802041-040115	Employee Recognition Expenses	74.63	0.00	74.63	
100267688	4/8/15	SAN DIEGO POLICE EQUIPMENT CO	616847	Ammunition	4,674.02	0.00	4,674.02	<b>\$4,674.02</b>
100267689	4/8/15	SAN JOSE BMW	4230724	Parts, Vehicles & Motor Equip	109.62	0.00	109.62	<b>\$109.62</b>
100267690	4/8/15	SANDERSON SAFETY SUPPLY CO	8084644-01	Inventory Purchase	1,076.63	9.90	1,066.73	<b>\$1,422.31</b>
			8084644-03	Inventory Purchase	358.88	3.30	355.58	
100267692	4/8/15	SIERRA CHEMICAL CO	SLS10018919	Chemicals	2,616.06	0.00	2,616.06	<b>\$2,616.06</b>
100267693	4/8/15	SMART & FINAL INC	147705-033015	General Supplies	30.76	0.00	30.76	<b>\$119.03</b>
			149662-040215	Food Products	88.27	0.00	88.27	
100267694	4/8/15	STEVENS CREEK CHRYSLER JEEP DODGE	319452	Parts, Vehicles & Motor Equip	88.77	0.00	88.77	<b>\$88.77</b>
100267695	4/8/15	STEVENS CREEK QUARRY INC	6070	Materials - Land Improve	398.00	0.00	398.00	<b>\$398.00</b>
100267696	4/8/15	SUNNYVALE FORD	438498	Parts, Vehicles & Motor Equip	52.44	0.00	52.44	<b>\$624.67</b>
			438531	Parts, Vehicles & Motor Equip	49.33	0.00	49.33	
			438610	Parts, Vehicles & Motor Equip	352.25	0.00	352.25	
			438623	Parts, Vehicles & Motor Equip	73.73	0.00	73.73	
			438691	Parts, Vehicles & Motor Equip	9.45	0.00	9.45	
			438952	Parts, Vehicles & Motor Equip	39.18	0.00	39.18	
			439100	Parts, Vehicles & Motor Equip	48.29	0.00	48.29	
100267697	4/8/15	SUNNYVALE WINDUSTRIAL CO INC	640649 00	Miscellaneous Equipment Parts & Supplies	52.09	0.00	52.09	<b>\$177.73</b>
			640709 00	Miscellaneous Equipment Parts & Supplies	46.09	0.00	46.09	
			640709 01	Miscellaneous Equipment Parts & Supplies	79.55	0.00	79.55	
100267698	4/8/15	THOMSON REUTERS ELITE	06-701910	Computer Software	1,038.00	0.00	1,038.00	<b>\$3,528.00</b>
			06-702300	Computer Software	800.00	0.00	800.00	
			06-703460	Computer Software	130.00	0.00	130.00	
			1011938	Computer Software	40.00	0.00	40.00	
			1012395	Computer Software	1,440.00	0.00	1,440.00	
			1013199	Computer Software	80.00	0.00	80.00	

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100267699	4/8/15	TURF & INDUSTRIAL EQUIPMENT CO	IV10858	Inventory Purchase	282.75	0.00	282.75	<b>\$282.75</b>
100267700	4/8/15	UC REGENTS	920444-151	DED Services/Training - Training	357.50	0.00	357.50	<b>\$357.50</b>
100267701	4/8/15	URS CORP	6220910	Engineering Services	300.00	0.00	300.00	<b>\$300.00</b>
100267702	4/8/15	UNIQUE MANAGEMENT SERVICES INC	303439	Financial Services	572.80	0.00	572.80	<b>\$572.80</b>
100267703	4/8/15	UNITED RENTALS	127135124-001	Misc Equip Maint & Repair - Materials	80.22	0.00	80.22	<b>\$80.22</b>
100267704	4/8/15	WHCI PLUMBING SUPPLY	S2007979.001	Bldg Maint Matls & Supplies	94.32	0.00	94.32	<b>\$94.32</b>
100267705	4/8/15	WILLIAM H WATSON	03262015	General Supplies	50.00	0.00	50.00	<b>\$50.00</b>
100267706	4/8/15	WAITER.COM INC	F0325275306	Food Products	70.47	0.00	70.47	<b>\$70.47</b>
100267708	4/8/15	HAPPY BIRDS	APR/10/2015	Special Events	380.00	0.00	380.00	<b>\$380.00</b>
100267709	4/8/15	OFFICEMAX CONTRACT INC	00083503302015	Supplies, Office 1	92.96	0.00	92.96	<b>\$14,948.09</b>
			00392903302015	Supplies, Office 1	312.10	0.00	312.10	
			01270903312015	Supplies, Office 1	178.16	0.00	178.16	
			01373503312015	Supplies, Office 1	225.61	0.00	225.61	
			01591703312015	Supplies, Office 1	1,893.75	0.00	1,893.75	
			01760303312015	Supplies, Office 1	232.84	0.00	232.84	
			01847903312015	Supplies, Office 1	125.28	0.00	125.28	
			01895903312015	Supplies, Office 1	90.16	0.00	90.16	
			02222603312015	Supplies, Office 1	49.52	0.00	49.52	
			13480003312015	Supplies, Office 1	13.09	0.00	13.09	
			38041203252015	Supplies, Office 1	35.04	0.00	35.04	
			63414803162015	Supplies, Office 1	43.61	0.00	43.61	
			72428403172015	Supplies, Office 1	46.77	0.00	46.77	
			83495103162015	Supplies, Office 1	38.34	0.00	38.34	
			83633603162015	Supplies, Office 1	273.94	0.00	273.94	
			83837003162015	Supplies, Office 1	141.03	0.00	141.03	
			83923303162015	Supplies, Office 1	147.67	0.00	147.67	
			83948303162015	Supplies, Office 1	89.51	0.00	89.51	
			84086403242015	Supplies, Office 1	16.28	0.00	16.28	
			84380003162015	Supplies, Office 1	401.81	0.00	401.81	
			84391103162015	Supplies, Office 1	49.37	0.00	49.37	
			84612303162015	Supplies, Office 1	57.38	0.00	57.38	

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			84612703162015	Supplies, Office 1	44.47	0.00	44.47	
			84647903162015	Supplies, Office 1	32.99	0.00	32.99	
			84651103162015	Supplies, Office 1	140.94	0.00	140.94	
			84734303162015	Supplies, Office 1	61.43	0.00	61.43	
			84743803162015	Supplies, Office 1	16.29	0.00	16.29	
			84792003162015	Supplies, Office 1	68.41	0.00	68.41	
			85177903162015	Supplies, Office 1	-18.89	0.00	-18.89	
			85550203172015	Supplies, Office 1	58.92	0.00	58.92	
			85607103172015	Supplies, Office 1	1,111.35	0.00	1,111.35	
			86670403172015	Supplies, Office 1	463.34	0.00	463.34	
			87314803252015	Supplies, Office 1	70.13	0.00	70.13	
			87510103252015	Supplies, Office 1	466.00	0.00	466.00	
			87521403182015	Supplies, Office 1	3.28	0.00	3.28	
			88339603252015	Supplies, Office 1	31.01	0.00	31.01	
			88776603252015	Supplies, Office 1	160.32	0.00	160.32	
			88845203252015	Supplies, Office 1	23.80	0.00	23.80	
			88905803252015	Supplies, Office 1	21.75	0.00	21.75	
			88915403192015	Supplies, Office 1	82.65	0.00	82.65	
			89636303252015	Supplies, Office 1	16.91	0.00	16.91	
			90500603252015	Supplies, Office 1	37.49	0.00	37.49	
			90657603252015	Supplies, Office 1	43.84	0.00	43.84	
			90940003252015	Supplies, Office 1	21.44	0.00	21.44	
			91150803252015	Supplies, Office 1	82.32	0.00	82.32	
			91325303252015	Supplies, Office 1	7.62	0.00	7.62	
			91353903252015	Supplies, Office 1	50.27	0.00	50.27	
			91354303252015	Supplies, Office 1	23.75	0.00	23.75	
			91354703252015	Supplies, Office 1	73.61	0.00	73.61	
			91360803202015	Supplies, Office 1	45.89	0.00	45.89	
			92857903232015	Supplies, Office 1	80.23	0.00	80.23	
			92867103232015	Supplies, Office 1	321.17	0.00	321.17	
			93571703242015	Supplies, Office 1	59.18	0.00	59.18	

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			93725403242015	Supplies, Office 1	200.75	0.00	200.75	
			93730703242015	Supplies, Office 1	51.12	0.00	51.12	
			93749803312015	Supplies, Office 1	-27.74	0.00	-27.74	
			94267403252015	Supplies, Office 1	3,931.94	0.00	3,931.94	
			95087903242015	Supplies, Office 1	-122.46	0.00	-122.46	
			95088803242015	Supplies, Office 1	122.46	0.00	122.46	
			95434903252015	Supplies, Office 1	186.03	0.00	186.03	
			95443003252015	Supplies, Office 1	6.68	0.00	6.68	
			95530203252015	Supplies, Office 1	106.30	0.00	106.30	
			95710303252015	Supplies, Office 1	17.46	0.00	17.46	
			95721103252015	Supplies, Office 1	58.07	0.00	58.07	
			95850003302015	Supplies, Office 1	20.77	0.00	20.77	
			95850103262015	Supplies, Office 1	95.86	0.00	95.86	
			95871203262015	Supplies, Office 1	24.52	0.00	24.52	
			96002403272015	Supplies, Office 1	44.28	0.00	44.28	
			96524603262015	Supplies, Office 1	-16.91	0.00	-16.91	
			96557603262015	Supplies, Office 1	162.14	0.00	162.14	
			96623703262015	Supplies, Office 1	232.84	0.00	232.84	
			96780603262015	Supplies, Office 1	253.07	0.00	253.07	
			96796803262015	Supplies, Office 1	105.29	0.00	105.29	
			96907703262015	Supplies, Office 1	55.66	0.00	55.66	
			96975603262015	Supplies, Office 1	137.74	0.00	137.74	
			96988903262015	Supplies, Office 1	24.62	0.00	24.62	
			97664203262015	Supplies, Office 1	81.69	0.00	81.69	
			97667103262015	Supplies, Office 1	3.75	0.00	3.75	
			97845803262015	Supplies, Office 1	70.47	0.00	70.47	
			98326803272015	Supplies, Office 1	68.23	0.00	68.23	
			98479803272015	Supplies, Office 1	32.36	0.00	32.36	
			98490603272015	Supplies, Office 1	54.78	0.00	54.78	
			99235203272015	Supplies, Office 1	593.90	0.00	593.90	
			99409903272015	Supplies, Office 1	110.27	0.00	110.27	

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100267716	4/8/15	PACIFIC GAS & ELECTRIC CO	99958103302015	Supplies, Office 1	6.02	0.00	6.02	
			00328522410315	Utilities - Electric	9.72	0.00	9.72	<b>\$10,132.62</b>
			00697062300315	Utilities - Electric	9.72	0.00	9.72	
			03958470700315	Utilities - Electric	3,198.88	0.00	3,198.88	
			100023460415	Utilities - Electric	1,354.20	0.00	1,354.20	
			24528699500315	Utilities - Electric	10.19	0.00	10.19	
			25900730020315	Utilities - Electric	56.09	0.00	56.09	
			36207652980315	Utilities - Electric	73.07	0.00	73.07	
			43357992720315	Utilities - Electric	11.91	0.00	11.91	
			45039216730315	Utilities - Electric	11.05	0.00	11.05	
			53350770050315	Fuel, Oil & Lubricants	224.36	0.00	224.36	
			65170651530315	Utilities - Electric	904.26	0.00	904.26	
			81703231610315	Utilities - Electric	16.14	0.00	16.14	
			91290311060315	Utilities - Electric	50.64	0.00	50.64	
			94639783770315	Utilities - Electric	39.90	0.00	39.90	
			96226804090315	Utilities - Electric	275.92	0.00	275.92	
			97322830180315	Utilities - Electric	100.16	0.00	100.16	
			97322834740315	Utilities - Electric	11.58	0.00	11.58	
			SVVT1362020215	Utilities - Electric	3,774.83	0.00	3,774.83	
100267718	4/8/15	DELIA CRUZ	8000009130	Deposits Payable - Facility Rental	160.00	0.00	160.00	<b>\$160.00</b>
100267719	4/8/15	MARTA & CSABA MESTER	110353-48902	Refund Utility Account Credit	111.37	0.00	111.37	<b>\$111.37</b>
100267720	4/8/15	STACY & NINO TERESI	145677-14930	Refund Utility Account Credit	71.74	0.00	71.74	<b>\$71.74</b>
100267721	4/8/15	STAHL, K	17433-10674	Refund Utility Account Credit	186.09	0.00	186.09	<b>\$186.09</b>
100267722	4/8/15	WILLIAM BUCHHOLZ	147165-3240	Refund Utility Account Credit	144.65	0.00	144.65	<b>\$144.65</b>
100267723	4/10/15	ADVANCED PC CONCEPTS	1292	City Training Program	1,350.00	0.00	1,350.00	<b>\$1,350.00</b>
100267724	4/10/15	ALADTEC INC	10633	Miscellaneous Services	995.00	0.00	995.00	<b>\$995.00</b>
100267725	4/10/15	AREA TRUCK DRIVING SCHOOL	7223	DED Services/Training - Training	5,350.50	0.00	5,350.50	<b>\$12,331.50</b>
			7228	DED Services/Training - Training	1,630.50	0.00	1,630.50	
			7230	DED Services/Training - Training	5,350.50	0.00	5,350.50	
100267726	4/10/15	AUTOSCRIBE CORP	139712	Financial Services	1,300.06	0.00	1,300.06	<b>\$1,300.06</b>

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100267727	4/10/15	BANK OF SACRAMENTO	ANAEROBC123 #15	Construction Project Contract Retainage	18,812.80	0.00	18,812.80	<b>\$18,812.80</b>
100267728	4/10/15	BARTEL ASSOC LLC	15-124	Financial Services	2,000.00	0.00	2,000.00	<b>\$2,000.00</b>
100267729	4/10/15	BAY AREA NEWS GROUP DIGITAL FIRST MEDIA	0005420157	Advertising Services	426.00	0.00	426.00	<b>\$848.00</b>
			0005422470	Advertising Services	422.00	0.00	422.00	
100267730	4/10/15	BAY PRO LANDSCAPE SERVICES INC	M2903	Services Maintain Land Improv	711.00	0.00	711.00	<b>\$711.00</b>
100267731	4/10/15	BELKORP AG LLC	138254	Parts, Vehicles & Motor Equip	80.42	0.00	80.42	<b>\$80.42</b>
100267732	4/10/15	BURKE WILLIAMS & SORENSEN LLP	187236	Legal Services	1,900.00	0.00	1,900.00	<b>\$1,900.00</b>
100267733	4/10/15	BURTONS FIRE INC	S27252	Parts, Vehicles & Motor Equip	272.04	0.00	272.04	<b>\$272.04</b>
100267734	4/10/15	CPS HR CONSULTING	INV348391	City Training Program	2,750.00	0.00	2,750.00	<b>\$2,750.00</b>
100267735	4/10/15	CAROLLO ENGINEERS	0140411	Professional Services	264,515.13	0.00	264,515.13	<b>\$264,515.13</b>
100267736	4/10/15	CENTURY GRAPHICS	41350	Clothing, Uniforms & Access	282.53	0.00	282.53	<b>\$282.53</b>
100267737	4/10/15	CITY & COUNTY OF SAN FRANCISCO	FEB2015	Contracts/Service Agreements	2,096.34	0.00	2,096.34	<b>\$4,793.35</b>
			JAN2015-RE	Contracts/Service Agreements	2,697.01	0.00	2,697.01	
100267738	4/10/15	COMCAST	04/07-05/06/15	Miscellaneous Services	69.14	0.00	69.14	<b>\$69.14</b>
100267739	4/10/15	CROP PRODUCTION SERVICES INC	26322774	Materials - Land Improve	467.83	0.00	467.83	<b>\$818.70</b>
			26322776	Materials - Land Improve	350.87	0.00	350.87	
100267740	4/10/15	D & M TRAFFIC SERVICES INC	42582	Inventory Purchase	2,544.75	0.00	2,544.75	<b>\$2,544.75</b>
100267741	4/10/15	DTN ENGINEERS INC	359.09	Engineering Services	2,848.00	0.00	2,848.00	<b>\$2,848.00</b>
100267742	4/10/15	DEPARTMENT OF JUSTICE	087381	Pre-Employment Testing	672.00	0.00	672.00	<b>\$672.00</b>
100267743	4/10/15	DETAIL PLUS	27296	Auto Maint & Repair - Labor	165.00	0.00	165.00	<b>\$165.00</b>
100267744	4/10/15	DIMITRA SIALARIS	022315PURCHA SE	DED Services/Training - Books	32.52	0.00	32.52	<b>\$32.52</b>
100267745	4/10/15	EARI	3	Contracts/Service Agreements	701.88	0.00	701.88	<b>\$701.88</b>
100267746	4/10/15	ESBRO	12610	Chemicals	1,334.57	0.00	1,334.57	<b>\$1,334.57</b>
100267747	4/10/15	EWING IRRIGATION PRODUCTS INC	9405731	Materials - Land Improve	896.35	0.00	896.35	<b>\$1,320.92</b>
			9405732	Materials - Land Improve	424.57	0.00	424.57	
100267748	4/10/15	FERGUSON ENTERPRISES INC	1063605	Water Meter Boxes, Vaults, and Lids	10,236.25	0.00	10,236.25	<b>\$10,236.25</b>
100267749	4/10/15	FOR SUSTAINABILITY TOO	BL005231-1	Consultants	2,565.00	0.00	2,565.00	<b>\$2,565.00</b>
100267750	4/10/15	FUZZY MOBILE HOME SERVICE	001470	Customer Loans Disbursed	19,030.00	0.00	19,030.00	<b>\$19,030.00</b>
100267751	4/10/15	GARDA	10085957	Financial Services	2,782.00	0.00	2,782.00	<b>\$2,782.00</b>



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100267752	4/10/15	GARDENLAND POWER EQUIPMENT	275756	Parts, Vehicles & Motor Equip	20.66	0.00	20.66	<b>\$20.66</b>
100267753	4/10/15	GOLDEN GATE TRUCK CENTER	F005639928:01	Parts, Vehicles & Motor Equip	-203.91	0.00	-203.91	<b>\$292.04</b>
			F005639940:01	Parts, Vehicles & Motor Equip	163.35	0.00	163.35	
			F005641999:01	Parts, Vehicles & Motor Equip	26.15	0.00	26.15	
			F005642559:01	Parts, Vehicles & Motor Equip	306.45	0.00	306.45	
100267754	4/10/15	H T HARVEY & ASSOC	38777	Consultants	180.25	0.00	180.25	<b>\$180.25</b>
100267755	4/10/15	HI TECH EMERGENCY VEHICLE SERVICE INC	149471	Parts, Vehicles & Motor Equip	440.69	0.00	440.69	<b>\$440.69</b>
100267756	4/10/15	HI-TECH OPTICAL INC	619227	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	<b>\$2,369.00</b>
			619228	Benefits and Incentives - Prescription Safety Glasses	72.50	0.00	72.50	
			619229	Benefits and Incentives - Prescription Safety Glasses	137.50	0.00	137.50	
			619230	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			619231	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
			619237	Benefits and Incentives - Prescription Safety Glasses	182.50	0.00	182.50	
			619238	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	
			619239	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			619240	Benefits and Incentives - Prescription Safety Glasses	182.50	0.00	182.50	
			619241	Benefits and Incentives - Prescription Safety Glasses	166.00	0.00	166.00	
			619242	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			619243	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			619244	Benefits and Incentives - Prescription Safety Glasses	192.50	0.00	192.50	

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			619278	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			620965	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			620966	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			620967	Benefits and Incentives - Prescription Safety Glasses	99.50	0.00	99.50	
			620973	Benefits and Incentives - Prescription Safety Glasses	51.00	0.00	51.00	
			623190	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
			919239	Benefits and Incentives - Prescription Safety Glasses	0.00	0.00	0.00	
100267758	4/10/15	HYDROSCIENCE ENGINEERS INC	262015003	Engineering Services	41,024.68	0.00	41,024.68	<b>\$41,024.68</b>
100267759	4/10/15	INDUSTRIAL SAFETY SUPPLY CORP	1013782	Water/Wastewater Treat Equip	7,740.83	0.00	7,740.83	<b>\$8,107.19</b>
			1014322	Chemicals	366.36	0.00	366.36	
100267760	4/10/15	INTERACTIVE DATA PRICING	04371035	Financial Services	115.52	0.00	115.52	<b>\$115.52</b>
100267761	4/10/15	JOHN DEERE LANDSCAPES INC	71073160	Professional Services	170.00	0.00	170.00	<b>\$170.00</b>
100267762	4/10/15	KENNEDY JENKS CONSULTANTS	90601	Engineering Services	15,760.00	0.00	15,760.00	<b>\$15,760.00</b>
100267763	4/10/15	KOHLWEISS AUTO PARTS INC	01OE6620	Parts, Vehicles & Motor Equip	141.87	0.00	141.87	<b>\$616.02</b>
			01OE8443	Inventory Purchase	40.68	0.81	39.87	
			01OE8663	Parts, Vehicles & Motor Equip	6.98	0.00	6.98	
			01OE9138	Inventory Purchase	436.02	8.72	427.30	
100267764	4/10/15	LEXISNEXIS RISK DATA MANAGEMENT INC	1409790-150331	Financial Services	130.00	0.00	130.00	<b>\$130.00</b>
100267765	4/10/15	MCMMASTER CARR SUPPLY CO	26939631	Facilities Maint & Repair - Materials	368.11	0.00	368.11	<b>\$368.11</b>
100267766	4/10/15	MIDWEST TAPE	92673575	Library Acquis, Audio/Visual	186.89	0.00	186.89	<b>\$2,754.26</b>
			92695019	Library Acquis, Audio/Visual	1,730.60	0.00	1,730.60	
			92695421	Library Acquis, Audio/Visual	108.72	0.00	108.72	
			92720826	Library Technology Services	728.05	0.00	728.05	
100267767	4/10/15	MOUNTAIN VIEW GARDEN CENTER	75935	Materials - Land Improve	32.57	0.00	32.57	<b>\$1,997.68</b>
			75940	Materials - Land Improve	21.73	0.00	21.73	

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			75971	Materials - Land Improve	173.78	0.00	173.78	
			75985	Materials - Land Improve	65.14	0.00	65.14	
			75996	Water Meter Boxes, Vaults, and Lids	73.68	0.00	73.68	
			76002	Materials - Land Improve	90.64	0.00	90.64	
			76031	Materials - Land Improve	11.03	0.00	11.03	
			76034	Materials - Land Improve	146.15	0.00	146.15	
			76154	Materials - Land Improve	73.68	0.00	73.68	
			76155	Materials - Land Improve	65.14	0.00	65.14	
			76230	Materials - Land Improve	96.73	0.00	96.73	
			76300	Materials - Land Improve	56.50	0.00	56.50	
			76311	Materials - Land Improve	73.68	0.00	73.68	
			76343	Materials - Land Improve	228.21	0.00	228.21	
			76396	Materials - Land Improve	93.51	0.00	93.51	
			76408	Materials - Land Improve	32.57	0.00	32.57	
			76449	Miscellaneous Equipment Parts & Supplies	79.66	0.00	79.66	
			76473	Materials - Land Improve	110.76	0.00	110.76	
			76486	Materials - Land Improve	184.60	0.00	184.60	
			76510	Materials - Land Improve	287.92	0.00	287.92	
100267770	4/10/15	NATIONAL GARAGE DOOR CO	FRESTNRLLUP#02	Construction Services	2,559.66	0.00	2,559.66	<b>\$2,559.66</b>
100267771	4/10/15	NEXLEVEL INFORMATION TECHNOLOGY INC	20150230	Computer Software	11,805.00	0.00	11,805.00	<b>\$11,805.00</b>
100267772	4/10/15	NEXTEL COMMUNICATIONS	675452038-121	Utilities - Mobile Phones - City Mobile Phones	91.04	0.00	91.04	<b>\$91.04</b>
100267773	4/10/15	NEXTEL COMMUNICATIONS	703654486-087	Utilities - Mobile Phones - City Mobile Phones	108.48	0.00	108.48	<b>\$108.48</b>
100267774	4/10/15	NEXTEL COMMUNICATIONS	223865314-160	Utilities - Mobile Phones - City Mobile Phones	1,152.31	0.00	1,152.31	<b>\$1,152.31</b>
100267775	4/10/15	PETERSON POWER SYSTEMS INC	SW240121861	Misc Equip Maint & Repair - Labor	2,720.00	0.00	2,720.00	<b>\$2,932.29</b>
			SW240121861	Misc Equip Maint & Repair - Materials	212.29	0.00	212.29	
100267776	4/10/15	PORTNOV COMPUTER SCHOOL	04-03-15	DED Services/Training - Training	598.00	0.00	598.00	<b>\$598.00</b>
100267777	4/10/15	R & B CO	S1431409.001	Construction Services	14,265.80	0.00	14,265.80	<b>\$14,265.80</b>

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100267778	4/10/15	RMC WATER & ENVIRONMENT	19589	Consultants	2,405.50	0.00	2,405.50	<b>\$2,405.50</b>
100267779	4/10/15	RICHARD P CARR PHYSICAL THERAPY INC	8279	Occupational Health and Safety Services	555.00	0.00	555.00	<b>\$555.00</b>
100267780	4/10/15	ROBERT A BOTHMAN INC	SEVENSEASPK#12	Construction Services	7,200.10	0.00	7,200.10	<b>\$7,200.10</b>
100267781	4/10/15	ROGER D HIGDON	2015-4884C	Consultants	525.00	0.00	525.00	<b>\$525.00</b>
100267782	4/10/15	SF BAY SECTION CWEA	051415SEMINA R	Training and Conferences	300.00	0.00	300.00	<b>\$300.00</b>
100267783	4/10/15	SANDERSON SAFETY SUPPLY CO	8084644-02	Inventory Purchase	223.16	2.05	221.11	<b>\$221.11</b>
100267784	4/10/15	SANTA CLARA COUNTY CITIES MANAGERS ASSN	STEFFENS040815	Meetings	32.00	0.00	32.00	<b>\$32.00</b>
100267785	4/10/15	SANTA CLARA VALLEY WATER DISTRICT	GM012473	Taxes & Licenses - Misc	8,807.13	0.00	8,807.13	<b>\$8,807.13</b>
100267786	4/10/15	SATELLITE SPORTS GROUP	00011964	Miscellaneous Services	2,100.00	0.00	2,100.00	<b>\$2,100.00</b>
100267787	4/10/15	STATE WATER RESOURCES CONTROL BOARD	90320	Environmental Services	1,832.53	0.00	1,832.53	<b>\$1,832.53</b>
100267788	4/10/15	STEVENS CREEK QUARRY INC	587198	Materials - Land Improve	398.22	0.00	398.22	<b>\$398.22</b>
100267789	4/10/15	THOMSON REUTERS WEST	6098552833	Books & Publications	27.46	0.00	27.46	<b>\$671.31</b>
			830147052	Books & Publications	643.85	0.00	643.85	
100267790	4/10/15	UNITED PARCEL SERVICE	966608105	Mailing & Delivery Services	983.70	0.00	983.70	<b>\$983.70</b>
100267791	4/10/15	UNIVERSITY OF CALIFORNIA SANTA CRUZ	56679	DED Services/Training - Training	3,726.00	0.00	3,726.00	<b>\$3,726.00</b>
100267792	4/10/15	VERIZON WIRELESS	9742571977	Utilities - Mobile Phones - City Mobile Phones	3,365.72	0.00	3,365.72	<b>\$3,365.72</b>
100267793	4/10/15	VERIZON WIRELESS	9742571978	Utilities - Mobile Phones - City Mobile Phones	1,854.96	0.00	1,854.96	<b>\$1,854.96</b>
100267795	4/10/15	VERIZON WIRELESS	9742571979	Utilities - Mobile Phones - City Mobile Phones	2,961.31	0.00	2,961.31	<b>\$2,961.31</b>
100267798	4/10/15	WEST COAST COATING CONSULTANTS LLC	1296-6	Consultants	2,970.00	0.00	2,970.00	<b>\$2,970.00</b>
100267799	4/10/15	AGA SILICON VALLEY CHAPTER	APR/22/2015	Training and Conferences	125.00	0.00	125.00	<b>\$125.00</b>
100267800	4/10/15	BUCKLES-SMITH ELECTRIC CO	1434257-00	Investigation Expense	2,257.15	0.00	2,257.15	<b>\$2,566.27</b>
			1435172-00	Electrical Parts & Supplies	309.12	0.00	309.12	
100267801	4/10/15	HELMETS R US INC	43483	Supplies, Safety	459.00	0.00	459.00	<b>\$459.00</b>
100267802	4/10/15	LORRAINE HENG						<b>\$7,343.35</b>

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			879TARTARIA N	Transient Occupancy Tax - Tax Payments	7,343.35	0.00	7,343.35	
100267803	4/10/15	RESI LLC	OLSON/EVELYN	Transient Occupancy Tax - Tax Payments	2,736.63	0.00	2,736.63	<b>\$2,736.63</b>
100267804	4/10/15	ROBERT LANE	1040 JENA TER	Transient Occupancy Tax - Tax Payments	831.72	0.00	831.72	<b>\$831.72</b>
100267805	4/10/15	SAN FRANCISCO BAY CONSERVATION	P#M2002.051.00	Miscellaneous Services	150.00	0.00	150.00	<b>\$150.00</b>
100267806	4/10/15	STATE WATER RESOURCES CONTROL BOARD	BERDEEN V-0415	Membership Fees	340.00	0.00	340.00	<b>\$1,440.00</b>
			BOWDEN-III0415	Membership Fees	300.00	0.00	300.00	
			ESTRADA-II0415	Membership Fees	230.00	0.00	230.00	
			LENOIR-IV0415	Membership Fees	340.00	0.00	340.00	
			MORGAN-II0415	Membership Fees	230.00	0.00	230.00	
100267807	4/10/15	VERONICA C ABREU	601BORREGAS	Transient Occupancy Tax - Tax Payments	1,723.57	0.00	1,723.57	<b>\$1,723.57</b>
100267808	4/10/15	ARN CENEDELLA	57221-35704	Refund Utility Account Credit	667.12	0.00	667.12	<b>\$667.12</b>
100267809	4/10/15	EMILY ANDERSON LOWRY ESTATE	8729-5250	Refund Utility Account Credit	103.14	0.00	103.14	<b>\$103.14</b>
100267810	4/10/15	MIKEL MORROW	39549-24898	Refund Utility Account Credit	111.45	0.00	111.45	<b>\$111.45</b>
100267811	4/10/15	NETAPP	INT000021283	Refund Over/Duplicate Payment	20.98	0.00	20.98	<b>\$20.98</b>
100267812	4/10/15	NIMISH GOGRI	169231-56996	Refund Utility Account Credit	23.36	0.00	23.36	<b>\$23.36</b>
100267813	4/10/15	RAHUL JOSHI	148863-72840	Refund Utility Account Credit	21.21	0.00	21.21	<b>\$21.21</b>
100267814	4/10/15	WEI SHAO	168135-31382	Refund Utility Account Credit	206.18	0.00	206.18	<b>\$206.18</b>
100267815	4/10/15	XIANG WU WEI	BL053080 13-14	Business License Tax	780.56	0.00	780.56	<b>\$780.56</b>
950002379	4/7/15	PUBLIC EMPLOYEES RETIREMENT SYSTEM	950002379	Retirement Benefits - Deferred Comp - City Portion	1,258.44	0.00	1,258.44	<b>\$1,080,038.36</b>
			950002379	Retirement Benefits - PERS Misc - Empl Portion	-92,938.49	0.00	-92,938.49	
			950002379	Retirement Benefits - PERS Misc - Total	655,115.03	0.00	655,115.03	
			950002379	Retirement Benefits - PERS Safety - Empl Portion	-37,422.66	0.00	-37,422.66	
			950002379	Retirement Benefits - PERS Safety - Total	540,859.47	0.00	540,859.47	
			950002379	Retirement Benefits - PERS EPMC Public Safety	5,896.28	0.00	5,896.28	

**List of All Claims and Bills Approved for Payment**  
**For Payments Dated 4/5/2015 through 4/11/2015**

Sorted by Payment Number

<b>Payment No.</b>	<b>Payment Date</b>	<b>Vendor Name</b>	<b>Invoice No.</b>	<b>Description</b>	<b>Invoice Amount</b>	<b>Discount Taken</b>	<b>Amount Paid</b>	<b>Payment Total</b>
950900890	4/10/15	JPMORGAN CHASE BANK N.A.	950002379	Retirement Benefits - PERS EPMC - Misc	7,270.29	0.00	7,270.29	
			14SLDWST0415	Bond Interest	39,777.08	0.00	39,777.08	<b>\$39,777.08</b>
<b>Grand Total Payment Amount</b>								<b><u>\$2,371,075.72</u></b>



# City of Sunnyvale

## Agenda Item

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15-0313

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### SUBJECT

Award of Contract for the Cooperative Purchase of Industrial and Commercial Supplies (F15-82)

#### REPORT IN BRIEF

Approval is requested to award a contract, not to exceed budgeted amounts, to Grainger of West Sacramento for the purchase of industrial and commercial supplies as required by the City, and to authorize the City Manager to renew the contract for up to two additional one-year periods if pricing and service remain acceptable to the City.

#### ENVIRONMENTAL REVIEW

N/A

#### BACKGROUND AND DISCUSSION

Grainger has been a preferred provider of industrial and commercial supplies such as lighting, restroom fixtures and supplies, and tool attachments since 2005. Grainger has entered into a cooperative procurement agreement with the State of California as a participant in the Western States Contracting Alliance (WSCA). This agreement offers agencies such as the City to leverage larger discounts typically offered to high-volume purchasers.

Section 2.08.220(b) of the Sunnyvale Municipal Code authorizes the use of a contract initiated by another governmental entity provided that the original parties to the contract agree, the contract was awarded within twelve months of the date of authorization, the contract is for identical or nearly identical goods, and the contract resulted from a competitive bid using methods similar to those required by the City's Purchasing Ordinance. The WSCA contract with Grainger meets these criteria.

#### FISCAL IMPACT

In recent years these types of supply contracts have been established with not-to-exceed budgeted amounts because it is difficult to predict exactly how many items will be needed throughout the year. Over the past three years, the City has averaged approximately \$166,000 in annual expenses on industrial and commercial supplies from Grainger. These expenditures are within amounts budgeted for such supplies in various departments throughout the City.

#### PUBLIC CONTACT

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

#### RECOMMENDATION

1) Award a one-year contract to Grainger in substantially the same form as the draft blanket purchase order attached to the report and based upon the State of California Western States Contracting Alliance (WSCA) cooperative contract, not to exceed budgeted amounts; and 2) Authorize the City Manager to renew the contract for two additional one-year periods provided that pricing and service remain acceptable to the City.

Prepared by: Pete Gonda, Purchasing Officer

Reviewed by: Grace K. Leung, Director, Finance

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENT**

1. Draft Blanket Purchase Order





City of Sunnyvale  
California

Draft Blanket Purchase Order NO

BL006133

<b>ORDERED FROM</b>  00332 - 003  (916) 503-0229  Grainger 3169 Industrial Blvd West Sacramento, CA 95691	ORDER DATE	<b>BILL TO:</b>  <b>City of Sunnyvale</b> <b>Finance Department</b> <b>Accounts Payable</b> <b>PO Box 3707</b> <b>Sunnyvale, CA 94088-3707</b>
	EFFECTIVE DATE 5/1/2015	
	EXPIRATION DATE 4/30/2016	
	CONTRACT AMOUNT Not to exceed budgeted amounts.	
REQUISITIONING DEPARTMENT (3450) FIN/Central Stores	FOB	FREIGHT CHARGES
	PAYMENT TERMS N/30	BID NO

ITEM	DESCRIPTION	UNIT	UNIT COST
1	Blanket order to provide industrial and commercial supplies as required by the City of Sunnyvale for a one year period.  Pricing is in accordance with State of California Western States Contracting Alliance Master Price Agreement 7-11-51-02 Category Discount Structure, attached and incorporated herein by this reference.  Orders may be placed by phone or on-line via the Grainger web site (Grainger.com) with an option to pick-up or have the products delivered.  All invoices to show this order number and show the employee name and City department name for each order placed.  Account number: 810031823  Requisition No. RQ014052 This purchase order replaces BL005868.  Awarded by Council _____, RTC No. 15-0313.	DLR	\$1.0000

#### DOCUMENT TERMS

This purchase order is subject to the City of Sunnyvale Standard Terms and Conditions for the Purchase of Goods, dated 10/8/2010, a copy of which is attached and incorporated by reference (Form #TCBPO-G). Invoices must be sent directly to Accounts Payable by mail to the address above or by e-mail to [accountspayable@sunnyvale.ca.gov](mailto:accountspayable@sunnyvale.ca.gov) and must reference the purchase order number. Failure to comply will result in a delay in payment processing.



**BUYER:**

Dietz, Noel

**PHONE** (408) 730-7399

**FAX** (408) 730-7710



# City of Sunnyvale

## Agenda Item

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15-0357

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### **SUBJECT**

Award of Bid No. PW15-15 for Pavement Rehabilitation 2015 and Finding of CEQA Categorical Exemption

#### **REPORT IN BRIEF**

Approval is requested to award a construction contract in the amount of \$2,656,857 to O'Grady Paving, Inc. of Mountain View for Pavement Rehabilitation 2015 (Public Works Project No. ST-14/04-15). Approval is also requested for a 10% construction contingency in the amount of \$265,686.

#### **ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) determination for this project is a categorical exemption pursuant to Class 1, Section 15301(c) for the rehabilitation of existing streets.

#### **BACKGROUND AND DISCUSSION**

Based on the City's annual evaluation of its pavement condition, thirteen streets have been selected for pavement rehabilitation. The scope of work includes asphalt grinding, digout repairs, and new asphalt overlay. Additional work includes design related to minor concrete improvements, signage modification, traffic loop replacement, crack sealing and repair, traffic striping, adjusting utility boxes to finished grade, and traffic signal modifications. The selected treatments will provide motorists and bicyclists with a smoother ride. The site locations are shown in Attachment 3.

This project was bid as follows:

Bid Notice:       Advertised in The Sun on January 30, 2015;  
                      Provided to 18 Bay Area Builder's Exchanges;  
                      Posted on Onvia Demandstar public procurement network; and  
                      Published on the City's website.

Bid Response:   27 contractors requested bid documents.

Bid Results:     Sealed bids were publicly opened on February 18, 2015;  
                      Seven responsive bids were received.

The lowest responsive and responsible bid was from O'Grady Paving, Inc. of Mountain View in the amount of \$2,656,857. The bid amount is approximately 10% below the engineer's estimate of \$2,961,200. The bid summary is attached. Staff recommends accepting the bid from O'Grady Paving, Inc., the lowest responsive and responsible bidder. Staff also recommends the award of a 10% construction contingency.

**FISCAL IMPACT**

Project costs are as follows:

Construction	\$2,656,857
Construction contingency (10%)	<u>\$265,686</u>
Total cost	\$2,922,543

Budgeted funds are available in Capital Project 825290 (Pavement Rehabilitation), funded by the General Fund, the SB83 VRF Road Improvement Fund, and the Gas Tax Fund.

**PUBLIC CONTACT**

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

**RECOMMENDATION**

1) Make a finding of CEQA categorical exemption pursuant to Class 1, Section 15301 (d) for rehabilitation of an existing public facility with negligible or no expansion of an existing use; 2) Award a contract, in substantially the same format as Attachment 2 to the report and in the amount of \$2,656,857, to O'Grady Paving, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 3) Approve a 10% construction contingency in the amount of \$265,686

Prepared by: Pete Gonda, Purchasing Officer  
Reviewed by: Grace K. Leung, Director, Finance  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed by: Robert A. Walker, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Bid Summary
2. Draft General Construction Contract
3. Site Locations

Bid Summary

Attachment 1

Invitation for Bids No . PW15-15																	
Pavement Rehabilitation - 2015: Public Works Project No. ST-14/04-15																	
Bidder				O'Grady Paving, Inc.		G. Bortolotto & Co., Inc.		Ghilotti Construction Co., Inc.		Interstate Grading & Paving, Inc.		C.F.Archibald Paving Inc.		Granite Rock Company		Grainte Construction Company	
Address				2513 Wyandotte Street		582 Gragato Road		246 Ghilotti Avenue		128 So. Maple Avenue		3624 Haven avenue		120 Granite Rock Way		715 Comstock Street	
				Mountain View, CA 94043		San Carlos, CA 94070-6227		Santa Rosa, CA 95407		San Francisco, CA 94080		Redwood City, CA 94061		San Jose, CA 95136		Santa Clara, CA 95054	
Contact				Craig E. Young		Robert Bortolotto		Richard W. Ghilotti		H. Michael Pariani		Curtis F. Archibald		Thomas Kaminski		James Roberts	
BID ITEMS		UOM	QTY	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1. Mobilization (5% max)	LS	1		\$30,000.00	\$30,000.00	\$39,000.00	\$39,000.00	\$83,000.00	\$83,000.00	\$30,000.00	\$30,000.00	\$90,000.00	\$90,000.00	\$140,000.00	\$140,000.00	\$48,000.00	\$48,000.00
2. Traffic Control	LS	1		\$155,000.00	\$155,000.00	\$171,000.00	\$171,000.00	\$75,000.00	\$75,000.00	\$61,000.00	\$61,000.00	\$115,000.00	\$115,000.00	\$90,500.00	\$90,500.00	\$105,000.00	\$105,000.00
3. Pedestrian Safety	LS	1		\$5,000.00	\$5,000.00	\$7,000.00	\$7,000.00	\$10,000.00	\$10,000.00	\$3,000.00	\$3,000.00	\$8,500.00	\$8,500.00	\$7,000.00	\$7,000.00	\$3,000.00	\$3,000.00
4. Changeable Message Board	EA	32		\$1,500.00	\$48,000.00	\$1,218.75	\$39,000.00	\$2,800.00	\$89,600.00	\$840.00	\$26,880.00	\$800.00	\$25,600.00	\$1,500.00	\$48,000.00	\$675.00	\$21,600.00
5. Sampling and Testing	LS	1		\$30,000.00	\$30,000.00	\$7,000.00	\$7,000.00	\$25,000.00	\$25,000.00	\$18,000.00	\$18,000.00	\$22,000.00	\$22,000.00	\$5,000.00	\$5,000.00	\$26,200.00	\$26,200.00
6. Pullbox Replacement	EA	10		\$1,000.00	\$10,000.00	\$520.00	\$5,200.00	\$1,000.00	\$10,000.00	\$1,500.00	\$15,000.00	\$970.00	\$9,700.00	\$1,000.00	\$10,000.00	\$975.00	\$9,750.00
7. Relocate Type 1-B Pole	EA	3		\$2,500.00	\$7,500.00	\$5,885.00	\$17,655.00	\$2,300.00	\$6,900.00	\$3,800.00	\$11,400.00	\$2,300.00	\$6,900.00	\$2,400.00	\$7,200.00	\$2,314.00	\$6,942.00
8. New Pedestrian Push Button Post	EA	7		\$1,100.00	\$7,700.00	\$1,605.00	\$11,235.00	\$1,000.00	\$7,000.00	\$1,600.00	\$11,200.00	\$1,000.00	\$7,000.00	\$1,100.00	\$7,700.00	\$1,000.00	\$7,000.00
9. Pedestrian Push Button Replacement	EA	15		\$3,200.00	\$48,000.00	\$3,477.00	\$52,155.00	\$3,100.00	\$46,500.00	\$3,800.00	\$57,000.00	\$3,110.00	\$46,650.00	\$3,200.00	\$48,000.00	\$3,200.00	\$48,000.00
10. PCC Sidewalk Replacement	SF	990		\$15.00	\$14,850.00	\$10.91	\$10,800.90	\$13.00	\$12,870.00	\$11.00	\$10,890.00	\$10.20	\$10,098.00	\$11.00	\$10,890.00	\$10.36	\$10,256.40
11. PCC Curb & Gutter Replacement	LF	590		\$50.00	\$29,500.00	\$57.00	\$33,630.00	\$50.00	\$29,500.00	\$45.00	\$26,550.00	\$52.00	\$30,680.00	\$54.00	\$31,860.00	\$52.79	\$31,146.10
12. PCC Curb Ramp - Perpendicular	EA	18		\$3,600.00	\$64,800.00	\$3,456.00	\$62,208.00	\$3,500.00	\$63,000.00	\$4,300.00	\$77,400.00	\$3,200.00	\$57,600.00	\$3,350.00	\$60,300.00	\$3,250.00	\$58,500.00
13. PCC Curb Ramp - Parallel	EA	23		\$3,600.00	\$82,800.00	\$3,456.00	\$79,488.00	\$3,500.00	\$80,500.00	\$4,300.00	\$98,900.00	\$3,200.00	\$73,600.00	\$3,350.00	\$77,050.00	\$3,250.00	\$74,750.00
14. PCC Curb Ramp - Combined	EA	5		\$3,600.00	\$18,000.00	\$3,700.00	\$18,500.00	\$3,500.00	\$17,500.00	\$4,300.00	\$21,500.00	\$3,400.00	\$17,000.00	\$3,550.00	\$17,750.00	\$3,450.00	\$17,250.00
15. PCC Curb Ramp - Case G	EA	1		\$3,500.00	\$3,500.00	\$3,456.00	\$3,456.00	\$3,100.00	\$3,100.00	\$3,500.00	\$3,500.00	\$3,200.00	\$3,200.00	\$3,350.00	\$3,350.00	\$3,250.00	\$3,250.00
16. PCC Island Passageway Modification	LS	1		\$14,500.00	\$14,500.00	\$7,000.00	\$7,000.00	\$4,000.00	\$4,000.00	\$3,000.00	\$3,000.00	\$6,500.00	\$6,500.00	\$7,000.00	\$7,000.00	\$6,600.00	\$6,600.00
17. Detectable Warning Surface	EA	11		\$650.00	\$7,150.00	\$373.00	\$4,103.00	\$600.00	\$6,600.00	\$525.00	\$5,775.00	\$350.00	\$3,850.00	\$370.00	\$4,070.00	\$355.00	\$3,905.00
18. Sign and Post	EA	2		\$500.00	\$1,000.00	\$400.00	\$800.00	\$325.00	\$650.00	\$350.00	\$700.00	\$345.00	\$690.00	\$350.00	\$700.00	\$400.00	\$800.00
19. Video Detection Devicet	EA	11		\$14,000.00	\$154,000.00	\$15,000.00	\$165,000.00	\$13,275.00	\$146,025.00	\$13,000.00	\$143,000.00	\$13,275.00	\$146,025.00	\$14,000.00	\$154,000.00	\$13,500.00	\$148,500.00
20. Video Detection Device Adjustment	EA	1		\$2,300.00	\$2,300.00	\$2,300.00	\$2,300.00	\$2,100.00	\$2,100.00	\$1,600.00	\$1,600.00	\$2,100.00	\$2,100.00	\$2,200.00	\$2,200.00	\$2,100.00	\$2,100.00
21. Video Detection Monitor and Processor	EA	5		\$5,300.00	\$26,500.00	\$4,922.00	\$24,610.00	\$5,225.00	\$26,125.00	\$4,600.00	\$23,000.00	\$5,225.00	\$26,125.00	\$5,400.00	\$27,000.00	\$5,300.00	\$26,500.00
22. Spare Video Detection Equipment	LS	1		\$14,000.00	\$14,000.00	\$11,111.00	\$11,111.00	\$12,875.00	\$12,875.00	\$12,000.00	\$12,000.00	\$12,825.00	\$12,825.00	\$13,200.00	\$13,200.00	\$13,000.00	\$13,000.00
23. Asphalt Grinding - Wedge Grind	LF	3,800		\$1.50	\$5,700.00	\$2.39	\$9,082.00	\$3.00	\$11,400.00	\$2.30	\$9,082.00	\$2.09	\$7,942.00	\$3.00	\$11,400.00	\$5.62	\$21,356.00
24. Asphalt Grinding - Conform Grind	SY	1,300		\$4.00	\$5,200.00	\$4.11	\$5,343.00	\$8.00	\$10,400.00	\$7.00	\$9,100.00	\$2.75	\$3,575.00	\$3.00	\$3,900.00	\$6.36	\$8,268.00
25. Asphalt Grinding - 2" Full Grind	SY	29,600		\$2.45	\$72,520.00	\$2.63	\$77,848.00	\$3.00	\$88,800.00	\$4.00	\$118,400.00	\$3.10	\$91,760.00	\$3.00	\$88,800.00	\$2.25	\$66,600.00
26. Asphalt Grinding - 2.5" Full Grind	SY	14,800		\$3.00	\$44,400.00	\$3.01	\$44,548.00	\$3.00	\$44,400.00	\$5.00	\$74,000.00	\$4.64	\$68,672.00	\$4.00	\$59,200.00	\$5.40	\$79,920.00
27. Asphalt Grinding - 3" Full Grind	SY	5,200		\$3.65	\$18,980.00	\$3.93	\$20,436.00	\$4.00	\$20,800.00	\$6.00	\$31,200.00	\$5.24	\$27,248.00	\$5.00	\$26,000.00	\$5.15	\$26,780.00
28. Asphalt Grinding - 4" Full Grind	SY	15,400		\$4.85	\$74,690.00	\$5.11	\$78,694.00	\$4.00	\$61,600.00	\$9.00	\$138,600.00	\$5.95	\$91,630.00	\$6.00	\$92,400.00	\$3.17	\$48,818.00
29. Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 2" Full Grind	SY	29,600		\$0.10	\$2,960.00	\$0.39	\$11,544.00	\$0.40	\$11,840.00	\$0.10	\$2,960.00	\$1.10	\$32,560.00	\$0.50	\$14,800.00	\$0.10	\$2,960.00
30. Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 2.5" Full Grind	SY	14,800		\$0.10	\$1,480.00	\$0.39	\$5,772.00	\$0.50	\$7,400.00	\$0.10	\$1,480.00	\$1.37	\$20,276.00	\$0.50	\$7,400.00	\$0.10	\$1,480.00
31. Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 3" Full Grind	SY	4,500		\$0.10	\$450.00	\$0.39	\$1,755.00	\$0.60	\$2,700.00	\$0.10	\$450.00	\$1.63	\$7,335.00	\$0.50	\$2,250.00	\$0.10	\$450.00
32. Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 4" Full Grind	SY	15,400		\$0.10	\$1,540.00	\$0.39	\$6,006.00	\$0.70	\$10,780.00	\$0.10	\$1,540.00	\$2.15	\$33,110.00	\$0.50	\$7,700.00	\$0.10	\$1,540.00
33. Pavement Repair - 4" Digouts	SF	8,990		\$3.50	\$31,465.00	\$4.23	\$38,027.70	\$5.00	\$44,950.00	\$3.00	\$26,970.00	\$3.50	\$31,465.00	\$4.50	\$40,455.00	\$5.60	\$50,344.00
34. Pavement Repair - 6" Digouts	SF	36,500		\$5.25	\$191,625.00	\$6.27	\$228,855.00	\$6.00	\$219,000.00	\$5.00	\$182,500.00	\$5.50	\$200,750.00	\$6.50	\$237,250.00	\$7.60	\$277,400.00
35. Crack Sealing	LS	1		\$40,000.00	\$40,000.00	\$37,000.00	\$37,000.00	\$35,000.00	\$35,000.00	\$40,000.00	\$40,000.00	\$65,000.00	\$65,000.00	\$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00
36. Pavement Reinforcing Fabric (TruPave)	SY	13,500		\$2.40	\$32,400.00	\$3.63	\$49,005.00	\$2.00	\$27,000.00	\$2.50	\$33,750.00	\$2.28	\$30,780.00	\$2.20	\$29,700.00	\$3.41	\$46,035.00
37. Pavement Reinforcing Fabric [High Strength] (GlasPav50	SY	6,300		\$6.00	\$37,800.00	\$6.77	\$42,651.00	\$6.00	\$37,800.00	\$6.00	\$37,800.00	\$5.81	\$36,603.00	\$5.50	\$34,650.00	\$6.72	\$42,336.00
38. Traffic Loop Replacement - Type D	EA	3		\$900.00	\$2,700.00	\$347.00	\$1,041.00	\$850.00	\$2,550.00	\$700.00	\$2,100.00	\$850.00	\$2,550.00	\$880.00	\$2,640.00	\$855.00	\$2,565.00
39. Traffic Loop Replacement - Type C	EA	7		\$900.00	\$6,300.00	\$777.00	\$5,439.00	\$850.00	\$5,950.00	\$1,500.00	\$10,500.00	\$850.00	\$5,950.00	\$880.00	\$6,160.00	\$855.00	\$5,985.00
40. Traffic Loop Replacement - Type A	EA	25		\$500.00	\$12,500.00	\$347.00	\$8,675.00	\$500.00	\$12,500.00	\$700.00	\$17,500.00	\$500.00	\$12,500.00	\$500.00	\$12,500.00	\$500.00	\$12,500.00
41. Detector Handhole	EA	14		\$750.00	\$10,500.00	\$427.00	\$5,978.00	\$700.00	\$9,800.00	\$1,000.00	\$14,000.00	\$700.00	\$9,800.00	\$820.00	\$11,480.00	\$704.00	\$9,856.00
42. HMA Paving- 1.5" Thick	TON	550		\$86.00	\$47,300.00	\$93.39	\$51,364.50	\$95.00	\$52,250.00	\$90.00	\$49,500.00	\$96.00	\$52,800.00	\$108.00	\$59,400.00	\$106.61	\$58,635.50
43. HMA Paving- 1.75" Thick	TON	170		\$86.00	\$14,620.00	\$93.39	\$15,876.30	\$95.00	\$16,150.00	\$90.00	\$15,300.00	\$96.00	\$16,320.00	\$135.00	\$22,950.00	\$120.88	\$20,549.60
44. HMA Paving- 2" Thick	TON	5070		\$86.00	\$436,020.00	\$93.39	\$473,487.30	\$95.00	\$481,650.00	\$90.00	\$456,300.00	\$96.00	\$486,720.00	\$89.00	\$451,230.00	\$103.00	\$522,210.00

Bidder				O'Grady Paving, Inc.		G. Bortolotto & Co., Inc.		Ghilotti Construction Co., Inc.		Interstate Grading & Paving, Inc.		C.F.Archibald Paving Inc.		Granite Rock Company		Grainte Construction Company					
Address				2513 Wyandotte Street		582 Gragato Road		246 Ghilotti Avenue		128 So. Maple Avenue		3624 Haven avenue		120 Granite Rock Way		715 Comstock Street					
				Mountain View, CA 94043		San Carlos, CA 94070-6227		Santa Rosa, CA 95407		San Francisco, CA 94080		Redwood City, CA 94061		San Jose, CA 95136		Santa Clara, CA 95054					
Contact				Craig E. Young		Robert Bortolotto		Richard W. Ghilotti		H. Michael Pariani		Curtis F. Archibald		Thomas Kaminski		James Roberts					
BID ITEMS			UOM	QTY	Total		Total		Total		Total		Total		Total		Total				
45. HMA Paving - 2.5" Thick		TON	2,870		\$86.00	\$246,820.00	\$93.39	\$268,029.30	\$95.00	\$272,650.00	\$90.00	\$258,300.00	\$96.00	\$275,520.00	\$101.00	\$289,870.00	\$109.13	\$313,203.10			
46. HMA Paving - 3" Thick		TON	380		\$86.00	\$32,680.00	\$93.39	\$35,488.20	\$95.00	\$36,100.00	\$90.00	\$34,200.00	\$96.00	\$36,480.00	\$101.00	\$38,380.00	\$120.04	\$45,615.20			
47. RHMA-G Paving- 2" Thick		TON	2,460		\$105.00	\$258,300.00	\$117.00	\$287,820.00	\$105.00	\$258,300.00	\$112.00	\$275,520.00	\$119.00	\$292,740.00	\$132.00	\$324,720.00	\$136.00	\$334,560.00			
48. Slurry Seal		SY	1,000		\$10.00	\$10,000.00	\$11.11	\$11,110.00	\$8.00	\$8,000.00	\$8.00	\$8,000.00	\$7.50	\$7,500.00	\$10.00	\$10,000.00	\$9.75	\$9,750.00			
49. Striping - Detail 2		LF	640		\$0.50	\$320.00	\$0.53	\$339.20	\$0.40	\$256.00	\$0.55	\$352.00	\$0.40	\$256.00	\$0.55	\$352.00	\$0.53	\$339.20			
50. Striping - Detail 9		LF	6,200		\$0.50	\$3,100.00	\$0.39	\$2,418.00	\$0.40	\$2,480.00	\$0.40	\$2,480.00	\$0.40	\$2,480.00	\$0.40	\$2,480.00	\$0.37	\$2,294.00			
51. Striping - Detail 22		LF	4,480		\$1.00	\$4,480.00	\$1.27	\$5,689.60	\$1.00	\$4,480.00	\$1.30	\$5,824.00	\$0.95	\$4,256.00	\$1.25	\$5,600.00	\$1.26	\$5,644.80			
52. Striping - Detail 25		LF	790		\$0.50	\$395.00	\$0.53	\$418.70	\$0.40	\$316.00	\$0.55	\$434.50	\$0.40	\$316.00	\$0.50	\$395.00	\$0.53	\$418.70			
53. Striping - Detail 25A		LF	1,450		\$0.50	\$725.00	\$0.49	\$710.50	\$0.50	\$725.00	\$0.50	\$725.00	\$0.50	\$725.00	\$0.50	\$725.00	\$0.47	\$681.50			
54. Striping - Detail 27B		LF	3,590		\$0.40	\$1,436.00	\$0.43	\$1,543.70	\$0.35	\$1,256.50	\$0.40	\$1,436.00	\$0.35	\$1,256.50	\$0.40	\$1,436.00	\$0.40	\$1,436.00			
55. Striping - Detail 32		LF	6,430		\$1.00	\$6,430.00	\$2.30	\$14,789.00	\$0.90	\$5,787.00	\$2.35	\$15,110.50	\$0.90	\$5,787.00	\$2.30	\$14,789.00	\$2.26	\$14,531.80			
56. Striping - Detail 38		LF	2,570		\$0.80	\$2,056.00	\$0.85	\$2,184.50	\$0.80	\$2,056.00	\$0.85	\$2,184.50	\$0.80	\$2,056.00	\$1.00	\$2,570.00	\$0.84	\$2,158.80			
57. Striping - Detail 38A		LF	370		\$0.70	\$259.00	\$1.00	\$370.00	\$0.70	\$259.00	\$0.85	\$314.50	\$0.70	\$259.00	\$1.00	\$370.00	\$0.84	\$310.80			
58. Striping - Detail 39		LF	10,160		\$0.60	\$6,096.00	\$0.53	\$5,384.80	\$0.55	\$5,588.00	\$0.55	\$5,588.00	\$0.55	\$5,588.00	\$0.50	\$5,080.00	\$0.53	\$5,384.80			
59. Striping - Detail 39A		LF	2,500		\$0.50	\$1,250.00	\$0.63	\$1,575.00	\$0.50	\$1,250.00	\$0.65	\$1,625.00	\$0.50	\$1,250.00	\$0.60	\$1,500.00	\$0.63	\$1,575.00			
60. Striping - Detail 40		LF	90		\$1.00	\$90.00	\$5.00	\$450.00	\$0.80	\$72.00	\$4.50	\$405.00	\$0.80	\$72.00	\$4.30	\$387.00	\$4.20	\$378.00			
61. Striping - 12" Stripe		LF	6,900		\$3.00	\$20,700.00	\$2.83	\$19,527.00	\$3.00	\$20,700.00	\$3.00	\$20,700.00	\$3.00	\$20,700.00	\$2.80	\$19,320.00	\$2.78	\$19,182.00			
62. Striping - 16" Bike Buffer		LF	660		\$3.50	\$2,310.00	\$2.57	\$1,696.20	\$3.25	\$2,145.00	\$2.60	\$1,716.00	\$3.20	\$2,112.00	\$2.50	\$1,650.00	\$2.52	\$1,663.20			
63. Markings - Legends and Arrows		SF	4,040		\$3.50	\$14,140.00	\$4.11	\$16,604.40	\$3.25	\$13,130.00	\$3.55	\$14,342.00	\$3.25	\$13,130.00	\$4.00	\$16,160.00	\$4.04	\$16,321.60			
64. Markings - Blue Pavement Marker		EA	40		\$25.00	\$1,000.00	\$11.11	\$444.40	\$20.00	\$800.00	\$11.00	\$440.00	\$20.00	\$800.00	\$10.50	\$420.00	\$10.50	\$420.00			
65. Markings - Painted Curb		LF	110		\$2.00	\$220.00	\$3.21	\$353.10	\$1.60	\$176.00	\$3.30	\$363.00	\$1.60	\$176.00	\$3.20	\$352.00	\$3.15	\$346.50			
66. In-Road-Warning-Lights		LS	1		\$18,000.00	\$18,000.00	\$11,111.11	\$11,111.11	\$17,000.00	\$17,000.00	\$30,000.00	\$30,000.00	\$17,000.00	\$17,000.00	\$18,000.00	\$18,000.00	\$17,000.00	\$17,000.00			
67. Manhole Adjustments in Overlay Area		EA	9		\$700.00	\$6,300.00	\$301.00	\$2,709.00	\$500.00	\$4,500.00	\$500.00	\$4,500.00	\$450.00	\$4,050.00	\$450.00	\$4,050.00	\$467.00	\$4,203.00			
68. Valve & Monument Adjustments in Overlay Area		EA	21		\$350.00	\$7,350.00	\$212.00	\$4,452.00	\$250.00	\$5,250.00	\$380.00	\$7,980.00	\$350.00	\$7,350.00	\$250.00	\$5,250.00	\$257.00	\$5,397.00			
69. Manhole Adjustments in Mill & Fill Area		EA	135		\$700.00	\$94,500.00	\$301.00	\$40,635.00	\$700.00	\$94,500.00	\$750.00	\$101,250.00	\$550.00	\$74,250.00	\$700.00	\$94,500.00	\$729.00	\$98,415.00			
70. Valve & Monument Adjustments in Mill & Fill Area		EA	117		\$450.00	\$52,650.00	\$180.00	\$21,060.00	\$400.00	\$46,800.00	\$600.00	\$70,200.00	\$350.00	\$40,950.00	\$375.00	\$43,875.00	\$388.00	\$45,396.00			
BID TOTAL						\$2,656,857.00		\$2,747,592.41		\$2,777,141.50		\$2,797,975.00		\$2,874,048.50		\$2,932,266.00		\$2,960,263.60			
Surety				10% Bid Bond			10% Bid Bond			10% Bid Bond			10% Bid Bond			10% Bid Bond			10% Bid Bond		
License				Class "A", and "C 12"			Class "A"			Class "A" "C-8, C12, C21, C42"			Class "A" & Haz			Class "A", "B" & Haz			Class "A" & "B"		
Subs				Columbia Electric-Electrical			Chrisp Co.-Striping			Rosa Bros-Minor Concrete			Chrisp Co.-Striping			Chrisp Co.-Striping			Chrisp Co.-Striping		
				Rosas Bros-Concrete			SpenCon-Concrete			Graham Contractors-Crack Seal			Pixley-Utility Adj.			Mike Brown Electric Co.-Electrical			Columbia-Electrical		
				Pacific North West Oil-Fabric			Graham Contractors-Crack Seal			Mike Brown Electric Co.-Electrical			RCSI-Carck Seal			SpenCon-Concrete			El Camino Paving-Adjust Utilities		
				Graham Contractors-Crack Seal/Slurry			Graham Contractors-Slurry Seal			Pacific NW Oil-Pavement Fabric			Bond-Slurry Seal			Bond Blacktop-Crack & Slurry Sea			Mike Brown Electric Co.-Electrical		
				Chrisp Co.-Striping			Mike Brown Electric Co.-Electric			Chrisp Co.-Striping			Columbia-Electrical			Pacific NW Oil-Pavement Fabric			Pacific NW Oil-Pavement Fabric		
							Telfer Geosyn-Pavement Fabric			El Camino Paving-Adjust Iron			Pacific North West-Fabric						Pacific NW Oil-Pavement Fabric		
										Chrisp Co.-Striping									Anarak Corp.-AC Grinding		

**DRAFT**  
**GENERAL CONSTRUCTION CONTRACT**

THIS CONTRACT dated \_\_\_\_\_ is by and between the CITY OF SUNNYVALE, a municipal corporation of the State of California ("Owner") and O'GRADY PAVING, INC. a California corporation ("Contractor").

**RECITALS:**

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

1. **The Contract Documents.** The complete Contract consists of the following documents: Notice Inviting Bids; Instructions to Bidders; Performance Bond and Payment Bond; Guaranty; City of Sunnyvale Standard Specifications for Public Works Construction, 2006 Edition; City of Sunnyvale Standard Details for Public Works Construction, 2006 Edition; Plans and Specifications, "Pavement Rehabilitation 2015, Project No. ST-14/04-15, Invitation for Bids No. PW15-15", including Two (2) Addenda; OSHA, and other standards and codes as outlined in the Specifications. These documents are all incorporated by reference. The documents comprising the complete contract are collectively referred to as the Contract Documents.

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

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

2. **The Work.** Contractor agrees to furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete the project in a good and workmanlike manner. The work consist(s) of rehabilitating various streets through the City, within the limits shown on the plans. Pavement rehabilitation shall include AC grinding, digouts, and AC overlay. In addition: minor concrete work, sign relocation, traffic loop replacement, crack sealing and repair, striping, and adjusting utility boxes to finished grade, as called for, and in the manner designated in, and in strict conformity with, the Plans and Specifications prepared by CSG Consults and adopted by the Owner. These Plans and Specifications are entitled respectively, Pavement Rehabilitation 2015, Project No. ST-14/04-15.

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 Two Million Six Hundred Fifty Six Thousand Eight Hundred Fifty Seven and NO/100 Dollars (\$2,656,857.00) ( subject to final determination of the work performed and materials furnished at unit prices per "Exhibit A" attached hereto and incorporated by this reference, and subject to additions and deductions in accordance, as provided in the Documents and in accordance with Contract Documents.

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

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

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

**7. Time for Completion.** All work under this contract shall be completed before the expiration seventy (70) 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 for Breach, etc.** If Contractor should file a bankruptcy petition and/or be judged bankrupt, or if Contractor should make a general assignment for the benefit of creditors, or if a receiver should be appointed on account of insolvency, or if Contractor or any subcontractors should violate any of the provisions of the Contract, Owner may serve written notice upon Contractor and its surety of Owner's intention to terminate the Contract. The notice shall contain the reasons for such intention to terminate the Contract, and, unless within ten days after serving such notice, such violation shall cease and satisfactory arrangements for correction thereof be made, upon the expiration of the ten days, the Contract shall cease and terminate. In the event of any such termination, Owner



shall immediately serve written notice thereof upon the surety and the Contractor, and the surety shall have the right to take over and perform the Contract; provided, however that, if the surety within fifteen days after the serving upon it of notice of termination does not give Owner written notice of its intention to take over and perform the Contract or does not commence performance thereof within thirty days from the date of the serving of such notice, Owner may take over the work and prosecute the same to completion by contract or by any other method it may deem advisable, for the account and at the expense of Contractor, and Contractor and its surety shall be liable to Owner for any excess cost occasioned Owner thereby, and in such event Owner may without liability for so doing take possession of and utilize in completing the work, such materials, appliances, plant and other property belonging to Contractor as may be on the site of the work and necessary therefor.

**10. Owner's Right to Withhold Certain Amounts and Make Application Thereof.**

In addition to the amount which Owner may retain under Paragraph 21 until the final completion and acceptance of all work covered by the Contract, Owner may withhold from payment to Contractor such amount or amounts as in its judgment may be necessary to pay just claims against Contractor or any subcontractors for labor and services rendered and materials furnished in and about the work. Owner may apply such withheld amount or amounts to the payment of such claims in its discretion. In so doing Owner shall be deemed the agent of Contractor and any payment so made by Owner shall be considered as a payment made under the Contract by Owner to the Contractor and Owner shall not be liable to Contractor for any such payment made in good faith. Such payment may be made without prior judicial determination of the claim or claims.

**11. Notice and Service Thereof.** All notices required pursuant to this Contract shall be communicated in writing, and shall be delivered in person, by commercial courier or by first class or priority mail delivered by the United States Postal Service. Transmission of notice by facsimile or by telephone may be deemed sufficient if the requirement for written notice is waived, in writing, by the receiving party. Notices delivered in person shall be deemed communicated as of actual receipt. Notices sent by mail or courier service shall be deemed communicated as of three days after mailing or dispatch, unless that date is a date on which there is no mail or delivery service, in which case communication shall be deemed to occur the next mail service or delivery day. The burden of proof of compliance with this requirement for written notice shall be on the sending party. 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: O'Grady Paving, Inc.  
Attn: Craig E. Young  
2513 Wyandotte Street  
Mountain View, CA 94043

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

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

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

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

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

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

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

(b) General and Automobile Liability Insurance. Contractor, at its own cost and expense, shall maintain personal injury liability and property damage insurance for the period covered by the Contract in the amount of Two Million Dollars (\$2,000,000.00) per

occurrence and \$4,000,000 annual aggregate combined single limit coverage. Such coverage shall include, but shall not be limited to, protection against claims arising therefrom, and damage to property resulting from activities contemplated under this Contract, use of owned automobiles, products and completed operations, including U, C and X. Such insurance shall be with insurers and under forms of policies satisfactory in all respects to the Owner and shall provide that notice must be given to Owner at least thirty (30) days prior to cancellation or material change. The following endorsements shall be attached to the policy:

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

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

**17. Hours of Work.** Eight hours of labor during any one calendar day and forty hours of labor during any one calendar week shall constitute the maximum hours of service upon all work done hereunder, and it is expressly stipulated that no laborer, worker, or mechanic employed at any time by the Contractor or by any subcontractor or subcontractors under this Contract, upon the work or upon any part of the work contemplated by this Contract, shall be required or permitted to work thereon more than eight hours during any one calendar day and forty hours during any one calendar week, except, as provided by Section 1815 of the Labor Code of the State of California, work performed by employees of contractors in excess of eight hours per day and forty hours during any one week shall be permitted upon public work upon compensation for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay. It is further expressly stipulated that for each and every violation of Sections 1811-1815, inclusive, of the Labor Code of the State of California, all the provisions whereof are deemed to be incorporated herein, Contractor shall forfeit, as a penalty to Owner, fifty dollars (\$50.00) for each laborer, worker, or mechanic employed in the execution of this Contract by Contractor, or by any subcontractor under this Contract, for each calendar day during which the laborer, worker, or mechanic is required or permitted to work more than eight hours in any one calendar day and forty hours in any one calendar week in violation of the provisions of the Sections of the Labor Code.

Contractor, and each subcontractor, shall, in accordance with California Labor Code Section 1776 or as the same may be later amended, keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with work under this agreement. Each payroll record shall contain or be verified by a written declaration under penalty of perjury, in accordance with Labor Code Section 1776(a). Such payroll records shall be made available at all reasonable times at the Contractor's principal office to the persons authorized to inspect such records pursuant to Labor Code Section 1776. A certified copy of all payroll records shall be made available for inspection or furnished upon request to a representative of the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations, as well as to the Owner's representative. In the event the Contractor or a Subcontractor fails to comply in a timely manner within ten days to a written notice requesting the records, such contractor or subcontractor shall forfeit twenty-five dollars (\$25.00) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated, in accordance with Labor Code Section 1776(g).

**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 fifty dollars (\$50.00) for each calendar day, or portion thereof, for each laborer, worker, or mechanic paid less than the stipulated prevailing rates for any work done under this Contract by Contractor or by any subcontractor; and Contractor agrees to comply with all provisions of Section 1775 of the Labor Code.

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

furnished shall be applicable as a minimum for such trade or occupation from the time of the initial employment of the person affected and during the continuance of such employment.

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

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

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

**22. Additional Provisions.**

None.

(Notice: The signatures of the Contractor's officers on this contract must be acknowledged before a notary.)

## ACKNOWLEDGMENT

State of California )  
County of )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

personally known to me (or 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.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

**EXHIBIT A**  
**Bid Schedule**  
**PAVEMENT REHABILITATION 2015 –BID SCHEDULE**

<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>
1	Mobilization (5% Max)	1	LS	\$30,000.00
2	Traffic Control	1	LS	\$155,000.00
3	Pedestrian Safety	1	LS	\$5,000.00
4	Changeable Message Board	32	EA	\$1,500.00
5	Sampling and Testing	1	LS	\$30,000.00
6	Pullbox Replacement	10	EA	\$1,000.00
7	Relocate Type 1-B Pole	3	EA	\$2,500.00
8	New Pedestrian Push Button Post	7	EA	\$1,100.00
9	Pedestrian Push Button Replacement	15	EA	\$3,200.00
10	PCC Sidewalk Replacement	990	SF	\$15.00
11	PCC Curb & Gutter Replacement	590	LF	\$50.00
12	PCC Curb Ramp - Perpendicular	18	EA	\$3,600.00
13	PCC Curb Ramp - Parallel	23	EA	\$3,600.00
14	PCC Curb Ramp - Combined	5	EA	\$3,600.00
15	PCC Curb Ramp - Case G	1	EA	\$3,500.00
16	PCC Island Passageway Modification	1	LS	\$14,500.00
17	Detectable Warning Surface	11	EA	\$650.00
18	Sign and Post	2	EA	\$500.00
19	Video Detection Device	11	EA	\$14,000.00
20	Video Detection Device Adjustment	1	EA	\$2,300.00
21	Video Detection Monitor and Processor	5	EA	\$5,300.00
22	Spare Video Detection Equipment	1	LS	\$14,000.00
23	Asphalt Grinding - Wedge Grind	3,800	LF	\$1.50
24	Asphalt Grinding - Conform Grind	1,300	SY	\$4.00
25	Asphalt Grinding - 2" Full Grind	29,600	SY	\$2.45
26	Asphalt Grinding - 2.5" Full Grind	14,800	SY	\$3.00
27	Asphalt Grinding - 3" Full Grind	5,200	SY	\$3.65
28	Asphalt Grinding - 4" Full Grind	15,400	SY	\$4.85



**“REVISED”**

29	Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 2" Full Grind	29,600	SY	\$0.10
30	Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 2.5" Full Grind	14,800	SY	\$0.10
31	Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 3" Full Grind	4,500	SY	\$0.10
32	Additive Cost for Disposal of Grindings with Fabric (DEDUCTIVE ITEM) - 4" Full Grind	15,400	SY	\$0.10
33	Pavement Repair - 4" Digouts	8,990	SF	\$3.50
34	Pavement Repair - 6" Digouts	36,500	SF	\$5.25
35	Crack Sealing	1	LS	\$40,000.00
36	Pavement Reinforcing Fabric (TruPave)	13,500	SY	\$2.40
37	Pavement Reinforcing Fabric [High Strength] (GlasPave50)	6,300	SY	\$6.00
38	Traffic Loop Replacement - Type D	3	EA	\$900.00
39	Traffic Loop Replacement - Type C	7	EA	\$900.00
40	Traffic Loop Replacement - Type A	25	EA	\$500.00
41	Detector Handhole	14	EA	\$750.00
42	HMA Paving- 1.5" Thick	550	TON	\$86.00
43	HMA Paving- 1.75" Thick	170	TON	\$86.00
44	HMA Paving - 2" Thick	5,070	TON	\$86.00
45	HMA Paving - 2.5" Thick	2,870	TON	\$86.00
46	HMA Paving - 3" Thick	380	TON	\$86.00
47	RHMA-G Paving - 2" Thick	2,460	TON	\$105.00
48	Slurry Seal	1,000	SY	\$10.00
49	Striping - Detail 2	640	LF	\$0.50
50	Striping - Detail 9	6,200	LF	\$0.50
51	Striping - Detail 22	4,480	LF	\$1.00
52	Striping - Detail 25	790	LF	\$0.50
53	Striping - Detail 25A	1,450	LF	\$0.50
54	Striping - Detail 27B	3,590	LF	\$0.40
55	Striping - Detail 32	6,430	LF	\$1.00
56	Striping - Detail 38	2,570	LF	\$0.80
57	Striping - Detail 38A	370	LF	\$0.70

**“REVISED”**

58	Striping - Detail 39	10,160	LF	\$0.60
59	Striping - Detail 39A	2,500	LF	\$0.50
60	Striping - Detail 40	90	LF	\$1.00
61	Striping - 12" Stripe	6,900	LF	\$3.00
62	Striping - 16" Bike Buffer	660	LF	\$3.50
63	Markings - Legends and Arrows	4,040	SF	\$3.50
64	Markings - Blue Pavement Marker	40	EA	\$25.00
65	Markings - Painted Curb	110	LF	\$2.00
66	In-Road-Warning-Lights	1	LS	\$18,000.00
67	Manhole Adjustments in Overlay Area	9	EA	\$700.00
68	Valve & Monument Adjustments in Overlay Area	21	EA	\$350.00
69	Manhole Adjustments in Mill & Fill Area	135	EA	\$700.00
70	Valve & Monument Adjustments in Mill & Fill Area	117	EA	\$450.00

**Site Locations****Attachment 3**

<b>StreetName</b>	<b>Beginning Location</b>	<b>Ending Location</b>
Bittern	Dunholme	Kirbyhill
Caliente	Fair Oaks	Johanna
Evelyn	Mathilda	Sunnyvale
Hollenbeck	The Dalles	Alberta
Lakehaven	Silverlake	Lawrence Expressway
Melon ct	Blair	South end
Oakmead	Lakeside	Lakeway
Oakmead	Lawrence ExpWay	Lakeside
Pastoria	Evelyn	Washington
Reed	Wolfe	Evelyn
Sandia	Lawrence Expy	Blazingwood
Washington	Sunset	Pastoria
Mathilda	Ahwanee	California
Mathilda	Caribbean	Bordeaux
Old San Francisco Road	Fair Oaks	Cezanne
Old San Francisco Road	Gail	Wolfe



# City of Sunnyvale

## Agenda Item

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15-0346

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### SUBJECT

Award of Contract for Lawrence Expressway Sanitary Sewer Rehabilitation Condition Assessment and Preliminary Design Report (F15-24)

#### REPORT IN BRIEF

Approval is requested to award a contract to Water Works Engineers, LLC of Redding in the amount of \$426,000 (\$274,000 in base services and \$152,000 in optional services) for design of the Lawrence Expressway Sanitary Sewer Rehabilitation Condition Assessment and Preliminary Design Report (Public Works Project No. UY-15/03-16). Approval is also requested for a 10% design contingency in the amount of \$42,600.

#### ENVIRONMENTAL REVIEW

This contract award for a rehabilitation condition assessment and preliminary design for the sewer main is not a project as defined in Section 15378 of the California Environmental Quality Act (CEQA), because it will not result in a physical change to the environment.

#### BACKGROUND AND DISCUSSION

The City of Sunnyvale Lawrence Expressway Sanitary Sewer trunk main is a critical pipeline for carrying sewage from the southern/eastern portions of the City and the Rancho Rinconada area of Cupertino to the Sunnyvale Water Pollution Control Plant (SWPCP). The sewer trunk main was originally installed in 1963 with a life expectancy of approximately 50 years. It is constructed of multiple materials and gradually increases in size from 15" at Stevens Creek Boulevard to 39" at Elko Drive. It has been impacted by corrosive sewer gases over the years, and structural defects have been found during limited inspections of the pipe. A manhole rehabilitation project to apply a cementitious lining to the manholes on this sewer trunk main was completed in 2007, but otherwise very little maintenance has been performed.

The trunk main is located in the right-of-way for Lawrence Expressway, which is not only a multi-lane major thoroughfare with heavy traffic, but is a County route controlled by the County of Santa Clara. As a result, City staff must get an encroachment permit from the County as well as provide extensive traffic control for any maintenance activities on the pipeline. Additionally, approximately 80% of the sewer lines in the City are 10" diameter or smaller. The City's inspection and cleaning equipment is designed for these smaller lines and is not effective on the much larger Lawrence Expressway sewer trunk main. Because of this, City staff rarely access this line and a comprehensive condition assessment and recommendations for rehabilitation are necessary to ensure continued reliable operation.

The scope of work for this project includes light cleaning and video inspection of the trunk main followed by a detailed condition assessment and preparation of a preliminary design report for

rehabilitation. The preliminary design report will recommend a rehabilitation or replacement alternative to extend the life of the sewer trunk main. Once the preliminary design report is complete and the scope of the rehabilitation work is known, a project will be undertaken to complete detailed design and prepare plans and specifications for construction. All necessary environmental review and permitting for construction will be included in the future design contract.

Request for Proposal (RFP) specifications were prepared by Public Works and Purchasing staff. RFP No. F15-24 was issued on October 6, 2014 and posted on the Demandstar public procurement network. Eighteen (18) firms requested the RFP documents. Proposals were received on November 5, 2014. Two responsive proposals were received as follows:

Infrastructure Engineering Corporation (IEC), of Fremont	\$114,925
Water Works Engineers, LLC, of Roseville	\$393,000

Proposals were reviewed by an evaluation team consisting of Public Works and Environmental Services Department (ESD) staff. The firms were evaluated on qualifications, experience, project understanding and approach. Consistent with State law, pricing was not considered. Both firms were invited to interviews with the evaluation team, and Water Works Engineers was unanimously selected as the highest ranked proposer with a much more detailed, thorough, and well thought-out approach to the project that proposed a superior video capture technology to obtain more useful condition assessment information.

Analysis of the proposed pricing indicated some differences between the proposers on the level of services to be provided to the City. For example, Water Works proposed pre-inspection sewer line cleaning, while IEC assumed the City would be responsible for those services. Additionally, Water Works also proposed flow monitoring, which staff felt would be more effective in the detailed design part of the project. Subsequent scoping discussions with City staff reduced The Water Works Engineers pricing to \$274,000.

Water Works Engineers also proposed on optional services in the amount of \$152,000 which, while not in project scope, would be useful in more completely evaluating the condition of the sanitary sewer trunk main. These include analysis of two additional segments of the sewer main (from Elko Drive to the WPCP, and from Tantau to Homestead), an alternative non-destructive pipe condition assessment technique for fully submerged sections of the line, the analysis of the Arques Diversion and Weir Assembly that diverts flow away from the main line, and project specific Caltrans permitting that may become necessary during the condition assessment. Although not all of the optional services may be required, staff recommends that Council authorize them now in order to lock in negotiated pricing and provide flexibility during the project.

It should also be noted that the two optional segments of the sewer main, while not included in the scope of Capital Project 829070 (Lawrence Expressway Sanitary Sewer Rehabilitation) in the adopted budget for FY 2014/15, are being added to the project scope for the Recommended FY 2015/16 budget.

Staff recommends awarding a contract in the amount of \$426,000 (\$274,000 in base services and \$152,000 in optional services) to Water Works Engineers, LLC for the Lawrence Expressway Sanitary Sewer Rehabilitation Condition Assessment and Preliminary Design Report. Staff also recommends approval of a 10% design contingency in the amount of \$42,604. The total contract

expenditures will not exceed \$468,600. After completion of the Preliminary Design Report the next step will be to hire a consultant to complete the necessary design work.

**FISCAL IMPACT**

Project costs are as follows:

Condition assessment and preliminary design report (Base Services)	\$274,000
Elko to WPCP site assessment (optional)	\$48,423
Tantau to Homestead site assessment (optional)	\$47,828
Nondestructive pipe condition assessment (optional)	\$19,891
Arques diversion and weir assembly assessment (optional)	\$28,658
Project specific Caltrans encroachment permitting (optional)	\$7,200
Design contingency (10%)	<u>\$42,600</u>
Total costs	\$468,600

The current budget includes \$6 million over four years in Capital Project 829070 (Lawrence Expressway Sanitary Sewer Rehabilitation) with \$350,000 available in FY 2014/15. The FY 2015/16 Recommended Budget includes updated estimates, with \$756,000 in FY 2015/16 and \$5.7 million over the subsequent three fiscal years for construction. With an estimated Notice to Proceed (NTP) date to the consultant of mid-May 2015, the existing funding will cover work to be performed through the end of FY 2014/15, and complete the work in the next fiscal year, subject to Council approval of the recommended budget.

This project is funded by the Wastewater Management Fund.

**PUBLIC CONTACT**

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

**RECOMMENDATION**

1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$426,000, to Waste Water Engineers, LLC, for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of \$42,600.

Prepared by: Pete Gonda, Purchasing Officer

Reviewed by: Grace K. Leung, Director, Finance

Reviewed by: John Stufflebean, Director, Environmental Services

Reviewed by: Manuel Pineda, Director, Public Works

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENT**

1. Draft Consultant Services Agreement

DRAFT

**CONSULTANT SERVICES AGREEMENT BETWEEN CITY OF SUNNYVALE  
AND WATER WORKS ENGINEERS, LLC FOR LAWRENCE EXPRESSWAY  
SANITARY SEWER REHABILITATION CONDITION ASSESSMENT AND  
PRELIMINARY DESIGN REPORT**

THIS AGREEMENT dated \_\_\_\_\_ is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY"), and WATER WORKS ENGINEERS, LLC ("CONSULTANT").

WHEREAS, CITY desires to secure professional services necessary for conducting a complete condition assessment and capacity analysis for the preparation of a preliminary design report for the project known as "Lawrence Expressway Sanitary Sewer Trunk Main Rehabilitation"; and

WHEREAS, CONSULTANT represents that it, and its sub-consultants, if any, possess the professional qualifications and expertise to provide the required services and are licensed by the State of California to practice engineering in the required disciplines;

NOW, THEREFORE, THE PARTIES ENTER INTO THIS AGREEMENT.

1. Services by CONSULTANT

CONSULTANT shall provide services in accordance with Exhibit "A" entitled "Scope of Work." All exhibits referenced in this Agreement are attached hereto and are incorporated herein by reference. To accomplish that end, CONSULTANT agrees to assign Mike Fisher, PE to this project, to act in the capacity of Project Manager and personally direct the professional services to be provided by CONSULTANT.

Except as specified in this Agreement, CONSULTANT shall furnish all technical and professional services, including labor, material, equipment, transportation, supervision and expertise to perform all operations necessary and required to satisfactorily complete the services required in this Agreement.

2. Notice to Proceed/Completion of Services

- (a) CONSULTANT shall commence services upon receipt of a Notice to Proceed from CITY. Notice shall be deemed to have occurred three (3) calendar days after deposit in the regular course of the United States mail.
- (b) When CITY determines that CONSULTANT has satisfactorily completed the services defined in Exhibit "A," CITY shall give CONSULTANT written Notice of Final Acceptance, and CONSULTANT shall not incur any further costs hereunder. CONSULTANT may request this determination of completion when, in its opinion, it has satisfactorily completed the Scope of Work (Exhibit "A"), and if so requested, CITY shall make this determination within fourteen (14) days of such request.

3. Project Schedule

The Project Schedule is set forth in the attached Exhibit "A-1".

4. Payment of Fees and Expenses

Payments shall be made to CONSULTANT on a monthly basis as set forth in the attached Exhibit "B" entitled "Compensation Schedule." All compensation will be based on monthly billings as provided in Exhibit "B." Compensation will not be due until said detailed billing is submitted to CITY within a reasonable time before payment is expected to allow for normal CITY processing. An estimate of the percent of total completion associated with the various categories of the services shall be furnished by CONSULTANT with said billing. When applicable, copies of pertinent financial records will be included with the submission of billing(s) for all direct reimbursables. Compensation shall not exceed the amounts set forth in Exhibit "B" for each phase, and shall include services as identified in Exhibit "A". Basic services shall be in the amount of Two Hundred Seventy Four Thousand and No/100 Dollars (\$274,000.00) for the duration of the contract, as well as additional or optional services in an amount not to exceed One Hundred Fifty Two Thousand and No/100 Dollars (\$152,000.00) for the duration of the contract. In no event shall the total amount of compensation payable under this agreement exceed the sum of Four Hundred Twenty Six Thousand and No/100 Dollars (\$426,000.00) unless upon written modification of this Agreement. All invoices, including detailed backup, shall be sent to City of Sunnyvale, attention Accounts Payable, P.O. Box 3707, Sunnyvale, CA 94088-3707.

5. No Assignment of Agreement

CONSULTANT bind themselves, their partners, successors, assigns, executors, and administrators to all covenants of this Agreement. Except as otherwise set forth in this Agreement, no interest in this Agreement or any of the work provided for under this Agreement shall be assigned or transferred, either voluntarily or by operation of law, without the prior written approval of CITY. However, claims for money due to or to become due to CONSULTANT from CITY under this Agreement may be assigned to a bank, trust company or other financial institutions, or to a trustee in bankruptcy, provided that written notice of any such assignment or transfer shall be first furnished to CITY. In case of the death of one or more members of CONSULTANT's firm, the surviving member or members shall complete the services covered by this Agreement. Any such assignment shall not relieve CONSULTANT from any liability under the terms of this Agreement.

6. Consultant is an Independent Contractor

CONSULTANT is not an agent or employee of CITY but is an independent contractor with full rights to manage its employees subject to the requirements of the law. All persons employed by CONSULTANT in connection with this Agreement will be employees of CONSULTANT and not employees of CITY in any respect. CONSULTANT is responsible for obtaining statutory Workers' Compensation coverage for its employees.

7. Consultant's Services to be Approved by a Registered Professional

All reports, costs estimates, plans and other documents which may be submitted or furnished by CONSULTANT shall be approved and signed by a qualified registered professional in the State of California. The title sheet for calculations, specifications and reports, and each sheet of plans, shall bear the professional seal, certificate number, registration classification, expiration date of certificate and signature of the professional responsible for their preparation.

8. Standard of Workmanship

CONSULTANT represents and maintains that it is skilled in the professional calling necessary to perform the services and its duties and obligations, expressed and implied, contained herein, and CITY



expressly relies upon CONSULTANT's representations regarding its skills and knowledge. CONSULTANT shall perform such services and duties in conformance to and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California.

The plans, designs, specifications, estimates, calculations reports and other documents furnished under the Scope of Work (Exhibit "A") shall be of a quality acceptable to CITY. The criteria for acceptance of the work provided under this Agreement shall be a product of neat appearance, well-organized, technically and grammatically correct, checked and having the maker and checker identified. The minimum standard of appearance, organization and content of the drawings shall be that used by CITY for similar projects.

9. Responsibility of CONSULTANT

CONSULTANT shall be responsible for the professional quality, technical accuracy and the coordination of the services furnished by it under this Agreement. Neither CITY's review, acceptance nor payment for any of the services required under this Agreement shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement and CONSULTANT shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONSULTANT's negligent performance of any of the services furnished under this Agreement.

Any acceptance by CITY of plans, specifications, calculations, construction contract documents, reports, diagrams, maps and other material prepared by CONSULTANT shall not, in any respect, absolve CONSULTANT for the responsibility CONSULTANT has in accordance with customary standards of good engineering practice in compliance with applicable Federal, State, County and/or municipal laws, ordinances, regulations, rules and orders.

10. Right of CITY to Inspect Records of CONSULTANT

CITY, through its authorized employees, representatives, or agents, shall have the right, at any and all reasonable times, to audit the books and records including, but not limited to, invoices, vouchers, canceled checks, time cards of CONSULTANT for the purpose of verifying any and all charges made by CONSULTANT in connection with this Agreement. CONSULTANT shall maintain for a minimum period of three (3) years from the date of final payment to CONSULTANT or for any longer period required by law, sufficient books and records in accordance with generally accepted accounting practices to establish the correctness of all charges submitted to CITY by CONSULTANT. Any expenses not so recorded shall be disallowed by CITY.

11. Confidentiality of Material

All ideas, memoranda, specifications, plans, calculations, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for CONSULTANT and all other written information submitted to CONSULTANT in connection with the performance of this Agreement shall be held confidential by CONSULTANT and shall not, without the prior written consent of CITY be used for any purposes other than the performance of the Project services, nor be disclosed to an entity not connected with the performance of the Project services. Nothing furnished to CONSULTANT which is otherwise known to CONSULTANT or is or becomes generally known to the related industry shall be deemed confidential. CONSULTANT shall not use CITY's name, insignia or distribute exploitative publicity pertaining to the services rendered under this Agreement in any magazine, trade paper, newspaper or other medium without the express written consent of CITY.

12. No Pledging of CITY's Credit

Under no circumstances shall CONSULTANT have the authority or power to pledge the credit of CITY or incur any obligation in the name of CITY.

13. Ownership of Material

All material, including information developed on computer(s), which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports and other material developed, collected, prepared or caused to be prepared, under this Agreement shall be the property of CITY, but CONSULTANT may retain and use copies thereof.

CITY shall not be limited, in any way, in its use of said material, at any time, for work associated with Project. However, CONSULTANT shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to the release of this material to third parties for work other than on Project.

14. Hold Harmless/Indemnification

To the extent permitted by law (including, without limitation, California Civil Code section 2782.8), CONSULTANT agrees to indemnify, defend and hold harmless CITY, its officers and employees from any and all claims, demands, actions, causes of action, losses, damages, liabilities, known or unknown, and all costs and expenses, including reasonable attorneys' fees in connection with any injury or damage to persons or property to the extent arising out of any negligence, recklessness or willful misconduct of CONSULTANT, its officers, employees, agents, contractor, subcontractors or any officer, agent or employee thereof in relation to CONSULTANT's performance under this Agreement. Such defense and indemnification shall not apply in any instance of and to the extent caused by the sole negligence, recklessness or willful misconduct of CITY, its officers, employees, agents or representatives.

15. Insurance Requirements

CONSULTANT shall take out and maintain 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."

16. No Third Party Beneficiary

This Agreement shall not be construed or deemed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action hereunder for any cause whatsoever.

17. Notices

All notices required by this Agreement, other than invoices for payment which shall be sent directly to Accounts Payable, shall be in writing, and shall be personally delivered, sent by first class with postage prepaid, or sent by commercial courier, addressed as follows:

To CITY: Craig Mobeck, City Engineer  
Department of Public Works  
CITY OF SUNNYVALE  
P. O. Box 3707  
Sunnyvale, CA 94088-3707

To CONSULTANT: WATER WORKS ENGINEERS, LLC  
Attn: Mike Fisher  
1405 Victor Avenue, Suite A  
Redding, CA 96003}

Nothing in this provision shall be construed to prohibit communication by more expedient means, such as by telephone or facsimile transmission, to accomplish timely communication. However, to constitute effective notice, written confirmation of a telephone conversation or an original of a facsimile transmission must be sent by first class mail, by commercial carrier, or hand-delivered. 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 days after mailing, unless such date is a date on which there is no mail service. In that event communication is deemed to occur on the next mail service day.

18. Waiver

CONSULTANT agrees that waiver by CITY of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement.

19. Amendments

No alterations or changes to the terms of this Agreement shall be valid unless made in writing and signed by both parties.

20. Integrated Agreement

This Agreement embodies the agreement between CITY and CONSULTANT and its terms and conditions. No verbal agreements or conversation with any officer, agent or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.

21. Conflict of Interest

CONSULTANT shall avoid all conflicts of interest, or appearance of conflict, in performing the services and agrees to immediately notify CITY of any facts that may give rise to a conflict of interest. CONSULTANT is aware of the prohibition that no officer of CITY shall have any interest, direct or indirect, in this Agreement or in the proceeds thereof. During the term of this Agreement CONSULTANT shall not accept employment or an obligation which is inconsistent or incompatible with CONSULTANT'S obligations under this Agreement.

22. California Agreement

This Agreement has been entered into in the State of California and this Agreement shall be governed by California law.

23. Records, Reports and Documentation

CONSULTANT shall maintain complete and accurate records of its operation, including any and all additional records required by CITY in writing. CONSULTANT shall submit to CITY any and all reports

concerning its performance under this Agreement that may be requested by CITY in writing. CONSULTANT agrees to assist CITY in meeting CITY's reporting requirements to the state and other agencies with respect to CONSULTANT's work hereunder. All records, reports and documentation relating to the work performed under this Agreement shall be made available to City during the term of this Agreement.

24. Termination of Agreement

If CONSULTANT defaults in the performance of this Agreement, or materially breaches any of its provisions, CITY at its option may terminate this Agreement by giving written notice to CONSULTANT. If CITY fails to pay CONSULTANT, CONSULTANT at its option may terminate this Agreement if the failure is not remedied by CITY within thirty (30) days after written notification of failure to pay.

Without limitation to such rights or remedies as CITY shall otherwise have by law, CITY also shall have the right to terminate this Agreement for any reason upon ten (10) days' written notice to CONSULTANT. In the event of such termination, CONSULTANT shall be compensated in proportion to the percentage of services performed or materials furnished (in relation to the total which would have been performed or furnished) through the date of receipt of notification from CITY to terminate. CONSULTANT shall present CITY with any work product completed at that point in time.

25. Subcontracting

None of the services covered by this Agreement shall be subcontracted without the prior written consent of CITY. Such consent may be issued with notice to proceed if subcontract consultants are listed in the project work plan.

26. Fair Employment

CONSULTANT shall not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, condition of physical handicap, religion, ethnic background or marital status, in violation of state or federal law.

27. Changes

CITY or CONSULTANT may, from time to time, request changes in the terms and conditions of this Agreement. Such changes, which are mutually agreed upon by CITY and CONSULTANT, shall be incorporated in amendments to this Agreement.

28. Other Agreements

This Agreement shall not prevent either Party from entering into similar agreements with others.

29. 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.

30. Captions

The captions of the various sections, paragraphs and subparagraphs, of the contract are for convenience only and shall not be considered nor referred to for resolving questions of interpretation.

31. 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.

32. Miscellaneous

Time shall be of the essence in this Agreement. Failure on the part of either party to enforce any provision of this Agreement shall not be construed as a waiver of the right to compel enforcement of such provision or any other provision. This Agreement shall be governed and construed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

CITY OF SUNNYVALE ("CITY")

By \_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
City Manager

WATER WORKS ENGINEERS, LLC ("CONSULTANT")

By \_\_\_\_\_

APPROVED AS TO FORM:

By \_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Name/Title

By \_\_\_\_\_

\_\_\_\_\_  
Name/Title

**ATTACHMENT A**

**SCOPE OF WORK FOR  
Lawrence Expressway Sanitary Sewer Rehabilitation Condition Assessment and  
Preliminary Design Report  
829070**

**I. General**

Water Works Engineers, LLC (Consultant) shall provide to the City of Sunnyvale (City) licensed professional Engineering services to conduct condition assessment and prepare a preliminary design report for the Lawrence Expressway Sanitary Sewer Trunk Main Rehabilitation. The scope of work generally includes conducting a condition assessment (utilizing IBAK's Panoramio 3D Optoscanner technology) and capacity analysis (based on City provided modeling results) of the trunk main, identifying and prioritizing the line segments in most need of rehabilitation and repair. Ancillary work includes: preliminary construction cost estimating, schedule monitoring, preparation of reports and recommendations, and project management.

**II. Project Information**

*A. Description*

The Lawrence Expressway Sanitary Sewer trunk main is a critical pipe for carrying sewage from the southern and eastern portions of the City of Sunnyvale and the Rancho Rinconada area of Cupertino to the City of Sunnyvale Water Pollution Control Plant (WPCP). The intent of this study is to assess the current condition and capacity of the trunk main between Elko Drive and Homestead Road, and to identify and prioritize degraded portions of the sewer line for rehabilitation. Capacity Assessment services shall be based on City provided hydraulic modeling results and shall reference City Master Plan recommendations related to capacity improvements where deemed appropriate by Consultant. Consultant will include an evaluation of potential operation and maintenance (O&M) enhancements and/or capital improvements that could provide redundancy for emergency or by-pass operations. Optional services consist of assessment of the remainder of the trunk main, analysis of an existing flow diversion structure, and the use of alternative non-destructive pipe condition assessment technology.

*B. Location*

Lawrence Expressway is a multi-lane major traffic thoroughfare that runs north and south through the east side of the City of Sunnyvale and portions of the City of Santa Clara. As a County route, the right-of-way is controlled by the County of Santa Clara. No work within the California Department of Transportation (Caltrans) right-of-way is anticipated. Should access to Caltrans controlled right-of-way be required, Consultant shall rely on existing City easements to access the lines and no Caltrans permitting is required. An optional task for Consultant to secure Caltrans permitting has been included in this scope of services should a project specific Caltrans Encroachment Permit be required. A sanitary sewer trunk main runs from southern Sunnyvale and the Rancho Rinconada area of Cupertino to the WPCP in northern Sunnyvale. Base services for this project involve assessment of approximately 25,000LF of sanitary sewer trunk main pipeline in Lawrence Expressway from Homestead Road to Elko Drive.

C. *Existing Conditions*

The Lawrence Expressway Sanitary Sewer trunk main was originally installed in 1953 with a life expectancy of approximately 50 years. The line is constructed of multiple materials and gradually increases in size from 15" at Stevens Creek Boulevard to 39" at Elko Drive. It has been impacted by corrosive sewer gases over the years and structural defects have been found during limited inspections of the pipe. A manhole rehabilitation project to apply a cementitious lining to the manholes on this line was completed in 2007. The majority of the manhole entry points are located in traffic lanes or at busy intersections requiring extensive traffic control and limited working hours for access.

III. **Consultant Scope of Services**

The consultant will perform all engineering and project management related work necessary to conduct the condition assessment and prepare the preliminary design report as further detailed below.

Consultant services shall include, but are not limited to: Project management, investigation, condition assessment, analysis, prioritization, scheduling, estimating, permitting/regulatory compliance for condition assessment work in County or City controlled Right-of-Way, and reporting. Services shall also include coordination with the City, County, utility companies, and contractors working in the area. Provide and maintain traffic control and safety devices, including all personnel necessary for effectively directing vehicular, pedestrian, and bicycle traffic through project zone. Also, provide a health and safety plan and comply with all OSHA and CAL/OSHA requirements when working in the sewers or vicinity of hazardous substances. All manhole entry shall be in compliance with the confined space entry requirements of CAL/OSHA, County of Santa Clara, and the City of Sunnyvale.

A. *Project Management*

The consultant will be the primary responsible party for managing the project's schedule and consultant contract budget. In addition, the consultant is expected to attend a minimum of two progress meetings and prepare action item logs for subsequent follow-up. The consultant is expected to maintain frequent (minimum weekly) and timely communication with City staff throughout the duration of the project.

All project schedules shall be prepared in Gantt chart format, utilizing Microsoft Project software. Three weeks for each City review shall be included. Schedule updates shall be provided at all progress meetings.

Consultant's own team should have provisions for quality assurance/quality control over work product prepared for the City. A statement of peer review will be required for overall thoroughness, coordination, and reasonable reduction in errors and omissions.

The consultant shall host an FTP site (using project specific folders on [www.DropBox.com](http://www.DropBox.com) or similar file sharing site) throughout the project's duration for electronic file sharing.

B. *Site Investigation and Condition Assessment Between Homestead Road and Elko Drive*

A technical memorandum outlining the proposed method and sequence of the condition assessment shall be prepared by the consultant and submitted to the City for approval prior to beginning any field work.

The condition assessment and analysis of approximately 25,000LF of sewer trunk main along Lawrence Expressway between Homestead Road and Elko Drive shall include, but is not limited to the following:

- Examination of the line including condition of the pipe and manholes utilizing IBAK's Panoramo 3D Optoscanner technology as provided by Professional Pipe Services (Pro-Pipe) a Division of Hoffman Southwest Corp.
- Panoramo Optoscanner digital documentation of lines and manholes
- Identify any deficiencies including, but not limited to surcharged manholes, grease buildup, leaks, sags, off-sets, sedimentation, or root intrusion
- Identify visible sources of infiltration and inflow (I/I) and include strategies for inspection/reduction/elimination of identified sources in preliminary design report
- Identify any sections of the trunk main that are expected to require higher levels of ongoing maintenance due to grease build up, sedimentation, or other conditions

The field investigation and analysis must be adequate to confirm the existing condition of all trunk line components and identify all components that are deficient, or need to be upgraded to ensure reliable, long-term operation of the line. Consultant recommendations for enhanced maintenance, rehabilitation or replacement shall be based on structural and O&M defects identified during the field assessment. Consultant shall review all field collected data and make recommendations based on this data.

Special Certification Requirements: All CCTV operators and Quality Control (QA/QC) staff shall be certified by the National Association of Sewer Service Companies (NASSCO) by passing the Pipeline Assessment and Certification Program (PACP) and Manhole Assessment and Certification Program (MACP). The methodology of evaluation, data collection, and reporting criteria used for the NASSCO certification shall be practiced for all CCTV/Panoramo inspections. The project tabular data shall be delivered electronically to the City in the current NASSCO Standard Database Exchange format for PACP and MACP. Optoscanner digital data shall be exported and delivered in a no license required PipeLogix viewer format (1 each per segment with a self-executable viewer launch file), PACP coding, integrated reports into the viewer, PACP exchange database and GIS shape files with linked viewers to pipe segments and observations delivered on portable flash media or hard drive. This format does not require proprietary software to be reviewed and can be viewed with the standard self-executable MS Windows compatible software.

The following are assumed to be excluded from this scope of services:

1. Bypass pumping and operating pump stations
2. Environmental/erosion control
3. Actual cost of permits, licenses and performance bonds (if any)
4. Excavation of any kind
5. Access- (Owner shall provide adequate access, i.e. no buried manholes)
6. Additional mobilizations- (proposal is based upon 1 instance of mobilization for the above services)
7. Mechanical Cleaning or Cleaning beyond normal conditions- (Footage price is for cleaning 3 passes with a jetter only)
8. Disposal of materials (City shall provide approved location for debris disposal)
9. Water (City shall provide approved location to obtain water for jetter)



Consultant shall be responsible for obtaining water necessary for operation of equipment. The consultant shall obtain a hydrant meter and backflow preventer from the City One-Stop counter at City Hall for water needs. Consultant will pay for water used in accordance with City One-Stop counter requirements. Payment for this shall be included as part of per lineal foot payment for 3-Pass Line Cleaning (light cleaning).

Consultant shall be responsible for disposal of materials collected as part of work (solids and water collected and stored in combination hydrovac-jetter) including, solids storage and dewatering bin placement; loading; and transport by disposal company. Payment for this disposal effort shall be on an actual cost +10% basis estimated at a not to exceed amount of \$5,000 based on industry typical expectations for debris from 3-pass Line Cleaning (light cleaning). Consultant shall provide back-up documentation detailing actual cost for this effort, including storage bin rental, dewatering costs, loading, disposal, etc. receipts and employee time.

*C. (Optional) Additional Site Investigation and Condition Assessment*

Under this Optional Task, Consultant shall provide condition assessment and limited capacity assessment for the remaining two sections of the Lawrence Trunk Line. The same assessment and analysis parameters of Task B shall apply to this task, and the results should be included in the draft and final reports. It is assumed that only one mobilization of equipment to site and encroachment permit will be required (i.e. these additional segments will be completed sequentially with base work described in Task B)

1. Approximately 8,750LF along Stevens Creek and Lawrence Expressway from Tantau Avenue to Homestead Road.
2. Approximately 8,500LF along Lawrence Expressway and Caribbean Drive from Elko Drive to the Sunnyvale WPCP on Carl Road.

*D. (Optional) Arques Diversion and Weir Assembly Assessment*

A manhole and flow diversion weir were designed and installed on the Lawrence trunk main at the intersection with Arques Avenue to divert a portion of the flow to a sanitary sewer lift station and forcemain on Arques Avenue. Under this Optional Task, Consultant shall evaluate the existing weir assembly at this location to determine if it is installed and functioning properly (i.e. as shown on Record Drawings and per description of intended operations as provided by City staff interviews) to optimize flow diversion from the Lawrence trunk main. Prior to entry, Consultant will review available record drawings; in-field operational set-points; pump nameplate design capacity; and additional operation data provided by City to evaluate potential for pump station to operate as high flow relief for Lawrence trunk main downstream of diversion. If evaluation identifies potential for relief station to also significantly reduce flows on Lawrence trunk line during Panoramo condition assessment, Consultant will make such recommendations. Consultant will make entry to structure at same time as Task B services so as to utilize traffic control and permitting included with pipeline assessment. Any resulting recommendations for adjustments would be included in the draft and final reports.

*E. (Optional) Non-Destructive Pipe Condition Assessment*

Consultant shall evaluate up to 2,500LF of sewer main using a non-destructive pipe assessment technology as proposed by the consultant if it will result in detailed information about the condition of lines that can't be obtained by CCTV inspections. This may be considered for fully submerged pipes or siphons, since bypass pumping is

impractical in most of the main due to traffic, to quantify the amount of sediment present, to identify structural anomalies or to check the integrity of RCP line segments. The severity of surcharge and/or complete submergence in each pipe segment will be evaluated by Consultant team during the initial Panoramo Optoscanner condition assessment (Task B) and recommendations as to the effectiveness of sonar deployment will be made to the City at that time in the form of a Non-Destructive Condition Assessment Recommendations Memo.

For the purposes of this Optional Task scope of services and fee estimate, Consultant has assumed sonar inspection for Non-Destructive Pipe Condition Assessment services. Sediment levels are identified in the pipe using a sonar unit. The sonar equipment operates on the general principal of measuring the different velocities of sound in water from differing materials. The sonar head sends out ultrasonic signals that are reflected back from materials in the sewer below the waterline. The time delay of the reflected signals is used to generate a profile of the surfaces under water. Sonar can be used to provide information on submerged debris, with additional limited ability to identify and quantify pipe settlement, joint alignment and submerged deformations in sewers. Results of the post-inspection data processing will be reviewed by Consultant and resultant recommendations for O&M enhancements, additional more detailed inspection; repair or rehabilitation would be included in the draft and final reports.

#### E1 (Optional) Project Specific Caltrans Encroachment Permit

It is not anticipated that work within Caltrans controlled right-of-way will be required to complete work. However, for the purposes of this Optional Task scope of services should a project specific Caltrans Encroachment Permit be required for execution of the work, Consultant shall research and complete application; pay permit fees; provide traffic control design; correspond with Caltrans as needed to review permit application submittal; and implement traffic control and access requirements of said permit. There are three potential freeway crossings that have the potential to necessitate project specific encroachment permitting. The number of crossings that are included in the project specific permit; the number of required traffic control designs; and the acceptance by Caltrans of these varying locations as one encroachment permit application package could all affect the effort and cost required to secure this permit. For the purposes of estimating level of effort and cost for this optional service, payment for this permitting effort shall be on an actual cost +10% basis estimated at a not to exceed amount of \$7,200 based on anticipated permitting fees of \$500, per location traffic control plans of \$1,500 each; and time required to oversee and apply for separate permits at each location. Consultant shall provide back-up documentation detailing actual cost for this effort, including permitting fees, traffic control plan costs, and employee time.

#### F. *Draft Preliminary Design Report*

Consultant shall be the Engineer of Record responsible for preparation of a preliminary design report (PDR) that provides a detailed scope work that can be used as a basis of design for a comprehensive rehabilitation project. Detailed analysis and recommendations for replacement of the line due to Capacity Assessment results will not be included in the PDR, but rather a summary of capacity improvements recommended by the City's parallel Master Planning efforts and how those recommended capacity improvements help to direct and prioritize the type and timeline of improvements recommended to mitigate existing condition defects identified by Task B. The report shall

prioritize the line segments in most need of rehabilitation and repair and present options and alternatives to rehabilitation where appropriate. The report shall identify groups of line segments that can be constructed within the available construction budget (as quantified by City).

Recommendations shall be in compliance with currently known and applicable rules, regulations, code, law, and good practice for public facilities. If possible, the consultant shall incorporate “green” building/construction practices and operations and maintenance enhancement recommendations that have the potential to lower costs and/or mitigate spill potential when available construction budget may not allow for immediate construction of all recommended improvements.

Recommended improvements shall be for a good quality product based on industry recognized engineering judgment and evaluation while allowing competitive pricing where possible and appropriate, and provide options to the contractor where appropriate to obtain the same good level of quality for a competitive bid price. Recommendations shall not specify proprietary products or services.

The final report will detail the results of the condition assessment and analysis and provide alternative strategies, where applicable, for addressing deficiencies. A preliminary cost estimate shall be included with each option, along with other support information outlining pros and cons for each option. The report will summarize the final consultant recommendations. There will also be a comprehensive list of known required regulatory permits, and other agencies or utilities that will need to be coordinated with as a result of the recommendations. This will include agencies such as the County of Santa Clara, City of Santa Clara, and potentially Caltrans.

The final report format will be determined by the consultant, but should generally include a project description, existing conditions evaluation and assessment, proposed improvements and alternatives, summary of final recommendations, cost estimate, and a list of anticipated regulatory approvals, permits, utility applications and other agency coordination.

Consultant will produce a Preliminary Design Report (PDR) that summarizes the results of all field activities and office assessments; describes the viability of the existing pipeline and appurtenances; details the process used to make that assessment; and provides recommended improvements and costs. The PDR will include:

- ✓ Purpose of the Investigation
- ✓ Summary of Field Assessment and Field Procedures
- ✓ Findings of the Field Condition Assessment
- ✓ Summary of City Master Planning Capacity Assessment as it pertains to PDR
- ✓ Condition Assessment Approach and Results
- ✓ Description of Proposed Repair, Rehabilitation &/or Replacement (RRR / Renewal) Alternatives
- ✓ Unit Cost for each RRR Activity and Supporting Documentation
- ✓ Methodology for Project Bundling
- ✓ Construction Cost Estimates
- ✓ Proposed Improvement Project Bundles and Prioritization

- ✓ Competitive Bidding Potential and Recommendations (by methodology, pipe material, location, etc.)
- ✓ Potential Constraints of selected methodology (Geotech, ROW, Environmental, Utilities, Constructability, Permitting, O&M, etc.)
- ✓ Project Summary Sheets (plan view figure, summary of work, costs, bid alternatives, permits & constraints)
- ✓ O&M Enhancement Recommendations (mechanical line cleaning, re-inspection interval, etc.)

All submittals shall include hardcopies (number specified below) and digital copies (PDF and native format) of all documents on DVD or portable hard drive. Panoramo Optoscanner condition assessment reports will be provided in electronic source format described under Task B with summary of defects included in PDR.

The consultant is required to attend a meeting with the City to present the report and options for rehabilitation, including schedules and cost estimates. The PDR shall be clean, clear, concise and complete; and submitted to the City in Draft format at a PDR Review Workshop facilitated by Consultant staff. Consultant will receive comments during workshop, as well as written review comments as provided by City, and produce Final PDR with all City comments addressed.

#### *G. Final Report*

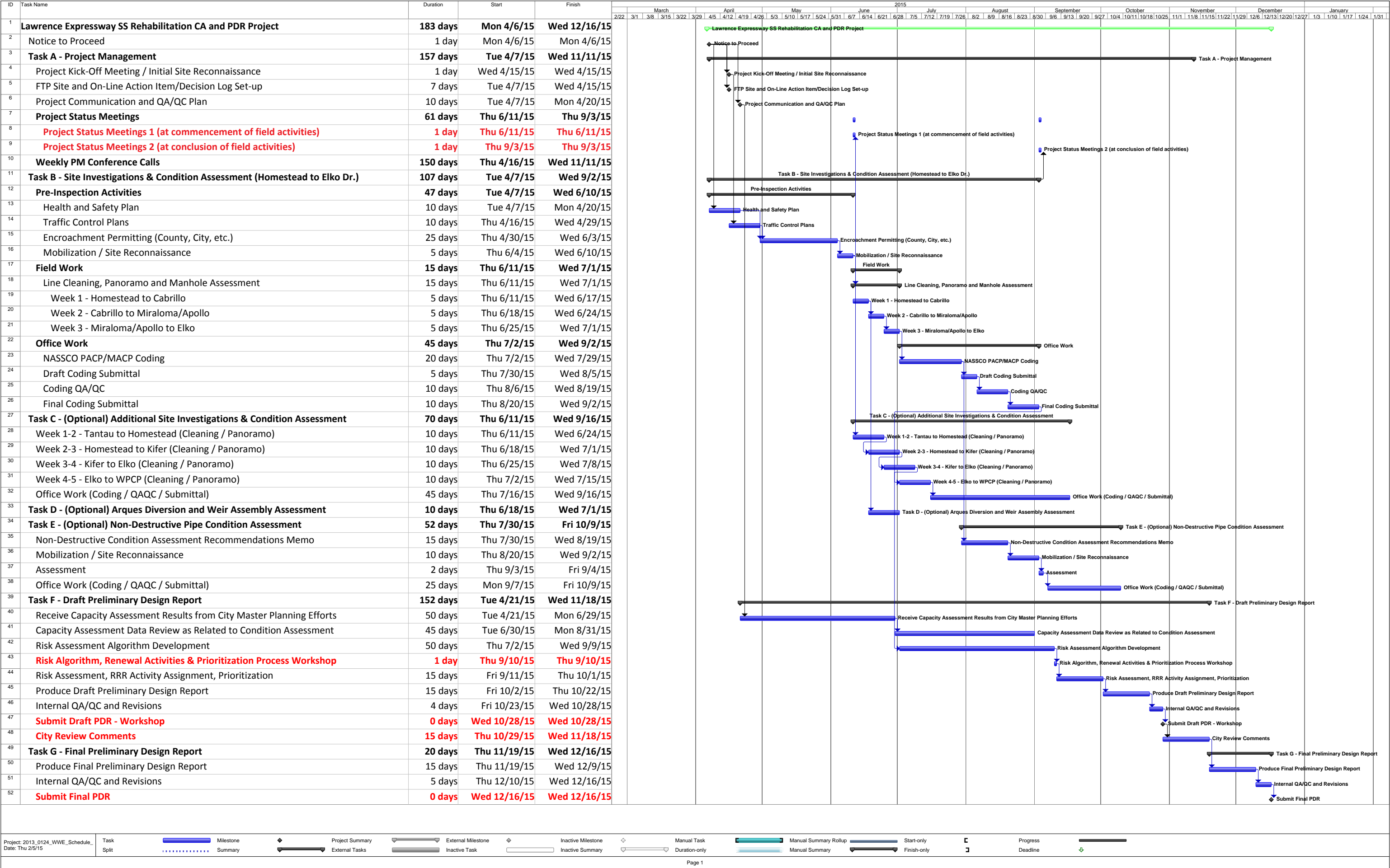
Once the draft report has been approved by the City, the consultant shall finalize the Preliminary Design Report by incorporating any last comments provided by the City and consultant's internal peer review. The final signed and stamped Preliminary Design Report will be submitted, including six (6) color hardcopies along with digital copies (PDF and native format) of all documents.

#### **IV. Available Documents**

The documents listed below shall be made available to the Consultant by the City as information only.

- Record drawings. The City does not guarantee the accuracy or completeness of record drawings. Consultant shall verify all information to their professional satisfaction.
  - Lawrence Station Road Trunk Sewer: SS-108
  - Rehabilitation of Manholes, Lawrence Trunk Sewer: UY-02/05-03
  - Arques Manhole Modifications, Plans, Sections and Details; 12/97
- Lawrence Expressway Trunk Sewer Main Evaluation Report: May 9, 2012
- Utility block maps for City sanitary sewer, storm drain, and water facilities.
- Bench marks for vertical control are listed on the City's website:  
<http://sunnyvale.ca.gov/Departments/PublicWorks/BenchMarks,RecordMapsandRecordDrawings.aspx>
- City standard specifications and details are available on the City's website:  
<http://sunnyvale.ca.gov/Departments/PublicWorks/CityStandardDetailsandSpecifications.aspx>
- GIS data for property lines, street center lines, and two (2) foot contours
- Aerial photographs (1" = 200' scale) from 2001
- City standard plan cover sheet (Consultant does not anticipate producing AutoCAD representations of recommended improvements. If specific City required border or title page is required for PDR figures, City will provide such direction and example.)

Exhibit "A-1"



**Lawrence Expressway Sanitary Sewer Rehabilitation Condition Assessment and Preliminary Design Report**  
**Consultant's Name Water Works Engineers, LLC**

Tasks		Labor								Note 1				ODCs	Total	Task Totals	
Task #	Task Description	Project Manager	QA/QC & PIC	CCTV Hydraulics	Pipeline Design	Field Analyst	Pipeline Rehab	CM Review	Total Hours	Total Labor Costs	V&A Consulting	V&A Consulting	V&A Consulting	ProPipe Note 3	Other Direct Costs Note 2	Total Fee	Task Fee
		Mike Fisher	Sami Kader	Joe Ziemann	Cindy Bertsch	Anthony Baltazar	Jigar Shah	Steve Hooper			Glenn Wilson PM	Clinton McAdams Analyst	Field Services	Field Services			
		\$175	\$203	\$150	\$150	\$110	\$150	\$175			\$283	\$175	Lump Sum	Lump Sum			
A	Project Management																
1	Project Administration and Communications	48							48	\$8,400	0				\$0	\$8,400	\$16,520
2	Quality Assurance / Quality Control		40						40	\$8,120	0					\$8,120	
B	Site Investigations & Condition Assessment (Homestead to Elko Dr.)																
1	Pre-Inspection Activities	16			8	40			64	\$8,400						\$8,400	\$158,800
2	Line Cleaning (3-passes only)	8			8	56			72	\$8,760		0		\$87,550	\$1,400	\$97,710	
3	Panoramo Pipeline and Manhole Assessment	24			8	24			56	\$8,040	0	0	\$0	\$36,750	\$500	\$45,290	
4	Office Work (NASSCO Coding and QAQC)	8		40					48	\$7,400						\$7,400	
5	Flow Monitoring	0		0					0	\$0	0	0	\$0		\$0	\$0	
F	Draft Preliminary Design Report																
1	RRR Assessment, Assignment, & Prioritization	24		8		24	80	8	144	\$21,440					\$0	\$21,440	\$84,340
2	Capacity Assessment (Model Results Review)	8		24		40			72	\$9,400						\$9,400	
3	Draft Preliminary Design Report	120		40	24	120	60	4	368	\$53,500	0	0	\$0		\$0	\$53,500	
G	Final Preliminary Design Report																
3	Final Preliminary Design Report	24		8	8	40	24		104	\$14,600	0	0	\$0		\$0	\$14,600	\$14,600
	Proposal Subtotal	280	40	120	56	344	164	12	1016	\$148,000	0	0	\$0	\$124,300	\$1,900	\$274,000	
	Optional Services																
C.1	(Optional) Additional Site Investigations & Condition Assessment (Tantau to Homestead)	4	1	4	8	40	40	2	99	\$13,453				\$34,375		\$47,828	
C.2	(Optional) Additional Site Investigations & Condition Assessment (Elko to WPCP)	4	1	4	8	52	40	2	111	\$14,773				\$33,650		\$48,423	
D	(Optional) Arques Diversion and Weir Assembly Assessment	2			4		8		14	\$2,150	16	60	\$11,480			\$28,658	
E	(Optional) Non-Destructive Pipe Condition Assessment	2	1		4	8	6		21	\$2,933				\$13,500	\$3,458	\$19,891	
E.1	(Optional) Project Specific Caltrans Encroachment Permit									\$0				\$7,200		\$7,200	
	Total Optional Services	12	3	8	24	100	94	4	245	\$33,000	16	60	\$11,480	\$88,725	\$3,458	\$152,000	
	Total Including Optional Services	292	43	128	80	444	258	16	1261	\$181,000	16	60	\$11,480	\$213,025	\$5,358	\$426,000	
	Notes:																
1	Subconsultants fees shown include a 0% markup.																
2	Fee budgets have been developed with assumptions regarding final scope desired by City of Sunnyvale.																
3	Detailed Cost Proposal for ProPipe's Lump Sum amount shown herein is attached and includes unit price breakdown of proposed services.																

## Exhibit "C"

### INSURANCE REQUIREMENTS FOR CONSULTANTS

Consultant 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 Consultant, his agents, representatives, or employees.

**Minimum Scope and Limits of Insurance:** Consultant shall maintain limits no less than:

1. **Commercial General Liability:** \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury, personal injury and property damage. ISO Occurrence Form CG 0001 is required.
2. **Automobile Liability:** \$1,000,000 per accident for bodily injury and property damage. ISO Form CA 0001 is required.
3. **Workers' Compensation** and **Employer's Liability:** \$1,000,000 per accident for bodily injury or disease.
4. **Errors and Omissions** Liability Insurance appropriate to the Consultants Profession: \$1,000,000 per occurrence and \$2,000,000 aggregate.

### **Deductibles and Self-Insured Retentions**

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

### **Other Insurance Provisions**

The **general liability** and **automobile liability** policies are to contain, or be endorsed to contain, the following provisions:

1. The City of Sunnyvale, its officials, employees, agents and volunteers are to be covered as additional insureds with respects to liability arising out of activities performed by or on behalf of the Consultant; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; or automobiles owned, leased, hired or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the City of Sunnyvale, its officers, employees, agents or volunteers.
2. For any claims related to this project, the Consultant'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 Consultant's insurance and shall not contribute with it.
3. 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.
4. The Consultant'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.
5. 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.

### **Claims Made Coverage**

If the General Liability and/or Errors & Omissions coverages are written on a claims-made form:

1. The retroactive date must be shown, and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the contract work.



3. 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 an extended period coverage for a minimum of five years after completion of contract work.
4. A copy of the claims reporting requirements must be submitted to the City of Sunnyvale for review.

**Acceptability of Insurers**

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City of Sunnyvale.

**Verification of Coverage**

Consultant shall furnish the City of Sunnyvale with original a 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. All certificates are to be received and approved by the City of Sunnyvale prior to commencement of work.



# City of Sunnyvale

## Agenda Item

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15-0352

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### SUBJECT

Award of Bid No. PW15-08 for Roof Replacement at Fire Station Nos. 1, 3, 4 and 6, and Finding of CEQA Categorical Exemption

#### REPORT IN BRIEF

Approval is requested to award a construction contract in the amount of \$369,355 (base bid of \$280,290 and additive alternate of \$89,065) to Alcal Specialty Contracting, Inc. of Fremont for Roof Replacement at Fire Station Nos. 1, 3, 4 and 6 (Public Works Project No. PR-14/04-15). Approval is also requested for a 10% construction contingency in the amount of \$36,936.

#### ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) determination of this project is a categorical exemption pursuant to Class 1 Section 15301 (d), for the restoration or rehabilitation of deteriorated or damaged structures.

#### BACKGROUND AND DISCUSSION

Capital Project 818100 (Public Safety Buildings - Roofs) provides for roof replacement at the Public Safety and Fire Station Buildings. Replacement of the Public Safety Building Headquarters roof (700 All America Way) was completed in FY 2011/12. The next phase of the project is the replacement of the tar and gravel roofs for five fire stations (Nos. 1 through 4, and 6) with more energy efficient and long lasting roofing material.

Work to replace the fire station roofs began with evaluation and design in FY2013/14. In September, roof evaluations were performed for the five fire stations, with signs of leakage being observed in several of the buildings. This assessment identified that there was insufficient funding to do all the planned roof replacements. Therefore, roof replacement is planned for completion in two phases, with the current project budget addressing the first phase, which will replace roofs at Station Nos. 1, 3, 4 and 6. The second phase will replace the roof at Fire Station No. 2 after the beginning of the next fiscal year. Staff has included a request for funding of the replacement of the roof at Fire Station No. 2 with the FY 2015/16 Recommended Budget and will complete that work under a separate contract if funding is approved by Council.

Bid Specifications were prepared by Public Works and Purchasing staff. The Invitation for Bids (IFB) was structured as a base bid including Fire Stations 1, 3, and 4, with Station No. 6 as an Additive Alternate. Station 6 was included as an additive alternate in case the bids came in higher than anticipated.

The project was bid as follows:

Bid Notice:        Advertised in The Sun on February 13, 2015;

Provided to 18 Bay Area Builder's Exchanges;  
Posted on Onvia Demandstar public procurement network; and  
Published on the City's website.

Bid Response 11 contractors requested bid documents.

Bid Results: Sealed bids were publicly opened on March 4, 2015  
Eight (8) responsive bids were received

The lowest responsive and responsible bid was from Alcal Specialty Contracting, Inc. in the amount of \$280,290 (base bid). The bid amount is approximately 30% below the engineer's estimate of \$405,420. The Bid Summary is attached. Staff recommends accepting the base bid and additive alternate from Alcal Specialty Contracting, Inc., the lowest responsive and responsible bidder. Staff also recommends the award of a 10% construction contingency for the project.

### **FISCAL IMPACT**

Project costs are as follows:

Construction (base bid)	\$280,290
Construction (additive alternate)	\$89,065
Construction contingency (10%)	<u>\$36,936</u>
Total cost	\$406,291

Budgeted funds are available in Capital Project 818100 (Public Safety Buildings- Roofs), funded by the General Fund.

### **PUBLIC CONTACT**

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

### **RECOMMENDATION**

1) Make a finding of CEQA categorical exemption pursuant to Class 1 Section 15301 (d) for the restoration or rehabilitation of deteriorated or damaged structures; 2) Award a contract, in substantially the same format as Attachment 2 to the report and in the amount of \$369,355 (base bid of \$280,290 and additive alternate of \$89,065) to Alcal Specialty Contracting, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 3) Approve a 10% construction contingency in the amount of \$36,936.

Prepared by: Pete Gonda, Purchasing Officer  
Reviewed by: Grace K. Leung, Director, Finance  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed by: Robert A. Walker, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Bid Summary

2. Draft General Construction Contract

## Bid Summary

## Attachment 1

[illegible]

Pioneer Contractors, Inc.		Andy's Roofing Co., Inc.		Waterproofing Associates, Inc.		Joseph Murphy Construction, Inc.	
1485 Armstrong Avenue		2161 Adams Avenue		975 Terra Bella Avenue		7610 National Drive	
San Francisco, CA 94124		San leandro, CA 94577		Mountain View, CA 94043		Livermore, CA 94450	
Herbert Li		Jonathan W. Engquist		Dennis Ryan		Joseph Murphy	
Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
\$14,700.00	\$14,700.00	\$1,940.00	\$1,940.00	\$11,358.00	\$11,358.00	\$16,500.00	\$16,500.00
\$40,035.00	\$40,035.00	\$51,190.00	\$51,190.00	\$56,714.00	\$56,714.00	\$40,195.00	\$40,195.00
\$4.50	\$17,280.00	\$14.93	\$57,334.00	\$13.58	\$52,143.00	\$3.50	\$13,440.00
\$22,310.00	\$22,310.00	\$19,215.00	\$19,215.00	\$5,330.00	\$5,330.00	\$15,360.00	\$15,360.00
\$192,701.00	\$192,701.00	\$115,495.00	\$115,495.00	\$216,331.00	\$216,331.00	\$222,000.00	\$222,000.00
\$17,100.00	\$17,100.00	\$25,717.00	\$25,717.00	\$12,428.00	\$12,428.00	\$26,500.00	\$26,500.00
\$1,250.00	\$1,250.00	\$714.00	\$714.00	\$2,485.00	\$2,485.00	\$4,505.00	\$4,505.00
\$17,420.00	\$17,420.00	\$73,843.00	\$73,843.00	\$24,380.00	\$24,380.00	\$40,000.00	\$40,000.00
\$7,000.00	\$7,000.00	\$16,324.00	\$16,324.00	\$5,109.00	\$5,109.00	\$13,500.00	\$13,500.00
	<b>\$329,796.00</b>		<b>\$361,772.00</b>		<b>\$386,278.00</b>		<b>\$392,000.00</b>
	\$105,315.50		\$116,606.00		\$123,350.00		\$120,000.00
10% Bid bond		10% Bid bond		10% Bid bond		10% Bid bond	
Class "B" & "C-39"		Class "C-39" & "B"		Class "C-39"		Class "C-39" & "B"	
B&M Tear Off Inc-Demolition		Alliance Contracting-Demo		Alliance Contracting-Roof Demo		B&M Tear Off Inc. -	
		Strawn Construction-				ACM Removal, Roof Tear-Off	
		Rough Carpentry				BC Lath Plastering-Plaster	
		Portland Cement					
		Painting					

**DRAFT  
GENERAL CONSTRUCTION CONTRACT**

THIS CONTRACT dated \_\_\_\_\_ is by and between the CITY OF SUNNYVALE, a municipal corporation of the State of California ("Owner") and ALCAL SPECIALTY CONTRACTING, INC., a Nevada corporation ("Contractor").

**RECITALS:**

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

1. **The Contract Documents.** The complete Contract consists of the following documents: Notice Inviting Bids; Instructions to Bidders; Performance Bond and Payment Bond; Guaranty; City of Sunnyvale Standard Specifications for Public Works Construction, 2006 Edition; City of Sunnyvale Standard Details for Public Works Construction, 2006 Edition; Plans and Specifications, " Roof Replacement for Fire Stations #1, #3, #4 and #6, Project No. PR-14/04-15, Invitation for Bids No. PW15-08", including One (1) Addendum; OSHA, and other standards and codes as outlined in the Specifications. These documents are all incorporated by reference. The documents comprising the complete contract are collectively referred to as the Contract Documents.

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

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

2. **The Work.** Contractor agrees to furnish all tools, equipment, apparatus, facilities, labor, transportation, and material necessary to perform and complete the project in a good and workmanlike manner. The work consist(s) of removing the existing built-up roofs and installing new Title 24-compliant built-up roofs as called for, and in the manner designated in, and in strict conformity with, the Plans and Specifications prepared by Gale Associates, Inc. and adopted by the Owner. These Plans and Specifications are entitled respectively, Roof Replacement for Fire Stations #1, #3, #4 and #6, Project No. PR-14/04-15.

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 Three Hundred Sixty Nine Thousand Three Hundred Fifty Five and No/100 Dollars(\$369,355.00) subject to final determination of the work performed and materials furnished at unit prices per "Exhibit A" attached hereto and incorporated by this reference, and subject to additions and deductions in accordance, as provided in the Documents and in accordance with Contract Documents. The sum includes base bid and accepted Additive Alternate for Fire Station #6.

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

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

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

**7. Time for Completion.** All work under this contract shall be completed before the expiration seventy-five (75) 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 for Breach, etc.** If Contractor should file a bankruptcy petition and/or be judged bankrupt, or if Contractor should make a general assignment for the benefit of creditors, or if a receiver should be appointed on account of insolvency, or if Contractor or any subcontractors should violate any of the provisions of the Contract, Owner may serve written notice upon Contractor and its surety of Owner's intention to terminate the Contract. The notice shall contain the reasons for such intention to terminate the Contract, and, unless within ten days after serving such notice, such violation shall cease and satisfactory arrangements for correction thereof be made, upon the expiration of the ten days, the Contract shall cease and terminate. In the event of any such termination, Owner shall immediately serve written notice thereof upon the surety and the Contractor,



and the surety shall have the right to take over and perform the Contract; provided, however that, if the surety within fifteen days after the serving upon it of notice of termination does not give Owner written notice of its intention to take over and perform the Contract or does not commence performance thereof within thirty days from the date of the serving of such notice, Owner may take over the work and prosecute the same to completion by contract or by any other method it may deem advisable, for the account and at the expense of Contractor, and Contractor and its surety shall be liable to Owner for any excess cost occasioned Owner thereby, and in such event Owner may without liability for so doing take possession of and utilize in completing the work, such materials, appliances, plant and other property belonging to Contractor as may be on the site of the work and necessary therefor.

**10. Owner's Right to Withhold Certain Amounts and Make Application Thereof.** In addition to the amount which Owner may retain under Paragraph 21 until the final completion and acceptance of all work covered by the Contract, Owner may withhold from payment to Contractor such amount or amounts as in its judgment may be necessary to pay just claims against Contractor or any subcontractors for labor and services rendered and materials furnished in and about the work. Owner may apply such withheld amount or amounts to the payment of such claims in its discretion. In so doing Owner shall be deemed the agent of Contractor and any payment so made by Owner shall be considered as a payment made under the Contract by Owner to the Contractor and Owner shall not be liable to Contractor for any such payment made in good faith. Such payment may be made without prior judicial determination of the claim or claims.

**11. Notice and Service Thereof.** All notices required pursuant to this Contract shall be communicated in writing, and shall be delivered in person, by commercial courier or by first class or priority mail delivered by the United States Postal Service. Transmission of notice by facsimile or by telephone may be deemed sufficient if the requirement for written notice is waived, in writing, by the receiving party. Notices delivered in person shall be deemed communicated as of actual receipt. Notices sent by mail or courier service shall be deemed communicated as of three days after mailing or dispatch, unless that date is a date on which there is no mail or delivery service, in which case communication shall be deemed to occur the next mail service or delivery day. The burden of proof of compliance with this requirement for written notice shall be on the sending party. 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: Alcal Specialty Contracting, Inc.  
Attn: Darren Morris  
42950 Osgood Road  
Fremont, CA 94539

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

**13. Compliance with Specifications of Materials.** Whenever in the Specifications, any material or process is indicated or specified by patent or proprietary name, or by name

of manufacturer, such Specifications must be met by Contractor, unless Owner agrees in writing to some other material, process or article offered by Contractor which is equal in all respects to the one specified.

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

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

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

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

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

(b) General and Automobile Liability Insurance. Contractor, at its own cost and expense, shall maintain personal injury liability and property damage insurance for the period covered by the Contract in the amount of Two Million Dollars (\$2,000,000.00) per occurrence and \$4,000,000 annual aggregate combined single limit coverage. Such coverage shall include, but shall not be limited to, protection against claims arising therefrom, and damage to property resulting from activities contemplated under this

Contract, use of owned automobiles, products and completed operations, including U, C and X. Such insurance shall be with insurers and under forms of policies satisfactory in all respects to the Owner and shall provide that notice must be given to Owner at least thirty (30) days prior to cancellation or material change. The following endorsements shall be attached to the policy:

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

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

**17. Hours of Work.** Eight hours of labor during any one calendar day and forty hours of labor during any one calendar week shall constitute the maximum hours of service upon all work done hereunder, and it is expressly stipulated that no laborer, worker, or mechanic employed at any time by the Contractor or by any subcontractor or subcontractors under this Contract, upon the work or upon any part of the work contemplated by this Contract, shall be required or permitted to work thereon more than eight hours during any one calendar day and forty hours during any one calendar week, except, as provided by Section 1815 of the Labor Code of the State of California, work performed by employees of contractors in excess of eight hours per day and forty hours during any one week shall be permitted upon public work upon compensation for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay. It is further expressly stipulated that for each and every violation of Sections 1811-1815, inclusive, of the Labor Code of the State of California, all the provisions whereof are deemed to be incorporated herein, Contractor shall forfeit, as a penalty to Owner, fifty dollars (\$50.00) for each laborer, worker, or mechanic employed in the execution of this Contract by Contractor, or by any subcontractor under this Contract, for each calendar day during which the laborer, worker, or mechanic is required or permitted to work more than eight hours in any one calendar day and forty hours in any one calendar week in violation of the provisions of the Sections of the Labor Code.

Contractor, and each subcontractor, shall, in accordance with California Labor Code Section 1776 or as the same may be later amended, keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime

hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with work under this agreement. Each payroll record shall contain or be verified by a written declaration under penalty of perjury, in accordance with Labor Code Section 1776(a). Such payroll records shall be made available at all reasonable times at the Contractor's principal office to the persons authorized to inspect such records pursuant to Labor Code Section 1776. A certified copy of all payroll records shall be made available for inspection or furnished upon request to a representative of the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations, as well as to the Owner's representative. In the event the Contractor or a Subcontractor fails to comply in a timely manner within ten days to a written notice requesting the records, such contractor or subcontractor shall forfeit twenty-five dollars (\$25.00) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated, in accordance with Labor Code Section 1776(g).

**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 fifty dollars (\$50.00) for each calendar day, or portion thereof, for each laborer, worker, or mechanic paid less than the stipulated prevailing rates for any work done under this Contract by Contractor or by any subcontractor; and Contractor agrees to comply with all provisions of Section 1775 of the Labor Code.

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

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

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

**21. Liquidated Damages.** Time shall be the essence of this Contract. If Contractor fails to complete, within the time fixed for such completion, the entire work mentioned and described and contracted to be done and performed, Contractor shall become liable to Owner for liquidated damages in the sum of Five Hundred and No/100 (\$500.00) for each and every calendar day during which work shall remain uncompleted beyond such time fixed for completion or any lawful extension thereof. The amount specified as liquidated damages is presumed to be the amount of damage sustained by Owner since it would be impracticable or extremely difficult to fix the actual damage; and the amount of liquidated damages may be deducted by Owner from moneys due Contractor hereunder, or its assigns and successors at the time of completion, and Contractor, or its assigns and successors at the time of completion, and its sureties shall be liable to Owner for any excess.

**22. Additional Provisions.**

None.

(Notice: The signatures of the Contractor's officers on this contract must be acknowledged before a notary.)

## ACKNOWLEDGMENT

State of California )  
County of )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

personally known to me (or 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.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

**EXHIBIT A**  
**Bid Schedule**

**BASE BID ITEM - FIRE STATIONS #1, #3 & #4**

<b>Item No.</b>	<b>Item Description</b>	<b>Unit of Measure</b>	<b>Qty</b>	<b>Unit Price</b>
1	Mobilization (Equal or less than 5% of total Base Bid)	LS	1	\$3,928.00
2	Demolition	LS	1	\$41,837.00
3	Rough Carpentry	SF	3840	\$11.51
4	Roof-Related Insulation	LS	1	\$23,965.00
5	Built-up Bituminous Roofing	LS	1	\$139,694.00
6	Roof-Related Flashing and Sheet Metal	LS	1	\$8,886.00
7	Roof-Related Sealants	LS	1	\$180.00
8	Portland Cement	LS	1	\$16,812.00
9	Painting	LS	1	\$780.00

**A. BID ADDITIVE ALTERNATE - FIRE STATION #6**

<b>Item No.</b>	<b>Item Description</b>	<b>Unit of Measure</b>	<b>Qty</b>	<b>Unit Price</b>
A1	Mobilization (Equal or less than 5% of total Additive Alternate)	LS	1	\$982.00
A2	Demolition	LS	1	\$14,394.00
A3	Rough Carpentry	SF	1280	\$10.78
A4	Roof-Related Insulation	LS	1	\$7503.00
A5	Built-up Bituminous Roofing	LS	1	\$44,377.00
A6	Roof-Related Flashing and Sheet Metal	LS	1	\$2,797.00
A7	Roof-Related Sealants	LS	1	\$180.00
A8	Portland Cement	LS	1	\$4780.00
A9	Painting	LS	1	\$260.00





# City of Sunnyvale

## Agenda Item

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**15-0433**

**Agenda Date: 4/21/2015**

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### **SUBJECT**

Adopt Ordinance No. 3056-15 Amending the Sunnyvale Municipal Code to Allow the use of Tandem and Stacker Parking in Residential Districts

Modified ordinance based on Council direction.

### **RECOMMENDATION**

Adopt Ordinance No. 3056-15.

### **ATTACHMENT**

1. Ordinance No. 3056-15

## ORDINANCE NO. 3056-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE AMENDING THE SUNNYVALE  
MUNICIPAL CODE TO ALLOW THE USE OF TANDEM  
AND STACKER PARKING IN RESIDENTIAL DISTRICTS

WHEREAS, pursuant to study issue 2014-7435, the City Council has reviewed the provisions in the zoning code related to parking requirements and the use of tandem and stacker parking in residential districts, and desires to make certain changes to the code for the purpose of allowing tandem and stacker parking in certain circumstances.

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

SECTION 1. SECTION 19.28.140 and TABLE 19.28.140 AMENDED. Section 19.28.140 and Table 19.28.140 of Chapter 19.28 (Downtown Specific Plan District) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.28.140. Parking requirements.**

(a) Minimum Parking Requirements. The owner or occupant of land or buildings used for any purpose within the within the DSP district, except uses within the boundaries of a parking district created by the action of the city council, shall provide off-street parking and loading areas and facilities. Shared parking for differing uses may be considered and is encouraged for trip reduction programs such as car sharing and other transportation demand management programs. Parking analysis will be evaluated with the application submittals for the special development permit. Table 19.28.140 shows minimum parking ratios for specific land uses. Final parking requirements will be determined through project review and approval.

(b) Multiple-Family Uses. The following additional special provisions apply to multiple-family residential uses:

(1) Unassigned spaces. When two covered spaces per unit are provided for a multiple-family residential use, the number of unassigned parking spaces per unit required may be reduced to 0.25 spaces per unit. For example, if two covered assigned spaces per unit are provided for 12 three-bedroom units, the required unassigned spaces may be reduced to three spaces, compared to 12 spaces required when only one covered assigned space per unit is provided.

(2) Tandem Parking. Tandem parking may be allowed for a multiple-family residential use within the DSP district to satisfy covered assigned parking requirements, consistent with the tandem parking allowance guidelines set forth in the City's High Density Residential Design Guidelines, subject to approval of a parking management plan. Each set of tandem spaces must be assigned to the same unit. Required unassigned spaces shall not be provided as tandem parking. Tandem parking may be allowed for any parking spaces provided in addition to the minimum number of spaces required.

(c) Compact Spaces for Nonresidential Uses. Fifty percent (50%) of the number of compact spaces allowed and provided for a nonresidential use shall be located along the parking lot periphery and designated as employee parking. The remaining 50 percent may be interspersed throughout the parking lot.

**Table 19.28.140  
Parking Requirements**

<b>Land Use</b>	<b>Number of Parking Spaces Required</b>	<b>Maximum Percentage of Compact Spaces Allowed</b>
Single-Family Residential	1 covered + 1 uncovered	None
Single-Family Residential with Accessory Living Unit in Blocks 8—12, and 17	2 covered + 2 uncovered	None
Single-Family Residential with Accessory Living Unit for All Other Blocks	1 covered + 2 uncovered	None
Multiple-Family Residential Studio or 1 bdrm	1 assigned and covered/unit + 0.50 unassigned/unit or per Section 19.28.140(b)	35% of uncovered, unassigned spaces in lots with more than 10 spaces
Multiple-Family Residential 2-bdrm or more	1 assigned and covered/unit + 1 unassigned/unit or per Section 19.28.140 (b)	35% of uncovered, unassigned spaces in lots with more than 10 spaces
Office/Retail	1/250 sq. ft.	10%
Medical Clinic	1/200 sq. ft.	10%
Restaurant without Bar	1/110 sq. ft.	10%
Restaurant with Bar	1/75 sq. ft.	10%
Bar Only	1/50 sq. ft.	10%
Restaurants with 100% Fixed Seating and No Bar	1/2 fixed seats + 1/400 sq. ft. of area not devoted to seating	10%
Assembly/Theater	1/3 seats	10%
Any Use within the Parking District	Parking requirements consistent with zoning code unless special circumstances arise	Not applicable

**SECTION 2. SECTION 19.46.020 AMENDED.** Section 19.46.020 of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended and renumbered to read as follows:

**19.46.020. Definitions.**

(a) “Garage, fully-enclosed” means a building designed for the parking of vehicles which is fully enclosed on all sides.

(b) “Parking lot” means an area devoted to the parking of vehicles, including parking spaces, aisles, driveways, and interior and perimeter landscaped areas.

(c) “Parking space” means an area designated specifically for the parking of a single vehicle that meets the standards of this chapter. In this chapter, the term “space” is the same as “parking space.”

(d) “Parking structure” means a structure designed to accommodate parking spaces that are fully or partially enclosed. Parking structures include underground parking spaces and under-building parking areas. “Parking structure” does not include a garage in conjunction with a single-family or duplex dwelling.

(e) “Tandem parking” means the placement of two parking spaces in such an arrangement where access to one or more parking spaces is dependent on moving another vehicle. Mechanical lifts, stackers or other similar means of mechanized parking where parking spaces are not independently accessible shall be considered tandem parking.

SECTION 3. SECTION 19.46.040 AMENDED. Section 19.46.040 of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.46.040. General requirements for residential parking.**

The following requirements apply to all residential developments, including single-family, two-family and multiple-family dwellings, single-room occupancy facilities, special housing developments and mobile home parks:

(a) [Text unchanged]

(b) Type. Residential developments are required to provide assigned and unassigned parking spaces in accordance with this chapter.

(1) Covered Assigned Parking Spaces. Required assigned parking spaces shall be covered. A garage, carport or covered space in a parking structure counts as a covered parking space. Garages or carports shall meet the following dimensions:

(A) – (C) [Text unchanged]

(D) Parking Structure Spaces. Assigned spaces in an underground parking garage shall meet the minimum dimensions of a standard space in Section 19.46.120 (Parking lot design).

(2) [Text unchanged]

(c) – (e) [Text unchanged]

(f) Mechanized Parking. Parking lifts, carousels or other types of mechanized parking shall be located within a building or parking structure.

SECTION 4. SECTION 19.46.050 AMENDED. Section 19.46.050 of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.46.050. Parking for single-family and two-family dwellings.**

(a) Minimum Spaces. Each single-family dwelling and two-family dwelling shall provide a minimum of four spaces total, two of which shall be covered and not in tandem. Covered spaces are required to meet the requirements

in Section 19.46.040 (General requirements for residential parking) as shown in Figure 19.46.050 (Single-Family and Two-Family Dwelling Parking Dimensions). Uncovered parking spaces on a driveway with minimum dimensions of seventeen feet in width by twenty feet in depth and located in front of a garage or carport shall count as two of the four spaces required for single-family and two-family dwellings.

(b) Single-Family Homes with less than two Covered Spaces. Any legal nonconforming single-family dwelling with less than two covered parking spaces is subject to the following:

(1) Required Upgrade. Two covered parking spaces that meet the minimum size and dimensions in Section 19.46.040 (General requirements for residential parking) shall be provided if:

(A) An alteration or addition to the dwelling results in four or more bedrooms; or

(B) An addition to the dwelling results in a gross floor area of one thousand eight hundred square feet or more, excluding garages and carports. Homes that already exceed the one thousand eight hundred gross floor area threshold shall provide the two covered spaces with any addition of floor area.

(2) Allowance for Tandem Parking. Without a variance, an approving authority, as part of any discretionary permit or, if no discretionary permit would be otherwise required, a miscellaneous plan permit, may allow a tandem parking garage or carport to satisfy the two covered space requirement pursuant to subsection (b)(1) if the approving authority makes one or more of the following findings:

(A) The width of the subject lot is less than fifty-seven feet; or

(B) Significant structural modifications are required to expand the existing covered parking area into the living area to meet the minimum size and dimensions for two covered spaces.

(c) Additional Parking Required. New developments of single-family or two-family dwellings with limited street parking shall provide an additional 0.4 unassigned parking spaces per unit in addition to the minimum spaces required. Parking spaces on driveways do not qualify as required unassigned parking.

(d) Driveway Widths. A driveway leading to a garage at the rear of the lot shall be at least ten feet wide.

(e) Accessory Living Units. Parking requirements for accessory living units are prescribed in Section 19.68.040 (Accessory living units).

(f) Garage or Carport Conversion. A garage or carport may be converted to non-parking use provided each converted space is replaced by a covered space which meets current standards. Proposed garage or carport conversions require review through a miscellaneous plan permit.

**Figure 19.46.050** [Figure unchanged]

SECTION 5. SECTION 19.46.060 AND TABLE 19.46.060 AMENDED. Section 19.46.060 and Table 19.46.060 of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.46.060. Parking for multiple-family dwellings.**

(a) [Text unchanged]

(b) Minimum Spaces. Multiple-family dwellings are required to provide at least one covered assigned space per unit and additional unassigned spaces in accordance with Section 19.46.040 (General requirements for residential parking) and Table 19.46.060 (Parking for Multiple-Family Dwellings).

(1) Allowances for Tandem Parking. Providing two covered tandem parking spaces may satisfy covered space requirements for up to 50 percent of the units in a multiple-family development. Each set of tandem spaces must be assigned to the same unit. Required unassigned spaces shall not be provided as tandem parking. Tandem parking may be allowed for any parking spaces provided in addition to the minimum number of spaces required. Any allowance for tandem parking shall be approved by the approving body as part of any discretionary permit or, if no discretionary permit would be otherwise required, a miscellaneous plan permit, and shall be consistent with the tandem parking allowance guidelines set forth in the City's High Density Residential Design Guidelines.

(2) Independent Mechanized Parking. Mechanical lifts, stackers or other similar means of mechanized parking where parking spaces are independently accessible may satisfy covered assigned space requirements.

(c) – (f) [Text unchanged]

**Table 19.46.060  
Parking for Multiple-Family Dwellings**

Type of Covered Assigned Space Provided	Number of Bedrooms	Number of Unassigned Spaces
One parking space per unit in carport or parking structure	One-bedroom units	0.5 unassigned spaces per unit
	2-bedroom units	1 unassigned space per unit
	3-bedroom units	1 unassigned space per unit
	4-bedroom units or more	Use the 3-bedroom requirement and add 0.15 unassigned spaces for each bedroom above the third bedroom.
One parking space per unit in fully-enclosed garage	One-bedroom units	0.8 unassigned spaces per unit
	2-bedroom units	1.33 unassigned spaces per unit
	3-bedroom units	1.4 unassigned spaces per unit
	4-bedroom units or more	Use the 3-bedroom requirement and add 0.15 unassigned spaces for each bedroom above the third bedroom.
Two parking spaces per unit	One-bedroom units	0.25 unassigned spaces per unit
	2-bedroom units	0.4 unassigned spaces per unit
	3-bedroom units	0.5 unassigned spaces per unit
	4-bedroom units or more	Use the 3-bedroom requirement and add 0.15 unassigned spaces for each bedroom above the third bedroom.

SECTION 6. SECTION 19.46.100 and TABLE 19.46.100 (b) AMENDED. Section 19.46.100 and Table 19.46.100(b) of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.46.100. General requirements for nonresidential and mixed-use parking.**

- (a) [Text unchanged]
- (b) Type of Parking. Parking may be provided in the following forms: surface lots or within parking structures. Parking lifts, carousels or other types of mechanized parking shall be located within a building or parking structure and require approval of the planning commission through a use permit. Any proposal for mechanized parking shall be accompanied with a proposed parking management plan.
- (c) – (h) [Text unchanged]

**Table 19.46.100(a)** [Table unchanged.]

**Table 19.46.100(b)**  
**Parking Requirements for Office, Industrial and Warehousing**

Primary Use	Minimum Spaces/1,000 sq. ft.	Maximum Spaces/1,000 sq. ft.	Additional Requirements
Industrial uses, research and development office and corporate office	2	4	Loading space Car share Bicycle parking Electric car chargers
Administrative, professional and medical office	3.3	4	Loading space Car share Bicycle parking Electric car chargers
Commercial storage or self-storage	0.4	2	Loading space
Warehousing	1	2	Loading space Car share Bicycle parking

**Table 19.46.100(c)** [Table unchanged.]

SECTION 7. SECTION 19.46.120 AMENDED. Section 19.46.120 of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.46.120. Parking lot design.**

- (a) [Text unchanged]
- (b) Minimum Dimensions.
  - (1) Parking Space Dimensions.
    - (A) – (B) [Text unchanged]

(C) Mechanical Lift Parking. The director or approving body may allow minimum space dimensions for mechanized parking that vary from what is required for standard and compact spaces.

(2) – (5) [Text unchanged]

(c) – (h) [Renumbered; text unchanged]

**Table 19.46.120** [Table unchanged]

**Figure 19.46.120** [Figure unchanged]

SECTION 8. SECTION 19.46.160 AMENDED. Section 19.46.160 of Chapter 19.46 (Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.46.160. Parking management plans and tools.**

(a) [Text unchanged]

(b) Applicability. Parking management plans shall be provided when required by this chapter. Parking management plans shall be reviewed by the director with a miscellaneous plan permit or by the hearing body reviewing the associated development. Uses in a public parking district are exempt from requirements for a parking management plan unless required as a condition of approval of a planning permit.

(c) – (e) [Text unchanged]

SECTION 9. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment.

SECTION 10. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 11. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 12. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.



Introduced at a regular meeting of the City Council held on April 7, 2015, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
Date of Attestation: \_\_\_\_\_

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



# City of Sunnyvale

## Agenda Item

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14-0027

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### **SUBJECT**

Design Guidelines for mixed-use projects, known as the Toolkit for Mixed-use Developments; Find that the project is exempt under CEQA pursuant to Guidelines 15060(3) and 15378(b)(5) (Study Issue)

#### **BACKGROUND**

In 2010, the City Council sponsored a study issue to address mixed-use projects due to concerns that effective guidelines were not available for the mixed-use projects that were submitted for review at the time. The City does not have specific guidelines or policies to address mixed-use projects, and all parties were interested in better defining the expectations the City has for these types of development. The study issue was ranked above the line, but due to financial concerns and the cost to prepare the Toolkit, the study was suspended. In 2012, the City included the Toolkit into the grant application for the Lawrence Station Area Plan, which includes a mixed-use recommendation for that area.

The Toolkit is a part of the contract the City has with Metropolitan Transportation Commission (MTC) for the Lawrence Station Area Plan, but it is intended to address mixed-use projects throughout the City, including El Camino Real, downtown, and other areas. The Toolkit is a set of guidelines, and not zoning standards, and is meant to augment zoning, the General Plan and other City policy.

Although the Study Issue paper (Attachment 1) describes an “analysis of appropriate square footage for mixed-use, especially along El Camino Real,” that type of information will be included in the updates of the Land Use and Transportation Element of the General Plan and Precise Plan for El Camino Real.

Staff and the Planning Commission recommend that Council approve the Design Guidelines for Mixed-Use Projects. The Commission considered this item on March 23, 2015, at which time the Commission voted unanimously on the recommendation. The Commission also clarified specific language in the Toolkit, which has been incorporated in the attached document (Attachment 2).

#### **EXISTING POLICY**

##### **General Plan:**

##### ***From Land Use and Transportation (LT):***

**GOAL LT-2 Attractive Community** - Preserve and enhance an attractive community, with a positive image and a sense of place, that consists of distinctive neighborhoods, pockets of interest, and human-scale development.

**Policy LT-2.1** Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing

positive neighborhood values.

**Policy LT-3.4** Determine appropriate density for housing based on site planning opportunities and proximity to services.

***From Community Character (CC):***

**Policy CC-1.7** Encourage neighborhood patterns that encourage social interaction and avoid isolation.

**GOAL CC-3 WELL-DESIGNED SITES AND BUILDINGS** - Private Development: Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.

**Policy CC-3.1** Place a priority on quality architecture and site design, which will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.

**Policy CC-3.2** Ensure site design is compatible with the natural and surrounding built environment.

***From Housing Element (HE):***

**GOAL HE-6 SUSTAINABLE NEIGHBORHOODS** - Maintain sustainable neighborhoods with quality housing, infrastructure and open space that fosters neighborhood character and the health of residents.

**Policy HE-6.1** Continue efforts to balance the need for additional housing with other community values, including preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.

**ENVIRONMENTAL REVIEW**

Pursuant to California Environmental Quality Act (CEQA) Guidelines 15060(3) and 15378(b)(5), CEQA does not apply to activities that are not a project. Approval of the design guidelines is not a project within the meaning of CEQA because the guidelines are in the nature of an administrative activity that will not result in direct or indirect physical changes in the environment. The guidelines do not create zoning regulations; rather they provide detailed descriptions and graphic examples to follow when implementing zoning regulations. Accordingly, they are exempt from CEQA review. Projects that are subject to the design guidelines will be environmentally evaluated on an individual basis through the entitlement process.

**DISCUSSION**

The Toolkit for Mixed-use Developments (Toolkit) is prepared to specifically address location and design of future mixed-use projects. It is set up to be effective for the development community to use in establishing a mixed-use project, and by community members, decision-makers, and staff in reviewing and considering these projects. It is broken down by site elements (such as site selection, surrounding area, and site planning), building design (height, architecture, etc.) and transportation and parking concerns. It also includes two sample projects that incorporate design concepts from the Toolkit.

The Toolkit is a set of focused design guidelines, and does not include development standards, such as units per acre, heights, setbacks, etc. The Toolkit does not establish how much development could occur on a site. The zoning code and General Plan address those key areas, but the Toolkit will provide direction for concerns such as appropriate siting of mixed-use developments, how the development would integrate with the surrounding area, and how the architecture and site plan should interface with the street.

### Organization of the Toolkit

The Toolkit was written to lead from high-level design elements to those more specific details, ending with examples of the design guidelines in sample projects. The main design guidelines are broken down by topic, with a listing of the intent and guidelines for each. The basic organization of the Toolkit is as follows:

### *Guiding Principles*

The Principles consist of high-level goals of the Toolkit and incorporate concepts from other documents, including the following:

1. Provide a diversity of uses and not one main use type with a token amount of other uses. If the goal is to provide mixed-use projects in specified locations (and not all residential, for instance), the actual mix of uses should be diverse and compatible.
2. Provide a mix of uses that will serve the community and surrounding area.
3. Ensure any development integrates well into the existing neighborhood. Respect adjacent building forms and open areas, with a separation between incompatible uses.
4. Provide good pedestrian connections between adjacent areas and on-site to tie together the different uses. Also, provide good connection between the uses and pedestrian, bicycling and transit opportunities.
5. Allow reduced parking requirements when different uses on site have different peak parking times, which allows the uses on site to share parking resources. Also, shared uses on a site provide the opportunity for car and bike sharing, aggressive transportation demand management measures, etc.
6. Locate and orient mixed-use projects in a way that allows the site to become a shared community feature.
7. Take care to provide attractive architecture and design to ensure the mixed-use development is appropriate for its location and to soften the tendency of it to be larger and denser than typical single use projects.
8. Include sustainable features as part of each development.
9. Collaborate with City departments and divisions to ensure successful mixed-use projects, with the lead taken by Community Development and Economic Development.

### *Site Elements*

The first guideline section addresses the siting of mixed-use projects through:

1. Site selection
2. Consistency with the surrounding area
3. Block pattern and size
4. Minimum lot size
5. Separation of uses
6. Site Planning

### *Building Design*

The next section addresses building design, and includes the following:

1. Building massing and articulation
2. Building design and architecture
3. Building height
4. Building orientation, entries and facades
5. Building materials
6. Gathering places and open space
7. Landscaping

### *Transportation and Parking*

This section describes different parking strategies and possibilities for reducing single occupancy vehicle traffic. This is not a complete discussion on all methods to reduce traffic or parking, but is more focused on options associated with mixed-use projects. The section also includes parking design guidelines for:

1. Parking lots
2. Private garages
3. Parking structures

### *Sample Projects*

The two sample projects at the end of the document provide examples of how some of the Toolkit criteria could be used in new project design. Although actual Sunnyvale properties were used in the document, they do not depict actual projects, nor interest in the property owner to pursue such a project. The purpose of using the two sites is because each property presents different challenges due to differing site size, location and surrounding area. The sample projects are only for illustrative purposes.

### Implementing the Toolkit

If the Toolkit is approved by the City Council, it will become a part of the other design guidelines in place in Sunnyvale. These guidelines have had numerous additions and changes the past couple years, including the addition of the bird-safe and high density multi-family design guidelines, and have resulted in specific guidelines for different project types and situations. The guidelines have, however, become disjointed because of the recent changes. As a result, staff will work to combine all design guidelines into a more thorough and clearly defined document by the end of 2015 so that the guidelines are easier for all parties to use.

### **FISCAL IMPACT**

The discussion, consideration and approval of a Toolkit for mixed-use projects will not have a direct fiscal impact to the City. Indirectly it could streamline project reviews.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website. Notices were sent to the neighborhood associations, developers and design professionals involved in development in Sunnyvale, and posted at the One-Stop Permit Center. The Sierra Club Loma Prieta Chapter submitted their Guidelines for Residential and Mixed Use Development for reference (Attachment 4).

At their study session, Planning Commissioners requested more information on large and small scale mixed-use developments. Attachment 3 includes photos of two mixed-use projects in Sunnyvale. The Commissioners also emphasized the need for smaller block developments (breaking down super-blocks to support pedestrian and bicycle accessibility); limiting offices on the ground floor where retail and services are desired; encourage shared parking, even with other developments; and, consider flexible use of space over time. In addition the Commissioners provided suggestions on eliminating brand names in some of the design guidelines. The Toolkit has been amended to include Planning Commission recommendations.

### **ALTERNATIVES**

Recommend that City Council:

1. Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5).
2. Approve the Toolkit for Mixed-use Developments (Attachment 2) for mixed-use projects in all zoning districts.
3. Approve the Toolkit for Mixed-use Developments with modifications. Make no changes and rely on existing zoning standards and design guidelines.

### **PLANNING COMMISSION/STAFF RECOMMENDATION**

Alternatives 1 and 2: 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5), and 2) Approve the Toolkit for Mixed-use Developments for mixed-use projects in all zoning districts.

The Toolkit for Mixed-use Developments will provide all parties with clearly defined guidelines and expectations for these projects, and should result in better-planned and sited projects in the City. The draft has been updated to reflect the comments of the Planning Commission. Staff recommends adopting the Toolkit to address all mixed-use projects in the City.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Study Issue Paper
2. Draft Toolkit for Mixed-use Developments
3. Pictures of Existing Mixed-use Projects
4. Sierra Club Guidelines for Residential and Mixed Use Development
5. Planning Commission Minutes of March 23, 2015

## Proposed 2010 Council Study Issue

**CDD 10-06 Toolkit for Commercial/Residential Mixed Use Development**

**Lead Department** Community Development  
**Element or Sub-element** Land Use and Transportation  
**New or Previous** New  
**Status** Pending      **History** 1 year ago None      2 years ago None

**1. What are the key elements of the issue? What precipitated it?**

In recent years, staff has reviewed development projects and received requests for more information on the potential for mixed-use developments at key transit locations around the city. In November 2008, the Council adopted the Mixed-use Combining District (MU) under Title 19 to address mixed-use projects located in medium and high-density residential zones. However, mixed-use development standards are yet to be developed for non-residential zoned sites.

The study would result in Mixed-Use Development criteria that would provide guidance to the decision-makers, staff and the development community on what would be considered appropriate for these types of developments. Examples of criteria would be site specific density analyses, massing and height studies, analysis of constraints to future development under current zoning standards, selection of parking standards in areas served by transit, market feasibility analyses, site and architectural design analyses for mixed-use, open space solutions, site planning coordination for vehicle, pedestrian and bicycle use, and access to transit. Possible locations to be considered are those with close proximity to transit, such as Downtown and the El Camino Real corridor.

The study would include an analysis of various Transit Oriented Development standards and principles, and review of Smart Growth and green building objectives. The study could be coordinated with the update of the Land Use and Transportation Element Update and Climate Action Plan. Included would be analysis of appropriate commercial development square footage for mixed use, especially along El Camino Real. It would also help the City meet future regional goals related to SB 375.

The analysis may also help with proposing development guidelines and standards to ease the concern over administrative review of multi-family projects, which is a proposed action in the Housing and Community Revitalization Sub-element.

**2. How does this relate to the General Plan or existing City Policy?****LAND USE AND TRANSPORTATION ELEMENT**

**Goal R1:** Protect and sustain a high quality of life in Sunnyvale by participating in coordinated land use and transportation planning in the region.

*Policy R1.3: Promote integrated and coordinated local land use and transportation planning.*

Promote integrated and coordinated local land use and transportation planning.

*Policy R1.10:* Support land use planning that complements the regional transportation system.

Action Statement R1.10.2: Support alternative transportation services, such as light rail, buses and commuter rail through appropriate land use planning.

Action Statement R1.10.3: Encourage mixed uses near transit centers.

### 3. Origin of issue

**Council Member(s)**

**General Plan**

**City Staff**                      Staff

**Public**

**Board or Commission** none

4. Multiple Year Project? Yes    Planned Completion Year 2010

5. Expected participation involved in the study issue process?

Does Council need to approve a work plan?                      No

Does this issue require review by a Board/Commission?                      Yes

If so, which?

Planning Commission

Is a Council Study Session anticipated?                      Yes

What is the public participation process?

Newspaper and web notices to the general public, direct notice to commercial property owners and neighborhood associations.

Noticed public outreach meetings and hearings with the Planning Commission and City Council.

### 6. Cost of Study

**Operating Budget Program covering costs**

242- Land Use Planning

**Project Budget covering costs**

**Budget modification \$ amount needed for study**

**Explain below what the additional funding will be used for**

### 7. Potential fiscal impact to implement recommendations in the Study approved by Council

**Capital expenditure range**                                              \$500 - \$50K

**Operating expenditure range**                                              None

**New revenues/savings range**                                              None

**Explain impact briefly**

Due to the extensive nature of the study it is desirable to supplement the operating budget with technical assistance for design services. Staff proposes that this supplemental support



could occur with grant funding, such as through ABAG's Technical Assistance Program (TAP) or other grant sources. Estimated cost would be between \$25,000-50,000.

## 8. Staff Recommendation

### Staff Recommendation For Study

#### If 'For Study' or 'Against Study', explain

There is greater interest in commercial/residential mixed use, and recent State law changes related to transit-oriented development (SB 375 Greenhouse Gas Emissions Reduction) will only increase the interest. The recent City mixed-use regulations allow commercial uses as part of residential projects, but do not address mixed use projects in commercial zones. A good example of when these types of guidelines will be useful is in considering possible mixed use projects along El Camino Real, especially at nodes and auto dealer properties. This study issue would provide policy and design guidance for future developments located in Priority Development Areas.

## 9. Estimated consultant hours for completion of the study issue

Managers	Role	Manager	Hours			
	Lead	Ryan, Trudi	Mgr CY1:	50	Mgr CY2:	0
			Staff CY1:	350	Staff CY2:	0
	Support	Fatapour, Ali	Mgr CY1:	5	Mgr CY2:	0
			Staff CY1:	10	Staff CY2:	0
	Support	Ise, Suzanne	Mgr CY1:	20	Mgr CY2:	0
			Staff CY1:	40	Staff CY2:	0
	Interdep	Berry, Kathryn	Mgr CY1:	20	Mgr CY2:	0
			Staff CY1:	0	Staff CY2:	0
	Interdep	Verceles, Connie	Mgr CY1:	20	Mgr CY2:	0
			Staff CY1:	0	Staff CY2:	0
	Interdep	Witthaus, Jack	Mgr CY1:	20	Mgr CY2:	0
			Staff CY1:	40	Staff CY2:	0
Total Hours CY1: 575						
Total Hours CY2: 0						


**Note: If staff's recommendation is 'For Study' or 'Against Study', the Director should note the relative importance of this Study to other major projects that the Department is currently working on or that are soon to begin, and the impact on existing services/priorities.**

Reviewed by

  
\_\_\_\_\_  
Department Director

11/10/09  
\_\_\_\_\_  
Date

Approved by

  
\_\_\_\_\_  
City Manager

11/10/09  
\_\_\_\_\_  
Date

**Addendum****A. Board / Commission Recommendation**☐ **Issue Created Too Late for B/C Ranking**

<b>Board or Commission</b>	<b>Rank</b>	<b>Rank 1 year ago</b>	<b>Rank 2 years ago</b>
Arts Commission			
Bicycle and Pedestrian Advisory Committee			
Board of Building Code Appeals			
Board of Library Trustees			
Child Care Advisory Board			
Heritage Preservation Commission			
Housing and Human Services Commission			
Parks and Recreation Commission			
Personnel Board			
Planning Commission			

1 of 7

**Board or Commission ranking comments****B. Council**

**Council Rank** (no rank yet)  
**Start Date** (blank)  
**Work Plan Review Date** (blank)  
**Study Session Date** (blank)  
**RTC Date** (blank)  
**Actual Complete Date** (blank)  
**Staff Contact**

# Live, Work, Play

## A Toolkit for Mixed-Use Development in Sunnyvale



City of Sunnyvale

Community Development Department, Planning Division

**CITY COUNCIL DRAFT**—March 2015

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- Russell Melton, Chair
- Ken Olevson, Vice Chair
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This toolkit is available online at [\[insert link\]](#). **For printed copies,** contact the City of Sunnyvale Planning Division at (408) 730-7444.



# Introduction



Mixed-use development combines two or more types of land use into a building or set of buildings that are physically and functionally integrated and mutually

supporting. This can be some combination of residential, commercial, industrial, office, institutional, or other land uses.

Mixed-use development can be vertical or horizontal. Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as housing or offices over ground-floor retail. Horizontal mixed-use occurs when uses are placed next to each other, such as an apartment building adjacent to offices, restaurants, or retail shops. Mixed-use areas often encompass the main street/downtown, activity center, or commercial corridor of a local community, district, or neighborhood.

Mixed-use development can reduce dependence on driving by promoting walkability and bikeability, enabling trip-linking (combining several trips into one), connecting to public transit, and supporting transit-oriented development. Less automobile dependence reduces land consumption, energy use and air pollution. Mixed-use also provides:

- Independence of movement, especially for the young and the elderly who can conveniently walk, cycle, or ride transit;
- Support for those who work at home, by making services and amenities more accessible; and
- A variety of housing choices, so that the young and old, singles and families, and those of varying economic ability may find places to live.

## Purpose

The design guidelines in this toolkit were formulated to shape the built form and character of mixed-use developments in Sunnyvale. Commercial development is constantly reinventing itself. Strip malls are being transformed to more pedestrian-friendly shopping experiences; big box stores and auto dealerships are evolving into mixed-use centers with entertainment uses; and malls are turning themselves “inside-out,” using storefronts that mimic traditional downtowns. Cities are converting brownfields into urban villages with housing,

retail, entertainment, and civic uses, and e-commerce is spawning small businesses in old warehouses and along main streets. All of these innovations pose opportunities and challenges for managing growth in our communities.

Mixed-use development guidelines establish a regulatory framework to meet the community expectations, and are used in conjunction with zoning regulations. This toolkit is a part of the Citywide Design Guidelines, and consists of policy statements and guidelines to work with typical zoning standards, such as height, setbacks, density, and other regulations.



# Guiding principles

While creating successful mixed-use projects is more art than science, there are some general principles that can be followed. The guiding principles listed below should be observed by developers as they design mixed-use projects, by City officials as they review such projects, and by residents as they consider proposed developments in their neighborhood.

## ① Diversity of uses

Increase the diversity and range of uses and activities, such as housing, retail, services, offices and civic or community facilities; this will attract activity at different times of the day at appropriate locations. At the same time, care should be taken to avoid token amounts of any one type of use.



## ② Appropriate mix of uses

Ensure the uses complement other uses on site and are compatible with the surrounding area.

## ③ Integration with existing neighborhoods

Minimize potential negative impacts on neighboring properties by transitioning the size, scale and character of mixed-use development to respect existing adjacent

neighborhoods. Efforts should also be taken to protect viable and legal non-conforming businesses and to address concerns of existing adjacent residents along with the expectations of new residents of mixed-use development.



#### ④ Pedestrian orientation

Incorporate pedestrian-friendly site design with direct walking and bicycling connections within the site and to surrounding areas, with pedestrian-oriented architecture, and well-defined street edges, active ground floors and interesting building details.



#### ⑤ Flexible transportation and parking approach

Parking requirements should be reduced to reflect the less-car-dependent nature of mixed-use, availability of transit and potential for shared parking. Creative solutions—such as shared parking, unbundled parking, car sharing and aggressive transportation-demand management measures—should be explored.

#### ⑥ Focal point for the community

Mixed-use development should serve as a community focal point for the neighborhood(s) it serves. It should be located at higher-profile locations; occupy sites of at least one acre; be easy to access by foot, transit and bicycle; feature gateway or landmark elements; incorporate inviting gathering places and community activities; and offer a central space for community activities.



#### ⑦ Attractive design

Mixed-use development should exhibit distinctive and attractive architecture, featuring a variety of compatible building types and sizes. It should appear “organic,” as if having been built



over time, rather than all at once; balance creativity and diversity in architectural styles with a sense of cohesion; use styles and details that reflect Sunnyvale's context and history; and preserve and highlight any existing historical, cultural or environmental resources.

### ⑧ Environmental sustainability

Incorporate green building techniques and infrastructure in building design for the efficient use of energy, water and construction materials and waste reduction.



### ⑨ Coordination of development strategies

Coordinate planning and economic-development strategies to help increase the range of uses at mixed-use developments with flexible zoning regulations; in particular, encourage neighborhood-serving uses—especially food outlets and everyday services—to attract surrounding residents and employees.



# Site elements guidelines

The location of mixed-use developments is an important part of the feasibility and success of projects. The mix of uses should be compatible with the surrounding neighborhood, and the buildings sited in a way that minimizes impacts to adjacent uses. The following criteria address the siting and area-wide consideration for mixed-use developments in Sunnyvale.

## Site selection

### Intent

Mixed-use development is appropriate in downtowns, neighborhood-oriented centers, transit nodes, main streets, and some community commercial centers. Locating stores, offices, residences, public services, and recreation spaces within walking distance of each other in these locations promotes: less dependence on automobiles, activated public and private spaces, and the availability of living, shopping and employment opportunities.

### Guidelines (SS)

- SS-1** A mixed-use project site should be close to transit, compatible with surrounding uses, maintain the look and feel of the existing neighborhood, and protect existing use patterns that are consistent with the City's General Plan.
- SS-2** Take advantage of opportunities for infill and redevelopment while taking into consideration adjoining uses.

- SS-3** The design of each mixed-use project site should contribute to the sense of place and evolving character in the area.

## Consistency with surrounding area

### Intent

There are areas of the City that contain opportunities for redevelopment on underutilized sites. The design of infill development must be sensitive to the existing neighborhood context and positively contribute to the public realm. The compatibility of new development with existing development is especially important when new development includes new uses or higher densities. Good site design must carefully balance the need to respond to the existing context with the objective of introducing new development that can improve the character and the scale of the surrounding area. Areas part of a larger plan area that transforms the use pattern from industrial to mixed-use should allow different uses, such as employment and residential uses adjacent to each other.

## Guidelines (SA)

- SA-1** Encourage development which is sensitive to the character and scale of surrounding development, with particular attention to transition areas in which different uses may have coexisted for years or even decades.
- SA-2** The design of each mixed-use project site shall contribute to creating a sense of place and character in the area.
- SA-3** Any project site planning must consider the internal organization of a development project and the external relationship with the public right-of-way and other projects.
- SA-4** Coordination between multiple sites can help to develop a consistent community character. New projects need to consider adjacent sites to identify potential opportunities for the coordination of building programs, site amenities and functional operations.
- SA-5** Develop shared facilities such as driveways, parking areas, plazas and walkways in order to increase pedestrian use and to allow access across separate properties. On larger sites with multiple buildings, design parking areas and open spaces so several buildings can share them.
- SA-6** Coordinate site designs with existing development on adjoining properties to avoid creating excessive noise or intrusions on privacy, particularly when development is adjacent to sensitive uses such as housing.
- SA-7** Ensure neighboring homes are not impacted by mixed-use project elements, such as balconies, deliveries and trash

storage, employee smoking areas, or shading for solar opportunities.

## Block pattern and size

### Intent

The City's goals include improving circulation and connectivity for all modes, including pedestrians, cyclists and transit riders. One of the most important considerations in achieving this goal is block size and the pattern of streets.



*Short city blocks—like those of Portland, OR—create multiple access routes in walkable increments in all directions and a finer-scaled, diversified pedestrian experience.*

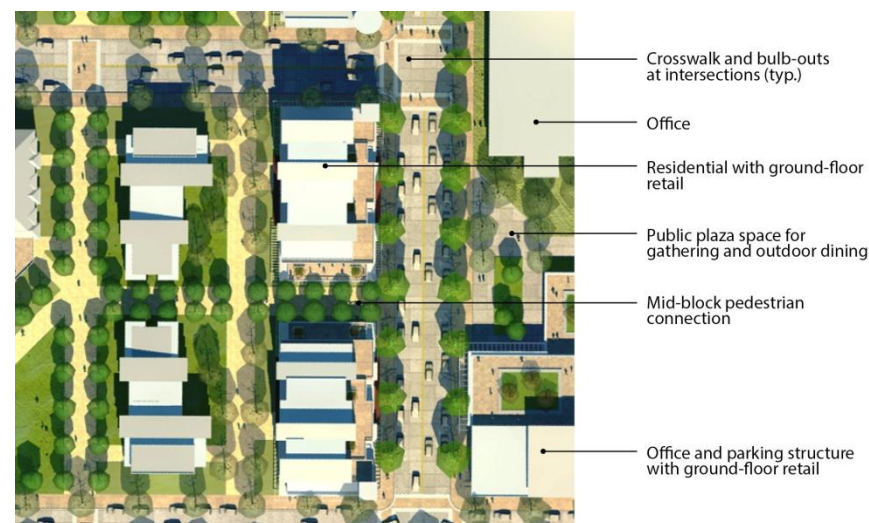
In general, block sizes of approximately 300 feet on a side are ideal as they allow multiple circulation routes in walkable increments in all directions. At an average walking pace, this

means that each block length can be traversed in just over a minute, thus creating a finer-scaled, diversified pedestrian experience. Such block sizes also provide multiple opportunities for vehicular traffic circulation as well as for access to land and buildings.

Many areas of the city have not been developed in this pattern, but with new development of existing, large parcels there is an opportunity to consider a more fine-grained pattern of streets, walkways, or service lanes that can help achieve this improved circulation pattern.

### Guidelines (BP)

- BP-1** Wherever possible, establish a grid of public streets and walkways, and a block pattern with block sizes of approximately 300 feet on a side.
- BP-2** Limit maximum street block lengths between public streets to a maximum of 400 feet.
- BP-3** Where block lengths exceed approximately 300 feet, provide mid-block pedestrian connections. Mid-block connections may take the form of a pedestrian access way or a shared pedestrian and emergency-services path.
- BP-4** To the extent feasible, add publicly accessible pathways in existing development areas where street connectivity is limited.
- BP-5** Encourage smaller buildings with easy access to and through each building location.



*Mid-block pedestrian connections should be provided where block lengths exceed approximately 300 feet.*

### Minimum lot size

#### Intent

Mixed-use projects typically require unique features and design, including parking for different types of uses, appropriate separation between the uses on site, and different open areas for use by each use type. If taken together, these features require sufficient land to work effectively. A small site might not have available the area for features necessary to provide a quality mixed-use project. Although small sites developed into mixed-use projects individually may forgo the opportunity for parcel assembly where more efficient designs could be incorporated, several small lots developed into mixed-use can share infrastructure such as parking and open space.

**Guidelines (ML)**

- ML-1** Minimum 1-acre parcel for mixed-use projects with residential components.
- ML-2** Encourage parcel assembly for properties smaller than one acre in size.

**Separation of uses****Intent**

Ensure the compatibility of commercial and residential uses that share a site. Encourage ground floor uses that activate the site, avoid ground floor office space in vertical mixed-use buildings.

**Guidelines (SU)**

- SU-1** **Permanent commercial** loading areas should be located as far as possible from residential units and should be completely screened from view from adjacent residential portions of the project. **Use of loading and unloading zones should be staggered and be located to minimize interference with traffic flow.**
- SU-2** Separate gates for access to residential uses and residential parking areas, as well as for securing commercial parking areas when businesses are closed, can provide additional security for residents and other property users.
- SU-3** Loading and unloading zones should provide adequate space for maneuvering into and out of a loading position without impacting residential uses on site.
- SU-4** Mixed-use projects with restaurants in the complex must be designed so venting is incorporated into the building

design to avoid impacts on residents or others users of the property.

**Site planning****Intent**

Site development and the locations of buildings relative to the street and sidewalk have a significant effect on the character of the pedestrian environment. Rather than being set back behind surface parking and large planted setbacks, new development should have a more pedestrian-friendly and visually interesting character and should be located adjoining the public environment of streets and walkways. Building setbacks will vary by street type (consult the City's zoning code for detailed standards).

Whenever possible, new structures should be clustered for a vertical mixed-use project. This creates plazas and pedestrian malls and prevents long "barracks-like" rows of structures. When clustering is impractical, a visual link between separate structures should be established. This link can be accomplished through the use of arcades, trellises, or other open structures. Developing a complex of buildings rather than a single large structure can break up the visual bulk and scale of a project, and can provide pedestrian plazas, courtyards and other outdoor gathering areas.

**Guidelines—Building design and orientation (SP-1)**

- SP-1.1** Site buildings adjacent to the street, maximizing building frontage along primary streets (boulevards, local streets and pedestrian retail streets).



**SP-1.2** Consider providing at least 15 percent of the building façade to be stepped back beyond the setback. This allows entry for courts, public plazas, and building articulation at the ground level.

**SP-1.3** Consider sunlight and shadow on buildings and open spaces when locating building orientation and height.



*Rather than being set back behind parking lots, buildings should reinforce street edges and corners. This creates a more urban and visually interesting character.*

**SP-1.4** Proper placement and size of a building can help to reduce the air circulation or wind tunnel that is created between the new and existing buildings.

**SP-1.5** Placement of structures should consider the existing built context of the commercial area, the location of

incompatible land uses, the location of major traffic generators and air quality pollutants, as well as an analysis of a site's characteristics and particular influences.

**SP-1.6** Building orientation and landscaping should minimize a direct line of sight into adjacent residential private open space.

**SP-1.7** Buildings must be located where they can connect to the public realm, but they must also be arranged within the site so that appropriate space is provided for parking, outdoor seating and other activities.



*Transition zones for ground-level residential provide privacy and separation from the street through the use of stoops, raised floors and landscaping.*



**Guidelines—Ground floor space (SP-2)**

- SP-2.1** Include a transition zone for ground-level residential on non-retail streets to provide privacy and separation from the street. Within the transition zone stoops, raised floors and private gardens are encouraged.
- SP-2.2** Incorporate ground floor retail as a compatible use with office and residential uses.
- SP-2.3** Locate pedestrian-friendly uses along the front of the property to encourage a safe, inviting and comfortable environment.
- SP-2.4** Place entrance doors and windows for retail uses fronting directly onto the street at ground level.

**Guidelines—Setbacks and heights (SP-3)**

- SP-3.1** Densities, intensities and building heights should step down where developments abut low-density residential properties.
- SP-3.2** Multiple-story buildings should be stepped back from the street edge at upper levels to not overwhelm the street feel of the building and to allow sunlight onto the street.
- SP-3.3** Setbacks for portions of façade for ground-floor retail can be reduced to emphasize the retail zone and widen sidewalks when entries face the street as follows:
  - Up to five feet maximum setback from the property line, with zero allowed setback along El Camino Real.
  - Contiguous with the sidewalk grade and accessible to the public.
  - May be devoted to outdoor dining and merchandising uses.

**Guidelines—Compatibility (SP-4)**

- SP-4.1** Maintain neighborhood and street character by locating residential uses across the street from one another where possible.
- SP-4.2** Consider existing adjacent land uses during site planning to locate compatible uses next to each other.
- SP-4.3** Avoid public access at the rear of commercial structures when adjacent to potentially incompatible uses.
- SP-4.4** Design buildings so that the height, massing, setbacks and design character are compatible with surrounding buildings.
- SP-4.5** Link compatible residential and nonresidential uses by utilizing access roads, walkways, common landscape areas, building orientation, and unfenced property lines.

**Guidelines—Circulation (SP-5)**

- SP-5.1** Consider service and access needs and locate uses appropriately on site to accommodate vehicular circulation and mitigate pedestrian and vehicular conflicts.
- SP-5.2** Private drives should be designed as pedestrian-friendly streets that are a natural extension of the surrounding neighborhood.
- SP-5.3** Whenever possible, locate residential site entries on side streets in order to minimize pedestrian/vehicular conflicts. Avoid designs that incorporate shared access between commercial service uses and residential uses.
- SP-5.4** Encourage convenient and direct pedestrian connections to adjacent retail uses and transit stops.

# Building design guidelines

The purpose of urban design guidelines for mixed-use development is to create an attractive built environment; enhance the public realm, neighborhood identity and livability; facilitate the role of private development; and seek to minimize negative impacts, particularly on neighboring properties. The following building design guidelines were formulated to shape the built form and character of mixed-use developments in Sunnyvale.

## Building massing and articulation

### Intent

Varying the massing of buildings will help reduce their apparent scale, ensuring a comfortable and attractive environment. New buildings and additions should be delineated both vertically and horizontally to reflect a human scale. Building massing includes consideration of the bulk and dimensions of various parts of a building. Articulation includes potential variations in the various planes of the building such as roofs and façades.

### Guidelines (BM)

- BM-1** Incorporate within the project architecture a sense of harmony and human scale, while providing for visual interest and individual unit identity, as well as privacy and security for each resident and the project as a whole.
- BM-2** Reduce the apparent bulk of a building by breaking it into several smaller masses.



*Breaking a large building into smaller masses and varying the roof line with architectural elements are effective ways to reduce its apparent bulk.*

- BM-3** Define and add variations in the roofline with architectural elements such as fascias, eaves and gables.

**BM-4** In the massing and articulation of building façades, consider the impacts of shade and wind on important open space, pedestrian corridors, retail streets and adjacent properties.

**BM-5** Screen mechanical and other equipment from sight whether on roofs or in ground-level service areas.

## Building design and architecture

### Intent

Build and maintain a neighborhood with diversity in architectural styles, building type, materials and details, building square footage, setbacks, lot widths, and landscaping. No one architectural theme is being promoted, but rather the emphasis is to promote variety within a traditional neighborhood design framework. There should be a soft, attractive, and smooth transition between commercial properties and residential neighborhoods. Caution should be exercised when considering architectural styles or detailing that have recently become popular, but have not yet stood the test of time, but innovative designs can provide unique perspective to the Sunnyvale built environment. In new construction, historic styles that cannot be replicated gracefully should be avoided. Projects located at the intersection of two streets should be more prominent. More people pass by corner sites, and the buildings on these sites are more visible. The design of corner sites should acknowledge and celebrate this prominence, and it should help to define the edges of the street intersection.

### Guidelines—Architecture (BD-1)

- BD-1.1** Façades of buildings that face the street should incorporate human-scale detailing through the varied use of reveals, belt courses, cornices, expression of structural or architectural bays, recessed windows or doors, material or material module changes, color and/or texture differences, or strongly expressed mullions.
- BD-1.2** Architectural features should be used to provide weather protection for pedestrians and highlight building features and entries.
- BD-1.3** Include special architectural and design features on buildings located at corners, such as taller building elements or architectural detail, but respect adjacent residential uses and building massing. Additional corner treatments might include a rounded or angled facet on a corner building entrance or an embedded corner tower.
- BD-1.4** Corner buildings should have a strong tie to the front setback lines of each street.
- BD-1.5** Angled building corners or open plazas are encouraged at corner locations.
- BD-1.6** Place buildings located on street corners so that they meet the corner, or use a small setback to provide a public plaza with direct access to the building.
- BD-1.7** Provide a high percentage of windows on the ground-floor façades of commercial buildings to facilitate greater visual transparency.

**Guidelines—Mass (BD-2)**

- BD-2.1** Create modules of 25 to 50 foot wide as traditionally found in Main Street environments.
- BD-2.2** A clear visual division between upper and lower floors should be incorporated through a change in materials, colors, and use of canopies and awnings.
- BD-2.3** Use quality building materials and colors and help establish a human scale while providing visual interest.

**Guidelines—Fixtures (BD-3)**

- BD-3.1** Awnings and canopies should be used to emphasize the ground floor commercial uses.
- BD-3.2** Upper floor balconies are encouraged.
- BD-3.3** Decorative lighting fixtures are encouraged on commercial storefronts, but attention should be paid to residential uses above or adjacent to the lighting.
- BD-3.4** Subdued signage and signage lighting that is compatible with the residential uses should be used. These should be designed into the project at an earlier stage.

**Building height****Intent**

Allowable building heights will differ based on location and land use. The goal should be to maximize heights along corridors, especially at intersections, and to step them down next to existing residential neighborhoods, to provide a transition in scale (the zoning code contains more detailed standards). Beyond prescribed standards, other considerations regarding the height

of buildings and building elements, including the ones listed below, should guide the design of mixed-use projects.



*Gateways with taller buildings and distinctive architectural design should be established at major intersections.*

**Guidelines**

- BH-1** The height of buildings should provide for a human scale to the overall streetscape while respecting surrounding development in the area. Building height should not exceed that specified by the City Zoning Ordinance, except for roof elements (as provided in the zoning code).
- BH-2** Buildings should be designed taking into account adjacent uses and buildings, and a new building should not block solar access.
- BH-3** Vary building heights in the following situations:



- Around parks to maintain maximum daylight/sky exposure and pedestrian scale.
- Adjacent to existing residential neighborhoods, stepping down to two or three stories.
- At major street intersections, establish gateways through taller building heights with distinctive architectural design.
- **To break up buildings greater than 100 feet in length.**

**BH-4** Maximize sky exposure and views along streets and at public spaces by keeping sightlines and visual axes open and by stepping back the upper stories of buildings.

### Building orientation, entries and façades

#### Intent

An interesting and active ground level helps to create pedestrian comfort, especially where access to transit and to local amenities is desired. The street, sidewalk and open space/plazas can be activated through strategic uses, locations of building entries and windows, and through building design.

#### General guidelines (BO-1)

- BO-1.1** Activate plazas with adjacent ground level retail uses and other active building uses.
- BO-1.2** Orient the primary façades and entrance areas of all buildings to the street, open space areas, or other pedestrian-oriented circulation areas, but do not obstruct the public right-of-way.

**BO-1.3** Encourage windows and storefronts at the street level and ground floor with clear, non-reflective glazing.

**BO-1.4** Emphasize building entries with small entry plazas, vertical massing, and architectural elements such as awnings, arcades, or porticos; design entries so that they are clearly identifiable from the street; provide a walkway leading from the street to the building entrance if not located directly off of a sidewalk.



*Emphasize building entries so that they are clearly identifiable from the street with entry plazas and architectural elements such as awnings, arcades or porticos.*

**BO-1.5** Enhance building entries and the adjoining pedestrian realm with plazas and landscaping.

**BO-1.6** Design the floor-to-ceiling height of the first floor to be greater than that of upper floors to accommodate ground-floor retail space where permitted. Generally, the height should be 15–20 feet.

**BO-1.7** Include features that add depth, shadow and architectural interest, such as balconies, recesses, cornices, bay windows, and step-backs at upper floors, consistent with the building's style.

**BO-1.8** Limit blank walls to no more than 30 percent, or 20 linear feet, of the façade of a building on any pedestrian way or street without being interrupted by a window or primary entry.

**BO-1.9** Place residential entries on quieter, less-trafficked street frontages.

**BO-1.10** For retail development, orient multiple store entries to the plaza in addition to street-side entrances. Utilize outdoor plazas for cafés or other outdoor retail uses.

### Guidelines—Ground level and entry designs (BO-2)

**BO-2.1** Ground-floor storefronts should have a transparent appearance. The types of commercial uses selected should preclude the use of draperies and blinds to shut off transparency.

**BO-2.2** Recessed commercial vestibule entries are encouraged.

**BO-2.3** Decorative walls and/or enhanced landscaping should be used at main entrances. Special paving, raised

medians and gateway structures should also be considered.



*Building entrances should face the street, without obstructing the public right-of-way. Windows and storefronts with clear, non-reflective glazing at street level enhance the pedestrian environment.*

**BO-2.4** For corner sites, the main entry to buildings should be emphasized through flanked columns, decorative fixtures, a recessed entryway within a larger arched or cased decorative opening, or a portico (formal porch).

**BO-2.5** Corner buildings should feature angled entrances and plazas and continue storefronts on side streets.

**BO-2.6** Locate the main entrance of corner buildings at the corner, where feasible.

**BO-2.7** Architectural, landscaping and furniture at ground level is important for pedestrian interest.

**BO-2.8** For pedestrian retail streets in downtown, locate the primary first floor retail building façade at the property line with recessed spaces for seating. Portions of the ground-level street façade can vary in setback to accommodate pedestrians and emphasize the retail zone.

#### **Guidelines—Residential (BO-3)**

**BO-3.1** Locate individual residential entries on quieter frontages where possible.

**BO-3.2** Locate grand, multi-unit residential entry lobbies on pedestrian-friendly streets.

**BO-3.3** Consider building orientation, height and fenestration to capture sunlight for residential units.

**BO-3.4** To provide privacy and separation from the street for ground-level residential unit, consider stoops, raised floors and private gardens.

### **Building materials**

#### **Intent**

Building materials help to define the character and scale of a building. The use of materials should convey durability and performance, as well as maximum feasible transparency. Sustainable criteria should influence all building design.

Any project proposed in Sunnyvale should take care to include the highest quality, sustainable designs and materials in order to meet the goals of the City. The State CalGreen program and City green building program maintain high standards in this area, but mixed-use projects should go beyond the green building minimum standards.

#### **Guidelines (BM)**

**BM-1** Throughout the exterior and public interior spaces of the buildings, use stone, brick and other high-quality, durable architectural materials and finishes that provide a sense of permanence.

**BM-2** To minimize the overall environmental impact of development, give preference to sustainable materials, buildings systems, and technologies over conventional methods.

**BM-3** At a minimum, new buildings and development should meet city and state codes, guidelines and standards for green building practices and use of sustainable materials. Sustainable materials could include: solar panels, low-volatile organic compounds (VOC) materials and paints, sustainably-harvested or recycled lumber, on-demand hot water heaters, energy efficient appliances, green and cool roofs, and local stone and building materials.

**BM-4** Employ accent materials such as tile insets or natural stone especially, at the ground level to articulate vertical wall elements and accent elements such as corners; and also to



add texture, color, and visual interest along all pedestrian corridors.



*Accent materials such as tile inserts or natural stone should be employed at the ground level to add texture, color and visual interest.*

**BM-5** Include “green infrastructure,” such as on-site measures for renewable-energy production and treatment and reuse of stormwater and graywater where feasible.

### Gathering places and open space

#### Intent

Outdoor spaces and amenities should enliven the sidewalk level and provide for private open space for shoppers, employees, and residents. A thoughtfully designed site can include small plazas, piazzas, courtyards and other outdoor spaces. These spaces can create a visual connection to the public realm as well as a

physical transition zone between the building and the street. They provide important spaces for formal and informal community gatherings, and their design should be coordinated with new development. While these areas should be large enough to accommodate everyone who wants to use them, they should also be small enough to create an active, lively feel when they are occupied.

#### Guidelines—Scale (OS-1)

- OS-1.1** Outdoor spaces should be appropriately scaled for the intended use and be designed to include safety and security measures.
- OS-1.2** Common open space should be provided in large, meaningful areas and not fragmented or consist of “leftover” land. Large areas can be imaginatively developed and economically maintained. Without sufficient area, common open space cannot serve the purpose for which it is intended.
- OS-1.3** Projects should strive to include a minimum 10% of lot area of public and private open space in the form of **pocket parks**, courtyards and plazas.

#### Guidelines—Open space (OS-2)

- OS-2.1** A variety of outdoor spaces should be considered.
- OS-2.2** A small portion of the public open space may be used for more-private yet enlivening uses such as outdoor dining and building entrances.



- OS-2.3** Public art should be included as part of open space improvements, per the requirements of relevant Sunnyvale public art ordinances.
- OS-2.4** All courtyards and plazas shall be designed and oriented in a way that allows the majority of the space to have direct sunlight for the duration of the day to eliminate damp, dark corridors for the health and safety of the pedestrian.
- OS-2.5** Ensure that outdoor areas are visible from public streets and accessible from buildings, as well as streets, footpaths and bikeways.
- OS-2.6** Design plazas and building forecourts to maximize circulation opportunities between adjacent uses within the setback area between buildings.
- OS-2.7** Provide a focal point for pedestrian gathering in the center of the plaza such as a fountain or sculpture.
- OS-2.8** Design public and private outdoor spaces to provide sunny and shaded areas.

#### **Guidelines—Open space access (OS-3)**

- OS-3.1** Do not exceed a grade differential greater than four feet between a public open space or plaza area and the adjacent sidewalk grade.
- OS-3.2** Provide access to public open spaces with convenient and attractive pedestrian rights-of-way.
- OS-3.3** Access shall be provided from both the public right-of-way sidewalk and ground floor commercial spaces.

- OS-3.4** An interior courtyard should have a major entrance that is clearly visible from the street.
- OS-3.5** Design plazas and building forecourts to maximize circulation opportunities between adjacent uses.
- OS-3.6** For larger projects, develop a comprehensive open space network that includes plazas and other open space elements to connect different uses. Integrate adjacent land uses on a site into the open space areas and the paths that link them. Site buildings to define open space areas.

### **Landscaping**

#### **Intent**

Landscaping and publicly accessible open space provides visual interest and community and environmental benefits. Site landscaping of all building types provides visual interest in the urban environment and helps mitigate any heat-island effect. Site landscaping is also a means to satisfy regional stormwater management mandates through the use of drainage swales and detention basins. Site landscaping is an important component of any future development (see the City's zoning code for detailed standards).

#### **Guidelines (LS)**

- LS-1** Use planted buffers and other transition strategies to reduce privacy and visual impacts, especially when adjacent to existing residential neighborhoods.

- LS-2** Provide a landscape buffer or open space between different uses on the same property.
- LS-3** Employ landscaping to screen parking lots from adjacent residential uses and streets.
- LS-4** On sites with multiple structures, buildings should be linked visually and physically. These links can be accomplished through architecture and site planning, such as trellises, colonnades or other open structures combined with landscape and walkway systems.
- LS-5** Emphasize the use of drought-tolerant planting and water-efficient irrigation.
- LS-6** Employ landscaping as a buffer to adjacent uses.
- LS-7** Street trees should be in scale with the width of the street and the height of adjacent buildings.
- LS-8** Use water-pervious materials for parking areas, driveways and pathways to the extent such that they do not cause damage to public streets or other infrastructure.
- LS-9** Use sustainable surface materials for paving, such as reclaimed pavers, locally produced materials, or concrete and asphalt with fly ash content, for example.
- LS-10** Incorporate onsite stormwater management through the use of covered retention areas, rills (narrow channels to aid water runoff), bio-swales, and cisterns.
- LS-11** Place outdoor furniture, such as seating, low walls, trash receptacles, bike racks and other elements, in outdoor pedestrian spaces.



*Water-pervious materials should be used for parking areas, driveways and pathways, provided they do not cause damage to public streets or other infrastructure.*

- LS-12** Coordinate the design and placement of outdoor furniture with the design of the building.
- LS-13** Hardscape and vegetation should be combined to create plazas that people can use for rest, congregating, recreation, and dining.
- LS-14** The redevelopment of a site should avoid the removal of existing mature trees, or should relocate mature trees elsewhere on the site.

# Transportation and parking strategies and guidelines

Conventional parking solutions do not work well for mixed-use development. To encourage pedestrian activity and accommodate often higher-density uses, mixed-use projects need less intrusive parking—and less of it, relative to conventional development. Creating a successful mixed-use project requires creative thinking when it comes to transportation, in order to reduce the project’s demand for parking.



This section includes several creative transportation and parking strategies that should be considered in the planning of mixed-use development in Sunnyvale. These strategies can reduce car dependence, encourage the use of transportation alternatives and

mitigate a project’s potential traffic and parking impacts. The City of Sunnyvale will need to adopt policies and possibly regulations to enable most of these strategies as part of development projects.

## Shared parking

The main transportation-related strategy to be considered should be shared parking, since it plays into the nature of mixed-use development. This strategy allows neighboring land uses with different peak times for parking demand to use the same parking spaces. A dinner restaurant, for example, could share a parking

lot with an office building, since they experience their highest demand at different times of day. Moreover, the same lot could be made available for temporary uses during the weekend, such as a flea market or farmers market. Shared parking provides an adequate supply of parking with fewer spaces while resulting in a more efficient use of land and reducing development costs. In some cases, shared parking can reduce the need for parking spaces by 50–55%. Generally, the amount of parking required for a mixed-use project should be based on the maximum demand at any time period across all land uses present at the project.

## Unbundled parking

Unbundled parking involves renting or selling parking spaces to the occupants of commercial or housing units, or offering discounts if parking is not needed, rather than folding the cost of parking into the rent or purchase price of those units. This “reveals” the cost of parking to tenants or owners and gives them a financial incentive to own fewer cars or even go car-free, especially in areas within walking distance of good transit service. To make this strategy feasible, parking requirements

must be reduced for developments with unbundled parking; that way, developers are free to provide only the number of spaces that occupants will be willing to pay for. However, since unbundled parking gives people the incentive to find other places to park, it may result in parking spillover onto neighborhood streets. In the absence of residential permit parking, unbundled parking works best for projects that are located in areas where on-street parking is limited or not in very high demand or at transit locations where car ownership could be reduced.

### Car and bike sharing

Car sharing gives people easy access to a communal car on a short-term basis, typically by the hour. Some people will use car sharing instead of having a second car while others will use it instead of owning a car at all. A developer could provide one or more shared cars on-site through an agreement with a car sharing service. Developers should also consider providing bicycles for communal use. While it is not the cost of owning a bicycle that generally deters people from using one, shared bikes could encourage non-cyclists to try riding before perhaps going on to buy their own bike.

### Subsidized transit passes and shuttles to transit

In most cases, it is cheaper for a developer to provide free or discounted transit passes to project occupants than additional parking spaces. VTA's Eco Pass program offers deep discounts to eligible employers, developers and residential associations on monthly transit passes purchased in bulk. Subsidized transit passes would be strongly reinforced by developer-provided bus

shelters, information kiosks and, especially, shuttles operating from the project to nearby Caltrain stations.

### Bicycle parking

Parking for bikes is a low-cost yet effective way to encourage cycling: it reduces the threat of theft, makes bicyclists feel welcome and increases the visibility of bicycling. All mixed-use projects should provide both

short- and long-term bike parking in garages and near building entrances. Generally, racks should be provided for short-term (visitor) parking and lockers for long-term (employee or commuter) parking. Racks and lockers should be located in secure, well-lighted, highly visible and, ideally, covered areas; and be located as close as possible to main entrances and no farther from the entrance than the nearest non-handicapped car parking space. The required number of bike-parking spaces should depend on the size of a project and mix of uses but should generally be 10–20 percent of the required number of car-parking spaces. Also, developers should consider providing bike-repair tools or services on site for tenants.





## GreenTrip

GreenTrip is a certification and reward program for mixed-use and other development projects that meet certain criteria. To receive GreenTrip certification, projects must, among other actions, limit the amount of parking they provide and incorporate up to three strategies to encourage new residents to drive less and own fewer cars. The three strategies are unbundled parking, discounted transit passes and car sharing, all discussed above. Developers of proposed mixed-use projects should be encouraged to obtain GreenTrip certification and reduce parking requirements for certified projects. See <http://www.transformca.org/landing-page/greentrip-certification-program> for information on benefits and various options.

## Parking design

### Intent

In some cases it will be feasible to provide parking in above- or below-ground structures rather than at ground level in surface lots. Minimizing the footprint of surface parking creates a more attractive environment with more opportunities for well-designed buildings and site landscaping.

### General parking guidelines (PK)

- PK-1** Share access drives to parking facilities wherever feasible to minimize curb cuts and disruptions to pedestrians.
- PK-2** Provide well-designed and maintained transit shelters, bicycle parking, street furniture and other amenities for pedestrians, transit riders and cyclists.

- PK-3** Bicycle parking racks should be located near building entrances or along direct paths to building entrances, where both surface and parking structures are located.
- PK-4** Ensure that bicycle parking is secured and weather-protected and is located in highly visible areas for safety and security.
- PK-5** Consider using innovative bike rack designs to compliment the building.



*Parking lots should be set back from the street edge or located behind buildings, and should be screened with decorative screening, landscaping or other low screening.*

### Guidelines for parking lots (PL)

- PL-1** Where used, surface parking lots should be located away from street edges or behind buildings and should provide decorative screening, landscaping or other low screening.

- PL-2** Landscape perimeter setback areas around parking lots.
- PL-3** Incorporate pervious paving to soften the look of large paving areas and allow for stormwater drainage.
- PL-4** Accommodate pedestrians and bicycle traffic with pedestrian-only pathways and bicycle facilities through parking areas. Shade these areas with trees and architectural elements such as trellises and awnings.



*For more convenient pedestrian access, parking lots should be threaded with shaded walkways that lead directly to building entrances and transit stops.*

- PL-5** Meet City requirements for electric car charging stations and encourage preferential location on site.
- PL-6** Parking lots should be shaded by tree canopy as required by the Zoning Code. Other “green” parking practices

should be considered as well, such as providing solar panels on parking lot roofs, good quality soil and generous landscaped areas, enhancing pedestrian and cycling infrastructure, and stormwater management on-site.

### **Guidelines for private garages (PG)**

- PG-1** In areas where traditional street and block patterns would be difficult to create, arrange development where applicable in a “mews” configuration (in a row, facing around a paved yard, court or lane), which provides an internal focus as well as a street orientation.
- PG-2** Mews should be well landscaped and display the character of a small urban street. Planter beds with trees or potted plants should be located between garage doors and adjacent to porches.



*In a mews configuration, buildings are in a row and face around or across a paved lane or courtyard.*

**PG-3** Organize at-grade garages for lower-density residential development (i.e., row houses, townhouses) in well-landscaped mews and parking courts leading to individual garages.

### Guidelines for parking structures (PS)

**PS-1** Where possible, locate parking structures away from primary pedestrian access but provide direct walkways for easy connection.

**PS-2** Wrap the ground level of parking structures with active uses (commercial, residential, office, etc.) when such structures front along residential and pedestrian-oriented streets.

**PS-3** Design street-facing parking structures to reduce their apparent bulk and create visually interesting façades or screen structures and site them away from public streets.

**PS-4** Design options to reduce bulk and appearance from adjoining streets include the following:

- Variation in the dimension and proportion of openings of the façade.
- Decorative screens, railings, and trellises of durable, high-quality materials that screen cars and hide sloped floors.
- Base materials and designs similar to surrounding buildings on site to enhance the visual interest of the structure at the ground level.
- Awnings, arcades, trellises, or porticos along street-facing façades and pedestrian connections.





*Wrapping the ground level of parking structures with active uses reduces their apparent bulk of and creates visual interest, as does screening cars and lining the façades with decorative elements.*

**PS-5** Locate and design pedestrian entries and stairwells for parking structures:

- As identifying architectural elements.
- Adjacent to public streets and along major pedestrian connections.
- To ensure that they are visually open and free of visual obstruction so as to promote a feeling of security and comfort.
- To minimize conflicts between pedestrians, bicycles, and vehicles.

**PS-6** Shield parking lot lighting from adjacent uses.



# Putting it all together: Two sample projects

What might mixed-use in Sunnyvale look like if developers and City officials followed accepted principles and urban design guidelines? This section imagines a corridor mixed-use project and a village mixed-use project on representative sites. The illustrations highlight how the design guidelines can be applied at each site to develop a mixed-use project.

The sites are currently occupied by conventional car-oriented commercial developments. Accompanying aerial photographs note some of the deficient conditions at these existing developments that the mixed-use projects seek to remedy.

## Project ①: Corridor mixed-use



The first project is representative of corridor mixed-use development. It demonstrates potential redevelopment of the **Pavlina Plaza shopping center**, an older

commercial property on the west corner of El Camino Real and East Remington Drive. The property is bordered by retail uses on the west and apartment buildings and offices on the south. Surface parking currently takes up approximately half the site.

## Project ②: Village mixed-use

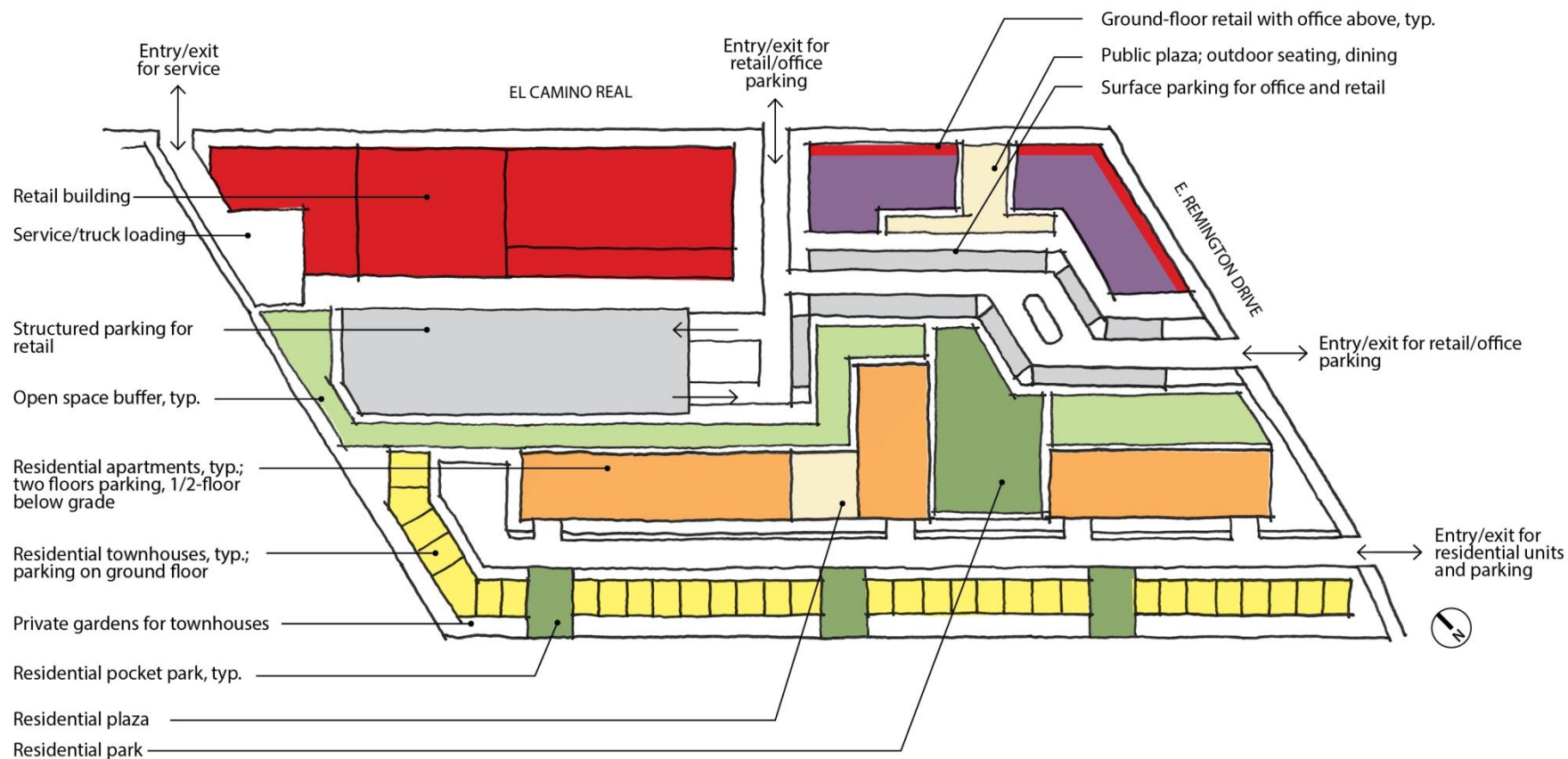
The second project represents village mixed-use. It shows how the site of the **Fremont Shopper shopping center**, another older commercial development, could be converted to mixed-use. The site, which includes a gas station, is on the northeast corner of Fremont Avenue and Saratoga–Sunnyvale Road, across from Fremont High School. It is surrounded by apartment buildings on the north and east and by single-family homes on the northeast.

Approximately half of this site is also currently occupied by surface parking.

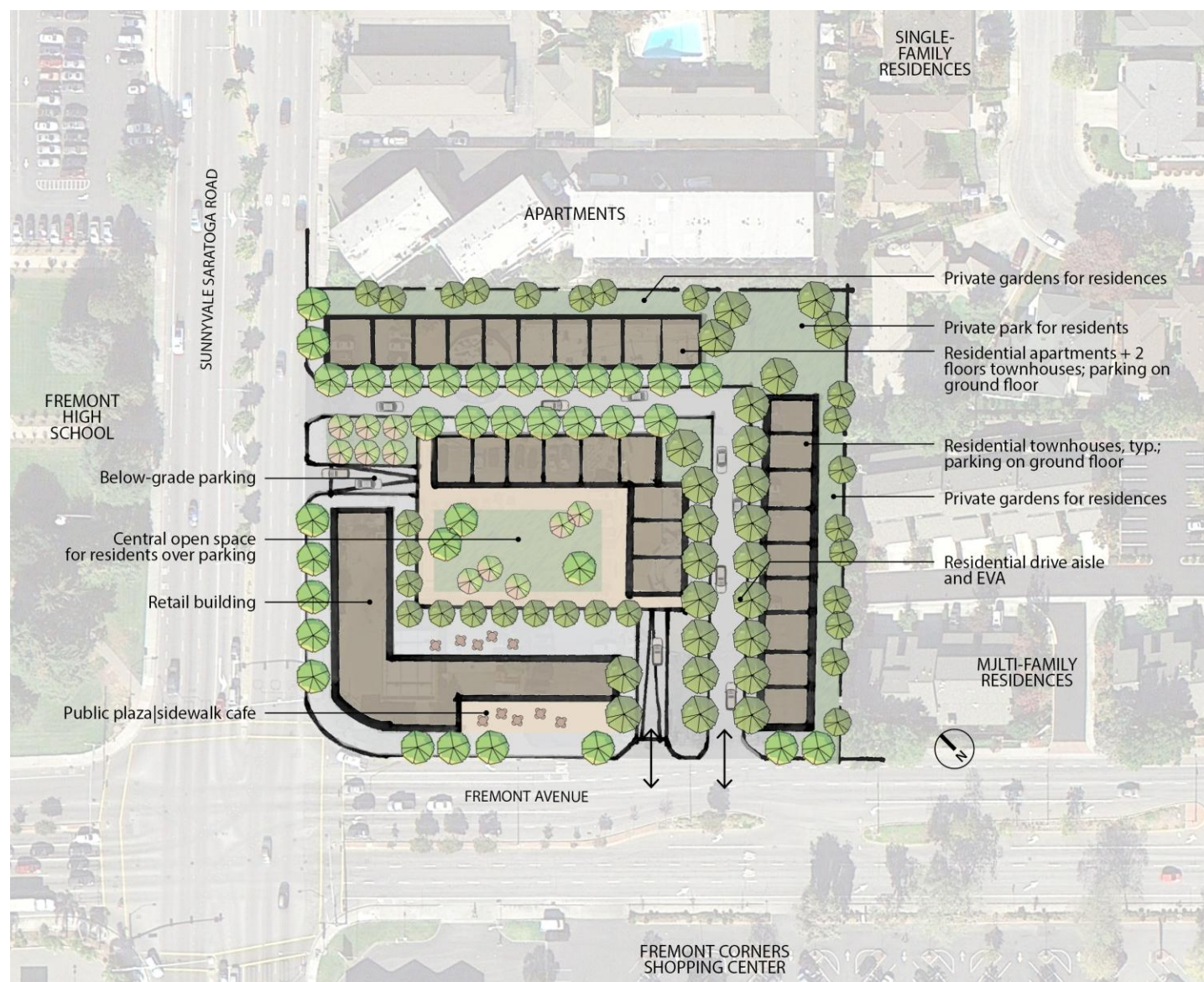




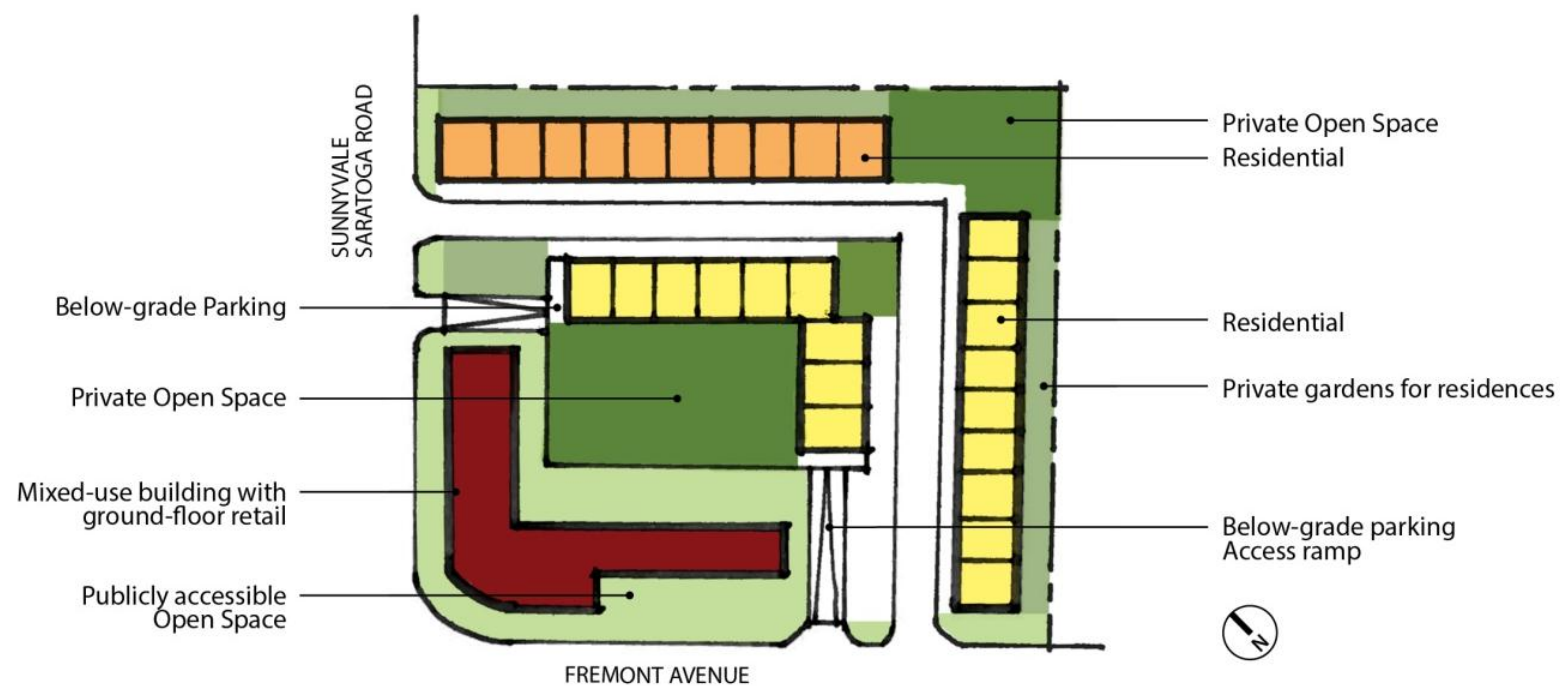




Land use plan of sample project at representative corridor mixed-use site



Illustrative site plan of representative village mixed-use site



Land use plan of sample project at representative village mixed-use site

# Other resources



Below are resources with additional information on the City of Sunnyvale's efforts to promote mixed-use development (the links on this page are up to date as of January 2015):

- **Land Use and Transportation Element** of the Sunnyvale General Plan ("Horizon 2035" draft): <http://bit.ly/16csqXM>
- **Climate Action Plan** (2011; draft): <http://bit.ly/YUAPfl>
- **Zoning Code**: <http://bit.ly/14UldOV>
- **Downtown Specific Plan** (2003): <http://bit.ly/YpPl4n>
- **Precise Plan for El Camino Real** (2007): <http://bit.ly/16cthYq>
- **Lawrence Station Area Plan** (in progress): [www.lawrencestationinsunnyvale.org/](http://www.lawrencestationinsunnyvale.org/)
- **Lakeside Specific Plan** (2005): <http://bit.ly/141J94B>

The following is a partial list of organizations that make available articles, fact sheets, reports and other information on mixed-use, infill, transit-oriented development, smart growth and similar development concepts:

- **VTA Pedestrian Technical Guidelines** (Santa Clara County): [vta.org](http://vta.org)
- **Greenbelt Alliance** (Bay Area focus): [greenbelt.org](http://greenbelt.org)
- **TransForm** (Bay Area focus): [transform.org](http://transform.org)
- **Local Government Commission** (California focus): [lgc.org](http://lgc.org)
- **Smart Growth America** (nationwide focus): [smartgrowthamerica.org](http://smartgrowthamerica.org)
- **Urban Land Institute** (focus on real-estate development, nationwide): [uli.org](http://uli.org)
- **Project for Public Spaces** (focus on public spaces, primarily in the U.S.): [pps.org](http://pps.org)



# Glossary

**Corridor mixed-use:** Development typically incorporating housing and larger, regional-, citywide- or employment-serving commercial uses along a major thoroughfare.

**Development standards:** Typically quantitative conditions or requirements to control an aspect of the size and scale of development such as lot size, building height, residential density and number of parking spaces.

**General plan:** A long-range planning and policy document to guide a community's growth and development. California state law requires that every city and county prepare a general plan and maintain it up to date.

**Horizontal mixed-use:** Development with a mix of land uses in different buildings but on the same block or adjoining blocks.

**Land use:** The activity or purpose for which land or a building is used or intended. Common types of land use include residential, commercial, industrial and open space.

**LUTE:** The Land Use and Transportation Element (or chapter) of the Sunnyvale General Plan. It aims to guide land use and transportation decisions citywide—for how much the city will grow, where growth will take place and how the streets and other parts of the transportation system will function—over a 25-year planning period.

**Mixed-use:** Development with a mix of compatible land uses, such as commercial, office and residential.

**Shared parking:** Strategy through which neighboring properties—especially those that are busiest at different times—use the same parking spaces. It allows for the more efficient use of parking facilities.

**Specialized plan:** Area plan, precise plan, specific plan or other detailed planning document for a discrete area of a city or county. It contains specific, concrete recommendations to supplement the broader recommendations in a general plan.

**Transit mixed-use:** Specifically, this is a land-use designation in the Sunnyvale General Plan that provides for higher-density mixed-use development in the downtown and the area around the Lawrence Caltrain station.

**Urban design guidelines:** Set of detailed recommendation to guide the development of specific aspects of the built environment (for example, site and building design, landscaping and parking lots).

**Vertical mixed-use:** Development with a mix of land uses in the same building (for example, residential above stores).

**Village mixed-use and village centers:** Development that provides for neighborhood-serving commercial uses integrated with housing, typically at the intersection of major thoroughfares. This type of development is meant to become the focus of activity for their respective neighborhoods, serving as nearby gathering places for residents and allowing people to meet their everyday needs easily and conveniently.

**Zoning code:** Regulatory mechanism which provides specific policy guidance for the development of various land uses. It establishes zoning districts and for each district lists permitted and restricted land uses, detailed development standards and other specific guidance for development projects.









**MIXED-USE AT 717 EAST EL CAMINO REAL (BACK AND FRONT)**





**EI CAMINO REAL AND CEZANNE DRIVE (SCHWAB)**

	<p style="text-align: center;"><b>SIERRA CLUB LOMA PRIETA CHAPTER</b>  <b>GUIDELINES FOR RESIDENTIAL AND MIXED USE DEVELOPMENT</b></p> <p style="text-align: right;"><i>Revised July 2014</i></p> <p style="text-align: right;"><i>To download: <a href="http://lomaprieta.sierraclub.org/sustain/guidelines">lomaprieta.sierraclub.org/sustain/guidelines</a></i></p>
<p><b>Executive Summary</b></p> 	<p>The Sierra Club Loma Prieta Chapter supports grouping new homes, jobs, and services near transit. These communities are more walkable, bikeable, transit-accessible, reduced greenhouse gas emissions and can provide a variety of housing types, sizes, and affordability. Transportation accounts for nearly half of emissions in the Bay Area<sup>1</sup> and reducing transportation demand is the most significant opportunity to meet California's climate change goals.</p> <p>The Sierra Club Loma Prieta Chapter uses these guidelines to make recommendations on <b>residential and mixed use development within ½ mile of major transit hubs and along major transit corridors</b>. They are also referenced when we review commercial development proposals. We publish these to make our evaluation process more transparent for residents, decision makers, planners, and developers and to provide a model for cities to meet AB32 and SB375 climate change goals. The first four pages are our guidelines, which can be treated as a menu of options for a developer to consider when creating a proposal for a residential or mixed use development, followed by a page of footnotes. The final two pages include a score sheet which is used when we consider endorsing a residential or mixed use development.</p> <p>Developers that are proposing a residential or mixed use development within a ½ mile radius around major transit stations (i.e. Caltrain, BART, Bus Rapid Transit) and along transit corridors (i.e: El Camino Real) should focus on five goals:</p> <ol style="list-style-type: none"> <li><b>1. Compact Development</b></li> <li><b>2. Community and Economic Benefits</b></li> <li><b>3. Pedestrian Priority</b></li> <li><b>4. Transportation Alternatives</b></li> <li><b>5. Energy and Resource Efficiency</b></li> </ol>
<p><b>1. Compact Development</b> <i>uses less land than conventional low density development. In compact neighborhoods, people are more likely to walk, bicycle and ride transit</i></p> 	<ol style="list-style-type: none"> <li><b>a. Compact development</b> <ol style="list-style-type: none"> <li>i. <u>Healthy jobs/housing balance</u><sup>2</sup>: project helps to achieve a healthy jobs/housing balance for the city</li> <li>ii. <u>Average Dwelling Units per Acre</u> is at least 40 residential units per acre or higher</li> </ol> </li> <li><b>b. Affordable Housing</b> <ol style="list-style-type: none"> <li>i. <u>Affordable Housing</u><sup>3</sup> is a minimum of 15% of the unit total. Inclusion of affordable housing should be required as part of any zoning change the city grants</li> </ol> </li> </ol>

**2. Community and Economic Benefits** are part of a win-win development strategy to create a sense of community and help to ensure new projects result in a positive impact in the community.



- a. **Retail or office space included** to provide essential neighborhood services. Family and local businesses given the highest priority as businesses turn over
- b. **“Walk Score”<sup>4</sup>** or household trip survey to ensure neighborhood needs can be met through walking. Walking access to services that include trips to jobs, daycare, school, parks, senior center, medium-sized grocery store, and recreation should make up at least 50% of trips
- c. **Attractive place-making** with plazas and sidewalks and appealing street facades. Community aesthetic and high quality standards must be achieved
  - i. Pedestrian-friendly sidewalks<sup>5</sup> and intersections to be wide, level and well-lit
  - ii. Public Plaza or Open Space on-site
  - iii. Appealing street facades oriented to a street with parking behind, underground, or on top of the buildings to encourage pedestrian activity and access
  - iv. Combine the open space requirements with other projects, if within 500 feet of the station, into a common pedestrian plaza to work as a “place-making” setting
  - v. Existing natural features restored including creeks, wetland, wooded areas, native plants, etc. Possibly through a Transfer of Development Rights (TDR) to restore Planned Conservation Areas (PCAs)
- d. **Access to services** including open space, parks, health care, schools, recreation or day care
- e. **Other community benefits**
  - i. Community Benefit Agreement<sup>6</sup> to ensure ongoing funding for public amenities and allocates project fees and taxes to public benefits within ½ mile radius of project
  - ii. Meet regional air quality goals<sup>7</sup> to ensure new construction safeguards residents’ health by reducing airborne emissions (e.g. high efficiency boilers)
  - iii. Contribute money to maintain or upgrade public parks or trails
  - iv. Surrounding streets reclaimed for community benefits such as a pedestrian mall
  - v. On-site agriculture or community garden
  - vi. Conform to City Specific Plan<sup>8</sup> and falls within the Cumulative Impact Projections<sup>9</sup>
  - vii. State of the art telecommuting access on-site to reduce driving, e.g. free access to wi-fi
  - viii. Day care facility on-site
  - ix. Car share, bike share stations or shuttle stop onsite or within 3 blocks
  - x. Access to healthy food, including organic, provided by a variety of vendors.

**3. Pedestrian Priority** should be the primary goal for streets and public spaces



- a. **Create a Walkable City-** Walking has many health, environmental, and economic benefits - pedestrian priority ensures walking as the primary mode of transportation
  - i. Pedestrian priority is primary design criteria for block size, streets and public spaces, with bikes second, transit third, and automobiles last, controlling speed wherever possible to create pedestrian convenience
  - ii. Traffic speed limited to 15 mph maximum for pedestrian and bicycle safety. Fatalities rise exponentially above 15 mph<sup>10</sup>
  - iii. “Safe Routes to School integrated”<sup>11</sup> to accommodate the most vulnerable street users first and to serve all ages and abilities
  - iv. Mid-block pedestrian cross walks, paseos, paths and pass-through lobbies onsite<sup>12</sup> to increase the ease of walking through neighborhoods and reduce walking time
  - v. Coordinate with regional planning processes<sup>13</sup> such as Plan Bay Area, adopted Climate Action Plans and the Grand Boulevard Initiative to meet goals and targets



**4. Transportation**

*Alternatives so residents have options to conveniently and safely commute or run errands without a car*

**a. Reduce Parking requirements and incentives to drive**

- i. Provide unbundled parking passed on as rent reduction. When parking is unbundled, fewer spaces are needed and construction cost savings can be passed on to tenants
- ii. Work with the City to implement a Residential Permit Parking<sup>14</sup> zone for existing residential neighborhoods adjacent to the project where needed to protect neighbors from overflow parking
- iii. Contribute in-lieu fees to build public satellite parking<sup>15</sup> to avoid prime real estate from being used for parking garages in new development
- iv. Site located in an area with parking congestion pricing in a community benefit district<sup>4</sup>
- v. Provide Shared Parking.<sup>16</sup> for example, make parking spaces available for residential parking at night and for office/commercial parking during the day. This can be successful in mixed-use buildings where office/commercial hours are limited to daytime use

**b. Bicycle Convenience**

- i. Implement the City Bicycle Master Plan<sup>17</sup> by building relevant portion at development
- ii. Provide one free, gender-secure bike parking<sup>18</sup> spot per unit in residential developments.
- iii. Include a 10% bike-to-car parking ratio for public or guest parking
- iv. Provide signage and direct connection to designated bike lane, route or path to encourage bicycling and create a “way-finding”<sup>19</sup> system for pleasant safe bike travel
- v. Bike share is on-site or within three blocks of project site

**c. Public Transit / Transportation Management**

- i. Incentives for transit use with transit passes provided or subsidized by developer to residents and by companies to employees for the first year or more
- ii. Provide or financially support public shuttles to transit hubs through development fees.
- iii. Provide Mobility Management program<sup>20</sup> to provide or support car share, van pool, bike share, etc
- iv. Include Traffic Demand Management (TDM) program<sup>21</sup>
- v. Locate on major bus line corridor

**5. Energy and Resource Efficiency**

*prioritized so buildings and streets provide healthy work and living environments with a low carbon footprint*

**a. Resource Efficiency Features**

- i. Strive for zero waste and plan for efficient water usage, sewage disposal, and energy use, working with local water and sewage agencies and public utilities (e.g. PG&E) to minimize and mitigate environmental impacts
- ii. Meet LEED, LEED Neighborhood Development, or LEED Equivalent design
- iii. Low Impact Development (LID)<sup>22</sup> to reduce hardscape for storm water management
- iv. Provide electric car parking with Class 2 charging spots in, at minimum, 10% of parking & include public access to electric car stations as a public benefit where possible
- v. Deconstruct 70%<sup>23</sup> or more of existing structures being demolished
- vi. Use Forest Stewardship Council (FSC) wood and recycled wood<sup>24</sup> or wood from deconstruction for at least 75% of the project's wood needs, including wood used during construction.
- vii. Grey water reuse programs
- viii. Direct connection to designated urban trail system
- ix. Sustainable landscaping<sup>25</sup> / rooftop garden
- x. Solar Panels or Net Zero Energy Building<sup>26</sup>
- xi. Bird-Friendly building and site design<sup>27</sup>

## Endnotes:

<sup>1</sup> **Bay Area Air Quality Management District** – Emissions Inventory Summary Report, May 17, 2011

<sup>2</sup> **Healthy jobs /housing balance** - The California Department of Finance considers a 1.5 jobs-to-housing unit ratio to be healthy. Any ratio above 1.5 Jobs/housing unit signifies there is insufficient number of housing units to meet the needs of the local workforce. The EIR for the precise plan will specify the anticipated jobs growth and the anticipated number of residential units generated by the precise plan.

<sup>3</sup> **Affordable Housing** – Housing affordable to individuals and families making between 30% to 120% of Area Median Income (AMI) as defined by the U.S. Department of Housing and Urban Development (HUD).

<sup>4</sup> **Walk Score** - A web tool for comparing the walkability of a neighborhood by computing the time it would take a person to walk from a their home or place of work to common destinations such as the local coffee shop, a grocery store, a car share location, etc. The walksore varies from 1 to 100 with 100 the most convenient and 1 the least convenient. [www.walkscore.com](http://www.walkscore.com) Walking convenience can also be measured by a Household Trip Survey - [www.bts.gov/programs/national\\_household\\_travel\\_survey/](http://www.bts.gov/programs/national_household_travel_survey/)

<sup>5</sup> **Pedestrian-Friendly Sidewalks** – Minimum width of 7' wide, level, with planting strip if directly adjacent to moving traffic, designed for enhancing and encouraging pedestrian traffic and pedestrian priority.

<sup>6</sup> **Community Benefit Agreement (CBA)** – A Community Benefit Agreement is a project-specific, negotiated agreement between a developer and a broad community coalition that outlines the project's contributions to the community and ensures community support for the project. CBAs are developed to ensure that developers receiving the benefits of transit-oriented developments could be held accountable to generate the project benefits that were promised. Benefits addressed in CBAs may include living wages, local hiring and training programs, affordable housing, environmental remediation as well as funds for community programs such as shuttles, beautification, neighborhood improvements. The principal goal of a Community Benefit District is to achieve the goals of a Transit Oriented District. Some research reveals that newly created transit rich districts can set in motion a cycle of unintended consequences in which core transit users- such as renters and lower-income households- are priced out in favor of higher income, car-owning residents who are less likely to use public transit for commuting. <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>

<sup>7</sup> **Regional Air Quality** – Meet requirements of the Bay Area Air Quality District (BAAQMD) 2010 Clean Air Plan and 2009 Regional Transportation Plan for the San Francisco Bay Area to protect and improve public health, air quality and global climate. During construction, strategies to reduce project emissions include new diesel equipment with hybrid motors. <http://www.baaqmd.gov/Divisions/Strategic-Incentives/Heavy-Duty-Vehicles.aspx>. After construction, strategies include increasing affordable housing (residents own fewer cars), un-bundled parking, reduce parking to one space per unit, offer transit passes, etc. [http://www.mtc.ca.gov/planning/2035\\_plan/](http://www.mtc.ca.gov/planning/2035_plan/)

<sup>8</sup> **City Specific Plans** – A specific plan is an overlay on the General Plan that lays out the city's requirements that a developer must meet to build in a specific area. Specific plans describe the types of building usage, the density allowed per building type, the visual appearance of the buildings, street widths and character, and the relationships between adjacent buildings within a clearly defined zoning area - often a transit-oriented zone or a downtown. Specific Plans are usually more detailed than either basic zoning plans or General Plans.

<sup>9</sup> **Cumulative Development Impact Projections** – The overall impact to a designated neighborhood once all anticipated developments are built in that neighborhood. This is used to analyze future traffic impacts & parking needs as well as future levels of pollution, noise, visual impact, and other impacts.

<sup>10</sup> **Pedestrian fatalities and auto speed** - <http://www.smartgrowthamerica.org/complete-streets/complete-streets-fundamentals/factsheets/safety>

<sup>11</sup> **Safe Routes to School** – A travel route designed to increase the number of children who walk or bicycle to school by removing the barriers that currently prevent them from doing so. Those barriers include lack of pedestrian infrastructure, unsafe intersections, and lack of programs that promote walking and bicycling. [www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm](http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm)

<sup>12</sup> **Pedestrian Allée, pass-through lobby, path** - A pedestrian-only passageway separated from auto traffic. e.g. In Mountain View along Castro Street downtown, there are attractive mid-block allées connecting Castro Street sidewalks with parking lots located behind buildings.

<sup>13</sup> **Regional Planning Process Plan Bay Area Priority Development Areas** - [www.bayareavision.org/initiatives/prioritydevelopmentareas.html](http://www.bayareavision.org/initiatives/prioritydevelopmentareas.html), Grand Boulevard Initiative - [www.grandboulevard.net](http://www.grandboulevard.net), and FOCUS - [www.bayareavision.org/initiatives/index.html](http://www.bayareavision.org/initiatives/index.html)

<sup>14</sup> **Residential Parking Permit** – City parking restriction program to protect residential area street parking for use primarily by area residents. Plan for getting parking right: [http://www.mtc.ca.gov/planning/smart\\_growth/parking/2-2-12/12-Jeff\\_Tumlin\\_Nelson\\_Nygaard\\_Summary\\_and\\_Key\\_Lessons.pptx](http://www.mtc.ca.gov/planning/smart_growth/parking/2-2-12/12-Jeff_Tumlin_Nelson_Nygaard_Summary_and_Key_Lessons.pptx)

<sup>15</sup> **Satellite Parking** – Some cities, such as Portland, Oregon have low or no parking requirements in downtown buildings because the city provides public parking structures, in preferred locations, using "in-lieu" developer fees.

<sup>16</sup> **Shared Parking** – Private parking open to public use at certain times e.g. parking in office buildings is open for public parking at night; in Mountain View, CA, condo residential parking is shared with CalTrain commuters, during the day.

<sup>17</sup> **Bicycle Master Plan** – a document that describes long-range planning for developing bicycle infrastructure in a city, with emphasis on designating and expanding bike routes, fostering a safe environment for cycling, and promoting bicycling as a viable transportation option. It usually details connecting bike lanes to create continuous, safe bicycling routes.

<sup>18</sup> **Gender Secure Parking** -- Bicycle parking that is visible, accessible, and secure the bicycle and user from theft and harm.

<sup>19</sup> **Way-finding System**- Signage and other visual cues to help people move through a city and feel comfortable doing that because of the way-finding design

<sup>20</sup> **Mobility Management Program** – Used to increase the demand for multimodal transportation by providing convenience and cost savings through the use of advanced technologies (e.g., cellphones and contactless smart cards) to link travelers with transportation alternatives. This concept promotes sustainable transport by changing travelers' attitudes and behavior. At the core of Mobility Management are "soft" measures like information and communication, organizing services and coordinating activities of different partners. "Soft" measures most often enhance the effectiveness of "hard" measures within urban transport (e.g., new streetcar or bus lines, new shuttles and new bike lanes). Mobility Management do not necessarily require large financial investments and may have a high benefit-cost ratio e.g. [www.avego.com](http://www.avego.com), <http://www.ridejoy.com> and other sites provide peer-to-peer car-share.

<sup>21</sup> **Traffic Demand Management Program** – e.g. The City of San Carlos requires TDM for residential projects over a certain size and includes a good description of TDM in its new zoning code at: [www.codepublishing.com/CA/SanCarlos/html/SanCarlos18/SanCarlos1825.html#18.25](http://www.codepublishing.com/CA/SanCarlos/html/SanCarlos18/SanCarlos1825.html#18.25)

<sup>22</sup> **Low Impact Development (LID)** – Low Impact Development is a sustainable practice that benefits water supply and contributes to water quality protection. <http://www.lowimpactdevelopment.org/links.htm>

<sup>23</sup> **Deconstruction** is the selective dismantlement of building components, specifically for reuse, recycling and waste management to reduce landfill

<sup>24</sup> **Forest Stewardship Council (FSC)** – an international, not for-profit, multi-stakeholder organization established in 1993 to promote responsible management of the world's forests. <http://www.fscus.org/>

<sup>25</sup> **Sustainable Landscaping** requires minimal resource inputs such as fertilizer, pesticides, gasoline, time and water, is regenerative and sequesters carbon, cleans the air and water, restores habitat, creates significant economic, environmental and social benefits and contributes to development of a healthy community.

<sup>26</sup> **Net Zero Energy Building** – a building with zero net energy consumption and zero carbon emissions annually.

<sup>27</sup> **Bird-Friendly Design**: Reduced glass reflectivity and light pollution, habitat and other means to reduce bird fatalities and safety. For an example of ordinance see <http://www.birdsandbuildings.org/docs/TorontoDevelopGuidelines.pdf> or [San Francisco Standards for Bird Safe design](http://www.sfdph.org/dph/epi/pandemic/prevention/Pages/BirdSafeDesign.aspx)

SCORESHEET FOR RESIDENTIAL AND MIXED USE DEVELOPMENT, Page 1		Project Name, City: Submitted by, Date:					
Items in blue shaded rows are mandatory to consider endorsing a Downtown or Station Area Plan							
FOCUS	GOAL	SCORING Instructions: To score project, go row-by-row and write total at end of each row unless "***" is written next to the total score where you select the highest score applicable. Add up totals column for project score					TOTAL
1. Compact Development	a. Dwelling Units per Acre	At least 40 units/acre (2 pt.)	At least 50 units/acre (4 pt.)	At least 60 units/acre (6 pt.)	At least 70 units/acre (8 pt.)	At least 80 units/acre (10 pt.)	**/ Max.10
	b. Affordable Housing <sup>3</sup>	At least 15% of units affordable (2 pt.)	At least 20% of units affordable (4 pt.)	At least 25% of units affordable (6 pt.)	At least 50% of units affordable (8 pt.)	100% of units affordable (10 pt.)	**/ Max.10
2. Community and Economic Benefits	a. Amount of Mixed-use Retail or Office Space	At least 5,000 sf or 10% of Ground floor (1 pt.)	At least 7,500 sf or 20% of Ground floor (2 pt.)	At least 10,000 sf or 30% of Ground floor (3 pt.)	At least 12,500 sf or 50% of Ground Floor (4 pt.)	More than 15,000 sf or > 75% of Ground floor (5 pts.)	/ Max. 5
	b. "Walk Score" <sup>4</sup>	55% Walk Score (1 Pt.)	65% Walk Score (2 Pt.)	75% Walk Score (3 Pt.)	85% Walk Score (4 Pt.)	> 95% Walk Score (5 Pt.)	/ Max. 5
	c. Attractive Place Making	i. Pedestrian- friendly sidewalks <sup>5</sup> and intersections (1 pt.)	ii. Public Plaza or open space (1 pt.)	iii. Appealing street facades. Minimal parking near street (1 pt.)	iv. Combine Open Space Requirements with nearby projects (1 pt.)	v. Restore existing natural features on-site or off-site (1 pt.)	/ Max. 5
	d. Access to Services	Public Park within 1/2 mile (1 pt.)	Public Open Space within 1/2 mile (1 pt.)	Healthcare Facility within 1/2 mile (1 pt.)	Recreational Center within 1/2 mile (1 pt.)	School within 1/2 mile (1 pt.)	/ Max. 5
	e. Other Community benefits	i. Community Benefit Agreement <sup>6</sup> (1 pt.)	ii. Meets Regional Air Quality Goals <sup>7</sup> (1 pt.)	iii. Contribute \$ to maintain or upgrade offsite public parks/trails (1 pt.)	iv. Surrounding streets reclaimed for community benefit (1 pt.)	v. On-site agriculture or community garden (1 pt.)	/ Max. 5
		vi. Conforms to Specific Plan (1 pt.)	vii. State of the art telecommuni- cations access (1 pt.)	viii. Day care facility on site (1 pt.)	ix. Car share or shuttle stations onsite (1 pt.)	x. Other community benefits (1 pt.)	/ Max. 5
3. Pedestrian Priority	a. Create a Walkable City	i. Pedestrian convenience is the primary design criteria (1 pt.)	ii. Limit speed to 15 mph max on adjacent streets <sup>10</sup> (1 pt.)	iii. "Safe Routes to School" <sup>11</sup> (1 pt.)	iv. Mid-block pedestrian allée, pass-through lobby or path, on- site <sup>12</sup> (1 pt.)	v. Coordinate with regional planning processes <sup>13</sup> (1 pt.)	/ Max. 5
PAGE 1 TOTAL							



SCORESHEET FOR RESIDENTIAL AND MIXED USE DEVELOPMENT, Page 2		Project Name, City: Submitted by, Date:					
Items in blue shaded rows are mandatory to consider endorsing a Downtown or Station Area Plan							
FOCUS	GOAL	SCORING Instructions: To score project, go row-by-row and write total at end of each row unless "***" is written next to the total score where you select the highest score applicable. Add up totals column for project score					TOTAL
4. Transportation Alternatives	a. Reduce Parking Requirements and Driving Incentives	i. Provide unbundled parking (1 pt.)	ii. Work with City to provide Residential Permit Parking <sup>14</sup> (1 pt.)	iii. Contribute in lieu fees to build public satellite parking <sup>15</sup> (1 Pt.)	iv. Located in an area with parking congestion pricing (1 pt.)	v. Shared parking <sup>16</sup> in mixed-use projects (1 pt.)	/ Max. 5
	b. Bicycle Convenience	i. Implement relevant portions of the City Bicycle Master Plan <sup>17</sup> (1 pt)	ii. One free gender-secure <sup>18</sup> bike parking spot per unit (1 pt.)	iii. 10% or more bike-to-car parking ratio for public and guest parking (1 pt.)	iv. Way-finding <sup>19</sup> signage and direct connection to bike route (1 pt.)	v. Bike Share onsite or within 3 Blocks (1 pt.)	/ Max. 5
	c. Public Transit and Mobility Management	i. Incentives for Transit Use (1 pt.)	ii. Provide or financially support shuttles (1 pt.)	iii. Provide Mobility Management program <sup>20</sup> (1 pt.)	iv. Include Traffic Demand Management (TDM) program <sup>21</sup> (1 pt.)	v. Located on major bus line corridor (1 pt.)	/ Max. 5
5. Energy and Resource Efficiency	a. LEED or GreenPoint rated (GPR)	ii LEED Silver or GPR of 75 pts. (1 pt.)	LEED Gold or GPR of 100 pts. (2 pts.)	LEED Platinum or GPR of 125 pts. (3 pts.)	LEED Neighborhood Development Gold (4 pts.)	LEED Neighborhood Development Platinum (5 pts.)	**/ Max. 8
	b. Additional Resource Efficient Features	iii. Low Impact Development (LID) <sup>22</sup> (1 pt.)	iv. Class 2 electric car charging stations at least 10% of parking (1 pt.)	v. Deconstructed 70% or more <sup>23</sup> (1 pt.)	vi. FSC or recycled wood used for at least 75% <sup>24</sup> (1 pt.)	vii. Grey water reuse program or describe other feature (1 pt.)	/ Max. 5
	c. Additional Features or Innovations Describe	viii. Direct connection to urban trail system (1 pt.).	ix. Sustainable landscaping <sup>25</sup> , roof top garden, etc (1 pt.)	x. Solar panels and/or Net Zero Energy Building <sup>26</sup> (1 pt.)	xi. Bird-Friendly design <sup>27</sup> or describe other feature (1 pt.)	Other Feature or innovation (describe) (1 pt.)	/ Max. 5
Page 1 Total							
Page 2 Total							
TOTAL PROJECT SCORE Minimum 50 points to be considered for endorsement							/ Max. 88

- 4      [15-0208](#)      Design Guidelines for mixed-use projects, known as the Toolkit for Mixed-use Developments; Find that the project is exempt under CEQA pursuant to Guidelines 15060(3) and 15378(b)(5) (Study Issue)  
**Project Planner:** Andrew Miner, (408) 730-7707, [aminer@sunnyvale.ca.gov](mailto:aminer@sunnyvale.ca.gov)

Comm. Durham handed out an information only document for this item.

Andrew Miner, Principal Planner, presented the staff report.

Comm. Simons discussed with staff adding a reference section to the Santa Clara Valley Transportation Authority (VTA) pedestrian and bicycle design guidelines.

Comm. Klein discussed with staff the reasoning behind the recommendation to have up to 15 percent of the building facade stepped back beyond the setback, and discussed having a loading zone for residential. Comm. Klein suggested having varied building heights when the length of the side of a building exceeds a certain limit, and discussed with Mr. Miner strengthening the language that recommends constructing electric charging stations.

Comm. Harrison and Mr. Miner discussed the inclusion of pocket parks in the toolkit, and clarified with staff the parking requirement.

Vice Chair Olevson confirmed with Mr. Miner that the staff report is not intending to use the Sierra Club's guidelines as City policy. Mr. Miner added that City staff wrote the guidelines and the Sierra Club's guidelines are for reference only.

Comm. Rheume suggested articulating further in the guidelines directions about obtaining an organic look by recommending using different window types, colors, styles and sizes, and different rooflines.

Comm. Durham discussed the handout he provided and suggested including in the guidelines regarding separation of uses and staggered delivery times to be off commute hours and limiting the size of vehicles. He also suggested adding language to ensure bicycle parking is installed correctly and in thoughtful locations. Mr. Miner added that these issues are part of Citywide policy.

Comm. Klein discussed with Mr. Miner specifically noting an option for vertical bike racks along the walls in the guidelines.

Trudi Ryan, Planning Officer, suggested including under the resources section a list of additional resources such as the VTA guidelines and Citywide guidelines that

discuss some of the features commented on by the Commissioners.

Chair Melton opened the public hearing and upon seeing no speakers for this item, closed the public hearing.

Comm. Klein moved Alternatives:

- 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5); and
- 2) Approve the Toolkit for Mixed-use Developments (Attachment 2) for mixed-use projects in all zoning districts with recommendations discussed.

Comm. Simons seconded.

Comm. Klein thanked Mr. Miner for his hard work writing the toolkit, and said he knows the need and desire for mixed use is a high goal for the City moving forward, and for most cities it is a placard placed upon all developments as something to strive for. He said the toolkit puts some of the guidelines in place that help developers understand the give and take and what they should be looking for when designing projects, and that too often they are told to go build projects and can potentially come up with a plan that is unusable and does not take into consideration all of the requirements of mixed use projects. He said what staff has done is try to put the guidelines in place to define the things that should be considered and the trade-offs that need to be made. He added that he thinks this is a good step forward for future, well designed mixed use projects, and makes it easier for staff to work with developers and easier for the Planning Commission and City Council to give feedback when looking at projects.

Comm. Simons verified with Mr. Miner that the motion includes the Commissioners' comments, and said adding in extra references for different specific guidelines will make it more of a one-stop product for mixed use for business and developers, and he sees it as a beginning in helping Sunnyvale continue to develop more intelligently with more integrated projects in the future.

Chair Melton said he will be supporting the motion, and appreciates staff for a job well done on this document, which will be a tremendous value to the City, applicants, staff, the Zoning Administrator, Planning Commission and City Council.

MOTION: Comm. Klein moved Alternatives:

- 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(3) and 15378(b)(5); and
- 2) Approve the Toolkit for Mixed-use Developments (Attachment 2) for mixed-use

projects in all zoning districts with the following recommendations:

- a) Add a reference section to VTA pedestrian and bicycle design guidelines;
- b) Clarify guidelines relating to building heights for longer buildings, amount of building facade setback, loading areas and pocket park reference.

Comm. Simons seconded. The motion carried by the following vote:

**Yes: 7 -** Chair Melton  
Vice Chair Olevson  
Commissioner Durham  
Commissioner Harrison  
Commissioner Klein  
Commissioner Rheaume  
Commissioner Simons

**No: 0**

**5**      [15-0331](#)      **Standing Item:** Potential Study Issues for 2016

None.

#### **NON-AGENDA ITEMS AND COMMENTS**

##### **-Commissioner Comments**

None.

##### **-Staff Comments**

Ms. Ryan discussed Planning related City Council items, and announced the proposal for creation of a Community Advisory Committee for the update to the Precise Plan for El Camino Real and that staff will be looking for representatives from the various Commissions to serve on that Committee. Ms. Ryan also noted that staff has received an appeal of the recently heard Design Review on Lois Avenue.

#### **INFORMATION ONLY ITEMS**

None.

#### **ADJOURNMENT**

With no further business Chair Melton adjourned the Planning Commission meeting at 11:51 p.m.



# City of Sunnyvale

## Agenda Item

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15-0025

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### SUBJECT

Review and Selection of the Murphy Park Public Art Project

#### BACKGROUND

In 2013-14, the Murphy Park building was renovated, including improvements to the restrooms, flooring, rooftop HVAC units, kitchen facilities, window coverings, storage spaces and the addition of a preschool space. The \$1.3 million project was subject to the Art in Public Places (AIPP) requirement, and \$13,000 was allocated in the project budget for a public art component.

A Project Review Committee was established to coordinate the public art component and identify possible types of art and locations for the art. The seven-member Project Review Committee consisted of representatives from the Department of Library and Community Services, the Department of Public Works and a representative from one of the park's user groups, the Sunnyvale Lawn Bowls Club.

Based on the available art budget, current park uses and public visibility of the possible locations, the committee determined that the artwork would be a 2- or 3-dimensional wall piece, such as a mural or wall sculpture, located on one or all of the large walls facing Sunnyvale Avenue, on the western side of the park building (Attachment 1).

After identifying the best location for the artwork, artistic qualifications were solicited from Northern California artists through a Request for Qualifications (RFQ) process. Eighteen artists applied for the commission and the Project Review Committee reviewed the artistic style, originality and professional experience of each of the eighteen artists. The committee selected a short-list of four artists and invited them to develop a design proposal specific to the park and its "Early California" theme.

This report contains the details for three of the four final design proposals. The fourth proposal was disqualified from the competition after it was discovered that the artist did not meet the eligibility requirement of residing in Northern California. This report presents Council with the opportunity to review and select the final public art design for the Murphy Park building.

There is no staff recommendation for this project, as each of the proposals includes colorful, engaging and appropriate imagery. All of the proposals will be durable, treated with a graffiti-resistant clear coat or sealant and require a minimal amount of maintenance each year. Each of the artists is an established, professional artist with previous public art experience.

The three eligible artists presented their design at the Arts Commission meeting on March 18, 2015 (Attachment 2). The Arts Commission ranked the proposals, by a vote of 3 to 1, in the following order of preferred choice:

First Choice: Proposal #2 by artist Peter Hazel  
Second Choice: Proposal #3 by artist Vickie Jo Sowell  
Third Choice: Proposal #1 by artist Pamela Anderson

The Commission recommends, by a vote of 3 to 1, that Council approve Alternative 4 - Select proposal #2 by Peter Hazel and select Scene #2 (Railroad Train) with the following conditions of approval: include reducing the scale of the railroad train; adding orchard imagery on the background to the right of the train; include an opportunity for Sunnyvale children to help with glazing the ceramic tiles; and make both panels of the mural a minimum of five feet tall.

### **EXISTING POLICY**

#### **General Plan, Community Character - Design**

**Policy CC-1.8** Provide and encourage the incorporation of art - both functional and decorative - in public and private development.

**Policy CC-1.4** Support measures which enhance the identity of special districts and residential neighborhoods to create more variety in the physical environment.

**Council Policy 6.4.1, Arts - Goals and Policies**, Goal E: Create an aesthetically pleasing environment for Sunnyvale through use of functional and decorative art.

**Council Policy 6.4.4**, Art in Public Places, requires certain above ground municipal renovation projects to integrate public art equal in value to one percent of the project valuation.

### **ENVIRONMENTAL REVIEW**

The selection of the Murphy Avenue Public Art Project does not require environmental review because it can be seen with certainty that it does not have a potential to cause a significant impact on the environment. (CEQA Guideline 15061(b)(3))

### **DISCUSSION**

**Proposal #1** was submitted by Fairfield artist Pamela Anderson (Attachment 3). Ms. Anderson has developed a four-panel mural, titled "From There to Here." Ms. Anderson intends to paint the four panels in her studio on plywood panels using acrylic paint and bolt the panels to the building's exterior. She will also paint directly onto the building.

**Proposal #2** was submitted by Peter Hazel of Kings Beach (Attachment 4). Mr. Hazel is proposing two large ceramic murals, each made up of a combination of handmade bas-relief tiles and smaller mosaic tiles. The ceramic pieces will be bonded to a backing and grouted with waterproof and stain-resistant epoxy grout. The edges of the murals will be bordered with a polished aluminum frame.

**Proposal #3** was submitted by Emeryville sculptor, Vickie Jo Sowell (Attachment 5). Ms. Sowell is proposing two large, metal sculpture murals with paint. Each mural will consist of the metal cutouts bolted to the wall of the building. The negative spaces of the cutouts will be filled in with colored paint.

### **FISCAL IMPACT**

A total of \$13,000 has been set aside in the Murphy Park Renovation Project (#818550) budget for the acquisition of public art. These funds are part of the City's adopted Resource Allocation Plan for

FY 2014/2015. Of that amount, \$12,000 has been allocated for the acquisition and installation of the artwork and \$1,000 has been expended on design fee stipends. This amount is sufficient to acquire and install the art as proposed in this RTC. On-going maintenance for this project will require an estimated \$50-\$100 per year, which can be covered by the Permanent Art Collection Maintenance account (#626230).

### **PUBLIC CONTACT**

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

The Arts Commission held a public hearing at their March 18, 2015 meeting.

### **ALTERNATIVES**

1. Select proposal #1 by Pamela Anderson
2. Select proposal #2 by Peter Hazel and select between Scene #2 (Railroad Train) and Scene #3 (Mission)
3. Select proposal #3 by Vickie Jo Sowell
4. Select proposal #2 by Peter Hazel and select Scene #2 (Railroad Train) with the following conditions of approval: include reducing the scale of the railroad train; adding orchard imagery on the background to the right of the train; include an opportunity for Sunnyvale children to help with glazing the ceramic tiles; and make both panels of the mural a minimum of five feet tall.
5. Other action as determined by Council.

### **STAFF RECOMMENDATION**

Staff makes no recommendation.

There is no staff recommendation for this project, as each of the proposals includes colorful, engaging and appropriate imagery. All of the proposals will be durable, treated with a graffiti-resistant clear coat or sealant and will require a minimal amount of maintenance each year. Each of the artists is an established, professional artist with previous public art experience.

### **ARTS COMMISSION RECOMMENDATION**

Recommend that Council adopt Alternative 4 - Select proposal #2 by Peter Hazel and select Scene #2 (Railroad Train) with the following conditions of approval: include reducing the scale of the railroad train; adding orchard imagery on the background to the right of the train; include an opportunity for Sunnyvale children to help with glazing the ceramic tiles; and make both panels of the mural a minimum of five feet tall.

The Arts Commission recommended Alternative 4 because they liked the three-dimensionality of the ceramics, the overall scale of the art, the color scheme, and the inclusion of the California poppies. They also recommended including an opportunity for children to assist in the glazing of the tiles.

Prepared by: Kristin Dance, Visual Arts Coordinator

Reviewed by: Dan Wax, Superintendent of Community Services

Reviewed by: Lisa G. Rosenblum, Director, Library and Community Services

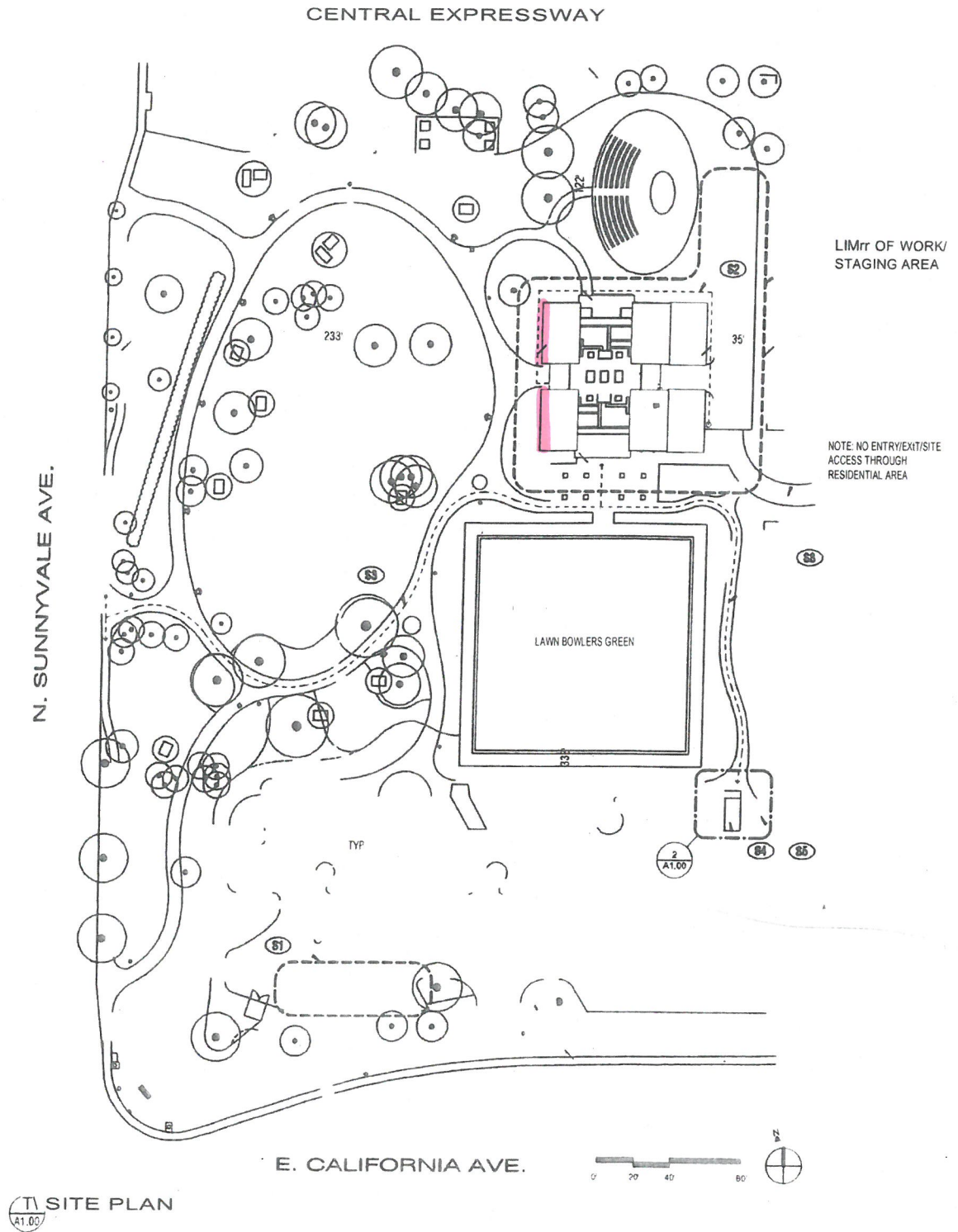
Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Site Plan with Art Locations
2. Excerpt of March 18, 2015 Arts Commission Draft Meeting Minutes
3. Anderson Resume and Design Proposal
4. Hazel Resume and Design Proposal
5. Sowell Resume and Design Proposal





Artwork Locations

**PUBLIC COMMENTS**

None.

**PUBLIC HEARINGS/GENERAL BUSINESS****2      [15-0039](#)      Review and Selection of the Murphy Park Public Art Project**

Visual Arts Coordinator Kristin Dance provided the staff report and requested the Commission rank the proposals for City Council's consideration. Each artist explained their artwork and answered Commissioner questions.

Artist Pamela Anderson explained the symbolic bridge her artwork titled "From There to Here" creates by linking the past to the present. She described each panel: 1) the Murphy's journey over the Donner Pass; 2) their arrival in fertile Sunnyvale; 3) the current depictions of the park with the Hendy Mill, cypress trees, table tennis programs, and amphitheater; and 4) the park activities including lawn bowling, picnicking and playing on the play structure. She described how the artwork will enhance the building's architecture with panels that are window shaped, and the mission revival style which would bring the theme full circle to the style prevalent during the Murphy era. Original Spanish patterned tiles would be painted at the base of each panel and she suggested adding Mission styled arm lights directly over each painting. Date palms, matching those found in the park, would be painted directly onto the building between the panels with edges of the fronds spanning onto the panels. She indicated that her proposal of children playing near the doorway will enhance the entrance area. Ms. Anderson answered Commissioner's questions regarding how the panels would be mounted; the durability of the sealants; and the scale of the art.

Artist Peter Hazel described his artwork of a wagon train, and the option of either a steam train or mission motif as the second piece of art, created in 3D ceramic. He described how the ceramic would be attached by an epoxy grout. He stated he would like to have local children involved in the development of the art project by allowing them to paint some of the ceramic pieces at no cost to the city. The ceramic pieces would be fired and attached to panels in his workshop. He also offered to make the panels 11'x5' instead of the proposed 11'x4'. He answered Commissioner's questions by describing the color of the epoxy grout and the metal frame; the size and number of ceramic pieces he would use to make the art; and how the panels would be mounted. The Commissioners and artist discussed the possibility of reducing the size of the train, and how children in the community could participate while maintaining quality and uniformity of the artwork.

Artist Vickie Jo Sowell presented her art pieces "Desert Passage" and "Arrival." She described the artwork as the historic approach of the Murphy's journey and arrival into Sunnyvale. The art would be aqua jet cut metal framed images. The wall behind each metal framed image would be colored, similar to a coloring book. She suggested coloring pages, replicating her metal images, could be provided to children to create a fun activity while visiting the park. She answered Commissioner's questions by describing the color of the metal and the paint; the size of the metal; and how the art would be mounted. Commissioner's questions about safety concerns related to the metal buckling and sharp edges were addressed by Ms. Sowell and Ms. Dance. Ms. Sowell explained the process for creating the art and indicated that the image in the proposal is exactly what the end product would look like.

Chair Park opened the public hearing at 7:55 p.m. There were no public comments and she closed the public hearing.

Commissioner Kiphuth motioned to rank Ms. Sowell's art work first, Mr. Hazel's art work second and Ms. Anderson's art work third. The motion failed for a lack of a second.

Commissioner Moshier moved and Commissioner Lawson seconded ranking the first preference as the ceramic piece by Peter Hazel, with the condition that the train be made smaller and the orchard be emphasized more significantly in the background on both sides of the train, and that the commission recommends community participation of children to paint some of the flowers or the train as determined by the artist. Commissioner Moshier ranked Vickie Jo Sowell's "Desert Passage" and "Arrival" second, and Pamela Anderson's "From There to Here" third. Commissioner Lawson's friendly amendment that the panels be 11'x5' feet on Peter Hazel's proposal was accepted by Commissioner Moshier.

The motion carried by the following vote:

**Yes:** 3 - Chair Park  
Commissioner Lawson  
Commissioner Moshier

**No:** 1 - Commissioner Kiphuth

Commissioners explained the rationale for their vote.

Commissioner Moshier said she likes Ms. Sowell's large scale panels and the color book idea. She also stated that she likes the color of Mr. Hazel's ceramic piece and

getting the children involved in creating the art would make it meaningful.

Commissioner Lawson expressed that Ms. Anderson's artwork would be difficult to correct if tagged by graffiti. He said he likes Mr. Hazel's proposal best, indicating it is courageous, a unique design, and exciting. He stated he believes if it gets tagged, it would be easier to clean. He also stated he likes the poppies as a representative image of California. He indicated that he likes the metal piece by Ms. Sowell very much as it reminds him of a California artist named Matthews.

Chair Park said Ms. Anderson's first two murals are admirable, and she prefers those images to the second two panels which represent the activities in the park. She said she likes the scale of Ms. Sowell's metal piece and that it is thematically apropos. She is drawn to the metal artwork and appreciates that the artist researched the Murphy family, and depicted them going through the desert. She likes the idea of a coloring book, especially the details of the animals in the desert. She stated she prefers Mr. Hazel's ceramic art work for the 3D aspect. She said she likes the colors, which she said are the most saturated of the three proposals, and that the poppies really pop out.

Commissioner Kiphuth stated she likes the images that cover more of the wall, that the rust color metal will blend well with the tile on the building and it provides more detail than the ceramic piece, which would require getting physically close to the art in order to see the detail. She said she likes both 3D pieces and the tactile effect.

### **3**      [15-0315](#)      Review and Approval of Draft 2015 Work Plan

Commissioners discussed the workplan. Commissioner Lawson inquired how to increase involvement related to the Special Order of the Day in October, National Arts & Humanities Month. Community Services Manager Tegan McLane committed to providing a link to Americans for the Arts which lists events that cities have during the month. She also provided information about Hands on the Arts, which is celebrating its 30th year in Sunnyvale on May 16, 2015. She informed Commissioners that performer applications are due by March 27, and young people are encouraged to apply. Commissioners discussed volunteering at the event. The event will be highlighted in Sunnyvale's April "Quarterly Report."

Superintendent Wax provided information about the Fit and Fun Earth Day Fair on Saturday, April 25, 2015 from 10 a.m. - 3 p.m.

Commissioner Kiphuth moved and Commissioner Lawson seconded the motion to approve the work plan as stated. The motion carried by the following vote:

460 Union Avenue Suite A  
Fairfield, CA.94533  
O: (707) 422-0818  
C: (707) 480-4728  
F: (707) 422-0417  
Email – [artbail@aol.com](mailto:artbail@aol.com)

## Pamela J. Anderson

### Education

University of California, Davis, BFA  
University of California, Davis, Secondary Teaching Credential  
University of California, Santa Barbara, Montessori Teaching Certificate

### Exhibitions and Awards

1973 One-Woman Show- California State University, San Diego  
1974 One-Woman Show- Ticor Title Company  
1975 One-Woman Show- University of California- Freedom Hall Gallery  
1976 Two-Woman Show- Solano College- Herger Gallery  
1978 Fairfield Regional Juried Art Show- First Prize  
1978 Nevada County Art Exhibition, Professional Division, First Place  
1980 City of Fairfield- Grand Sweepstakes Art Competition- Cash Award  
1982 One-Woman Show- Red Carpet Realtors Inc.  
1985 Solano County Fair- Professional Division- First Place  
1986 Fairfield Regional Juried Art Show- Honorable Mention  
1988 Century Communications Featured Artist- Televised Interview  
1988 Nut Tree Annual Harvest Exhibit- Honorable Mention  
1992 Fairfield Cultural Arts Purchase Award  
1998 North Bay Hospital Jubilee Art Competition- First Place  
1998 Fairfield Juried Art Show- City of Fairfield Honored Artist  
1998 Solano County Arts Alliance- Solano Mall Featured Artist  
2001 One-Woman Show- Fast Frame Galleries  
2001 One-Woman Show- Solano Bank  
2001-2005 Punahoe Schools Art Competition, Honolulu, HI- Featured Artist  
2001-2008- Art on the Vine- FVAA Participant  
2005 Auction Napa Valley- Selected Artist  
2007 One-Woman Show- LedgeWood Creek Winery  
2008 Glashoff Gallery- Featured Artist  
2009 Beringer Wine Competition, St. Helena- Selected Artist  
2009-2011 Child Haven Benefit, LedgeWood Creek Winery- Featured Artist  
2010 One-Woman Show- LedgeWood Creek Winery  
2011 Kohala Coast Fine Art Gallery- Selected Artist of the Month  
2011 Fairfield Juried Art Show- First Place, Second Place  
2012 Solano County Public Art Award William J Carrol Govn. Center  
2013 City of Sunnyvale, Finalist for sculpture park award

**Collectors &  
Commissions**

Opus One Winery- Robert Mondavi, Napa Valley, CA  
Girard Winery- Leslie Rudd, Rutherford, CA  
PDF Designs – Paul Friend, Suisun Valley, CA  
Fessenden Orthodontics- St. Helena, CA  
Serta Mattress- Vacaville, CA  
St. John's Lutheran School Mural- Napa Valley, CA  
Stag's Leap Winery- St. Helena, CA  
Ledgewood Creek Winery- Suisun Valley, CA  
St. Helena Hospital- Angwin, CA  
Vintage Bank- Napa, CA  
St. Helena Wine Merchants- St. Helena, CA  
Volkhardt Winery- Green Valley, CA  
Green Valley Country Club- Green Valley, CA  
Solano Bank- Fairfield, CA  
Sunset Vineyards- Lodi, CA  
Vernasca Vineyards- Suisun Valley, CA  
Larry's Produce- Suisun Valley, CA  
Solano County Counsel Office- Solano County, CA  
Dr. & Mrs. Edward Hughes  
Dr. & Mrs. James Gemmer  
Mr. & Mrs. William Boyd  
Mr. & Mrs. David Paulson  
Dr. & Mrs. Edward Levin  
Joe Merdacha  
Mr. & Mrs. David Layton  
Dr. & Mrs. Robert Varady  
Kevin O'Rourke  
Annie Vogelpool  
Barbara Comfort  
Solano County District Attorney's Office  
William J. Carroll Government Center, Vacaville, CA  
2012 Public Art Award  
Silverado Resorts

**Gallery Representation  
& Professional  
Affiliations**

Art on Main- St. Helena, CA 1998-2011  
Kohala Coast Fine Art- Waikoloa, HI  
Silverado Resorts  
Fairfield Visual Arts Association, Past President  
Advocates for the Arts  
University of California Alumni Association

**Business  
Owner/Operator**

1980-Present- Anderson Design Group- Fairfield, CA  
1980-Present- Novelli Bail Bonds- Napa, CA.





Elevation rendering of Anderson's design proposal. Each of the four panels will incorporate an arched top and a 'windowsill' of Spanish tiles along the bottom to represent the Mission Revival-style architecture, which was popular during the mid-1800s when the Murphys arrived in Sunnyvale. Each panel will measure approximately 4'w x 4'h and include blue skies, foliage and trees found in the park (pine, eucalyptus, palm, magnolia, cypress).





Panel 1 - Illustrates the historical account of the Murphy family's journey to California in 1884. The family was among the first settlers to cross the Sierra mountain range.





Panel 2 - Illustrates the development of California's vineyards and Sunnyvale's agricultural history.





Panel 3 - Illustrates some of the park's current amenities, including the Hendy Stamp Mill, outdoor amphitheater and table tennis program.





Panel 4 - Illustrates additional park amenities, including picnic facilities, horseshoe pits, park benches, play structure and lawn bowling green.





Example of painted date palm silhouette.  
Palm will be approximately 5'w x 9'h and  
painted onto exterior of building.





Example of children silhouettes, which will be approximately 5'w x 5'h and painted on the building exterior.

**Peter Hazel Artist**

peter@peterhazel.com

www.peterhazel.com

P.O. Box 1348

Kings Beach, CA 96143

**Peter Hazel**

I am a unique mosaic sculpture artist. I create dynamic, large-scale forms and overlay with handcrafted ceramics and glass of intense and brilliant color. My art is a connection to the natural beauty I see around me. All of my pieces are inspired by nature and my sculpture is a reflection of my love and respect for the natural world. As an artist, my intention is to capture a form and express it boldly. Mosaic sculpture gives me the ability to reproduce the vibrant colors and essence of my subjects. I want my audience to see and touch a wave crashing or a fish leaping. I sculpt molds of my subjects from cement and steel, and then create mosaic sculptures by tiling with handcrafted ceramics. Originally from the Bay Area, I have lived in North Lake Tahoe for over Thirty years. I am a Master Craftsman tile setter and granite fabricator with over thirty years experience. I have translated both my knowledge and medium into an inspired art endeavor.

**1981-Present Owner and Operator at Hazel Tile and Granite**

I have been in the construction business since I was a teenager and am a licensed contractor serving the Lake Tahoe region. I have experience in all aspects of commercial and residential tile and granite. From estimates and budgets, to design and installation, I am one of Lake Tahoe's most trusted names.

**2005-Present Professional Artist**

I grew up surrounded by art. My father, Richard Hazel, was a successful oil painter and a founder of the Half Moon Bay Pumpkin Festival. My artistic expressions began years ago when I dared to integrate my own ideas and insight into residential work. I began by designing original tile and stone baths, kitchens, and foyers. Since then, I have created hand made ceramic backsplashes, fountains, and sinks. It was during a trip to Barcelona however, that I was introduced to the works of Antoni Gaudi. When I saw his art and mosaics, I became inspired and my art career was born. I taught myself to sculpt in clay and cement. I learned everything I could about glazing and firing ceramics. My work grew in scale and complexity and I am now producing large-scale mosaic sculpture installations.

**Ceramics**

My hand made tiles are all high-fired and vitrified. This causes the clay to become incredibly hard and impermeable to the elements. Vitrified tiles have the look of glass. In fact, vitrify means to become glass by heat. As an additional advantage, I use epoxy grout. Epoxy grout is made from epoxy resins with a filler powder. This combination makes it extremely durable and waterproof. My installations are made to last in any climate.

## Public Art

- 2014 *Love Letter To Elaine* A fifteen-foot tall mosaic daffodil featured at Burning Man. Constructed of concrete and rebar and tiled with handmade ceramics, the winding, brilliant green leaf and stem structure supports three vivid yellow flowers. The bright sun reflecting the opulent yellow ceramic blossoms was a visual oasis in the desert. <http://www.peterhazel.com/my-love-letter-to-elaine-dafodil.html>
- 2014 *Four Fishes* A school of four-foot long Rainbow and Lahontan Cutthroat Trout displayed swimming over Lake Tahoe for Detours Art Exhibit at King's Beach, CA. Each trout pattern is uniquely sculpted in bold form and exquisitely tiled expressing the lustrous gleam of the fish. <http://www.peterhazel.com/rainbow-trout---leaping-lisa.html>
- 2014 *Abundance* A harvest of vivid ceramic heirloom tomatoes in a highly detailed sculpted ceramic basket. This basket of bounty is a tribute to my affection for local farmers. Featured at Yountville Art Walk, Yountville, CA <http://www.peterhazel.com/tomato-basket---abundance.html>
- 2014 *Sockeye* Intensely red for spawning, *Sockeye* swims alone at Yountville Art Walk. Inspired by my love of western rivers and the ocean, I wanted to capture the vital radiance of breeding salmon. I sculpted the five-foot long fish and glazed each tile in striking red in order to catch the eye and hold it. *Sockeye* is intended to be evocative of energy, passion, and running water. <http://www.peterhazel.com/sockeye-salmon---freddie.html>
- 2012 *Brook Trout No. 2* Brook Trout leaps above the pond at Promontory Point Park in Greeley, CO. This seven-foot high sculpture is infused with vigor and color and carries the essence and strength of a true western Brook Trout.
- 2010 *The Great Pumpkin* Now a beloved landmark at Cameron's Inn in Half Moon Bay, my twelve-foot pumpkin is a popular attraction during the Half Moon Bay Pumpkin Festival. In bright, rich orange, *The Great Pumpkin* is more than an autumn treat, it is an homage to my hometown. The largest pumpkin art in the world, The Great Pumpkin began my foray into giant sculpture. As of September 2014, I have been commissioned to create a giant tomato to be displayed in Woodland, CA. <http://www.peterhazel.com/great-pumpkin.html>
- 2010 *Brook Trout No. 1* This piece marks the beginning of my fish sculptures and is entirely tiled in recycled materials. Prominently displayed in front of Lanza's Restaurant in Kings Beach, this glass and ceramic mosaic is jumping out of the water of Lake Tahoe. The deep red and orange merge within the blue-green body of the leaping trout. Vibrant color punctuates the form with realistic spots, capturing the energy and boldness of trout. <http://www.peterhazel.com/brook-trout-no-1.html>

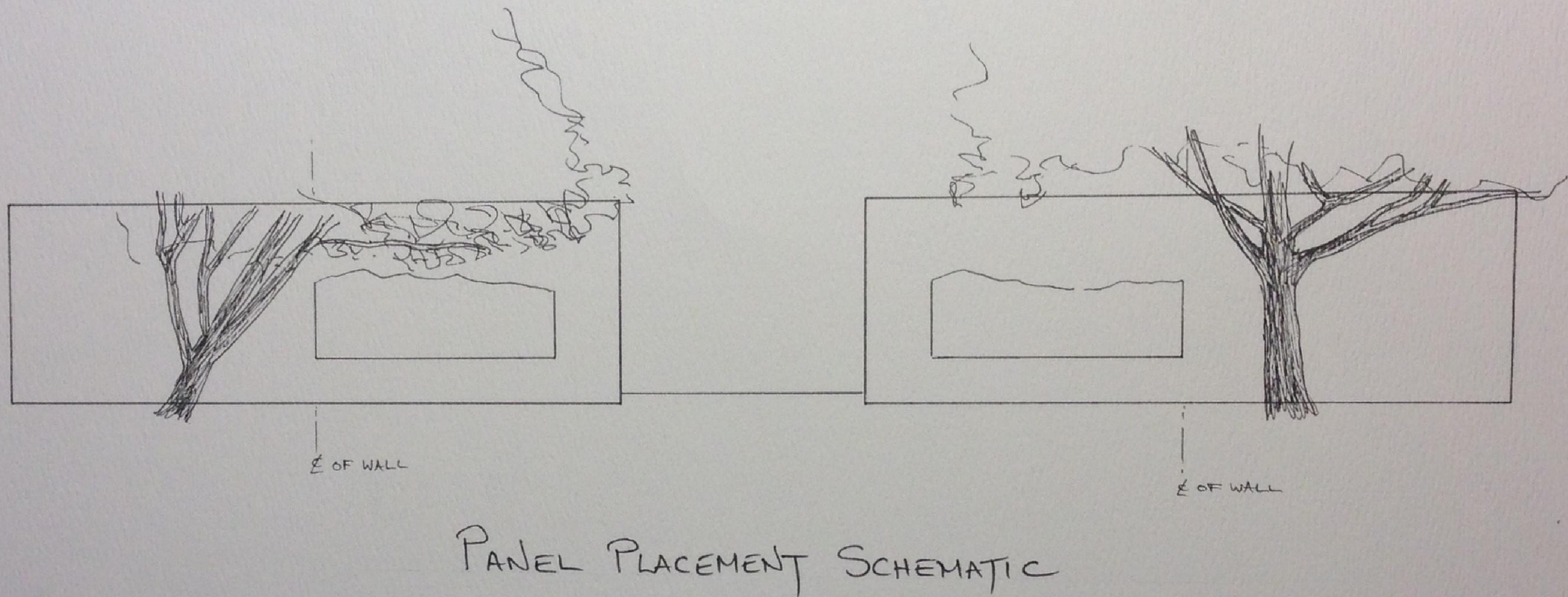
### **The Shop**

I employ a full time crew of artists, bringing a background of talent in design, ceramics, and construction. Each member of my team is dedicated to art and our mission of sustainability; in fact, two hold Bachelor's degrees in Biology. One member holds a degree in Ceramics and another member in Engineering. This diversity in talent truly creates an atmosphere of inspired ideas and collaboration for the purpose of art.

### **References**

1. Tim Beeman Chairman/CEO Miramar Events Pacifica, CA 650-726-3491  
1327 Livingston Avenue Pacifica, CA 94044 tim@miramarevents.com
2. John Corda Owner Jones Corda Construction Tahoe City, CA  
530-583-5150 PO Box 7410 Tahoe City, CA 96145
3. Cameron Palmer Owner Cameron's Inn 650-726-5705 1410 Cabrillo Hwy S Half  
Moon Bay, CA 94019





Elevation rendering of Hazel's design proposal. Each ceramic mural will be approximately 11'w x 4'h and will include golden hills in the background and California poppies in the foreground. The artist intends to enlist the preschool children and their families to assist in glazing the poppy tiles. Please note that the renderings of Mr. Hazel's imagery were executed in watercolor. The actual colors of the tiles will be more vibrant in color. Samples of the ceramic poppies will be available for the Arts Commission and City Council to view.





## PROPOSAL # 1 - MURPHY PARK RENOVATION

Scene #1 - Illustrates the first wagon train carrying the Murphys with huts of the indigenous Ohlone Indians in the distance.





## PROPOSAL #2 - MURPHY PARK RENOVATION

Scene #2 - Illustrates a railroad train, which Martin Murphy was instrumental in bringing to the region, with a Sunnyvale fruit orchard. The artist would like to include ceramic puffs of steam rising above the train and mounted separately on the wall.





### PROPOSAL #3 - MURPHY PARK RENOVATION

Scene #3 - Illustrates the eighth California Mission, Mission Santa Clara de Asis, which encompassed the first California institution of higher learning, the College of Santa Clara. Martin Murphy Jr. is credited with helping establish the college. This scene is an alternate scene that can be used in place of the railroad train scene if the City Council prefers.

**VICKIE JO SOWELL**

3618 Peralta Street, Emeryville, CA 94608 (510) 655-7374  
vickiejossowell@hotmail.com www.unrulyimages.com

**EDUCATION:**

1978-1980 M.F.A. Mills College, Oakland, CA (Sculpture)  
1974-1978 B.A., Montana State University, Bozeman, MT (Art)

**AWARDS/COMMISSIONS:**

2014 **Orange is the Happiest Color**, Escuela Bilingue Internacional,  
Emeryville, CA  
Powder-baked enamel on steel

Signature sculpture for new bilingual school campus. Extensive interaction with school staff and students to create panel designs that present images and words in three languages

Contract Value: \$27,600  
**Reference:** Margaret Parker Salop Capital Improvement Project Manager  
Escuela Bilingüe Internacional  
msalop@ebinternacional.org

2011 **Marina Gates**, Marinas Int'l, Emeryville, CA  
Powder-baked enamel on steel

Entrance artworks for the Marina and Sportsfishing docks. Reconditioning of existing structure, additional artworks, new panels.

Contract Value: \$21,500  
**Reference:** Don Gussler Harbormaster, Emeryville Marina  
dgussler@marinasinternational.com

2011 **The Rippling**, McKinley Arts and Culture Center, Reno NV  
Powder-baked enamel on steel

Sign supports for informational signs at Reno's Arts Center that featured local endangered species

Enamel painted steel

Entryways and decorative fencing for Elementary school renovation

Contract Value: \$25,000

2008 **Life is a Ball**, King Park, Brentwood, CA  
Welded Bronze

Commission for City of Brentwood, CA's King Park. Figures of five bronze dogs are rendered in the act of leaping for a thrown ball. The standalone figure of "King," Brentwood's first licensed canine, sits nearby.

Contract Value: \$44,000

2008 **Roots of Oakland**, Highland Hospital, Oakland, CA  
10 tile mosaic panels with hand-crafted text and floral elements

I was commissioned to provide 10 ceramic tile mosaic panels for the terraced main entryway to Alameda County's Highland Hospital.

Contract Value: \$13,000

2007 **Sprazzo di Sole**, Orinda, CA  
Enamel on Steel

Commission installed at Private Residence, Orinda CA.

Contract Value: \$10,000



2007 **Sweidy-Stata Poolhouse**, Atherton, CA  
Powder-baked enamel, zinc-dipped steel

Private Commission, Sweidy-Stata Home, Atherton, CA. I was commissioned to provide a full suite of artworks for the poolhouse location, including three gates, two railings, a large window treatment, and over 50 feet of ornamental fence.

Contract Value: \$37,000

2005, 2007 **Richmond Works**, Richmond, CA  
166 waterjet cut steel panels, powder-baked color coatings

Public Art Commission for the City of Richmond's Transit Village. The commission consists of approximately 600 feet of fence in three sections along Marina Way, bordering the Transit Village. Panels depict 7 original thematic designs relating to the people and times of Richmond. Follow-on for Traffic Circle barrier, 2007.

Contract Value: \$150,000

2005 **Stockton Heliotrope**, Stockton, CA  
Enamel on Steel 50' diam.

Commission installed at Matt Equinoa Park in Stockton, California. Three sculptural sections sits atop a hexagonal shade structure establishing a spiraling floral bouquet that tracks the sun. Floral images are of native flowers that attract beneficial insects.

Contract Value: \$20,000

2004 **Neighborhood Convergence**, Emeryville, CA  
11 8' tall Enamel painted steel figures

Public Art commission, Emeryville, CA. The commission consisted of eleven enamel-painted steel figures, each approximately 8' tall, executed in collaboration with Emeryville painter M. Louise Stanley and lighting designer Jeremy Hamm. The figures are installed on both sides of the Powell Street undercrossing of Interstate 80 in Emeryville.

Contract Value: \$125,000

2004 **Fruitvale Revival**, Oakland, CA

Public Art Commission, City of Oakland. The commission was for a central arch that combined architectural icons drawn from the Fruitvale district with organic fruit and branch fabrications that sprang from Fruitvale's orchard heritage. This plaza entryway crowns four columns along the edge of International Boulevard. A follow-on commission put in place a similar single central arch around a hundred yards away.

Fruit glass enamels by Deborah Lozier

Contract Value: \$30,000 + \$12,000 f.o.

2002 **Legends of Milpitas**, Milpitas, CA



Installation for Murphy Park in Milpitas. Four pillars with capitals depicting aspects of local history.

Contract Value: \$15,000

2002 **Ironhorse Trail**, Dublin, CA  
Powder-baked enamel on Steel 183" x 103" x 6"

Percent-for-Art fulfillment, IronHorse Trail Housing project in Dublin, California. The commission included this signature marquee at the entrance to the project, and a series of treeguard elements along the streets there.

Contract Value: \$22,000

2001 **Michael's Palette**, Emeryville, CA  
Powder-baked enamel on Steel 13' x 10' x 8'

Commercial commission, percent-for-art fulfillment, Michaels Arts Store, Emeryville, CA

Contract Value \$17,000

2001 **Emeryville Firestation #2**  
Powder-baked enamel on Steel 20' x 3' x 3", 15' x 4' x .5"

For the City's first public art project for the Emeryville Firestation #2, I served as both sculptor and designer, serving as a design/color consultant for the entire facility in addition to the metalworks I installed.

Contract Value \$25,000

2000 **PickleWorks** Gates and Signage (Percent for Art fulfillment)

## EXHIBITIONS:

2008 "Artscape Orinda," 11 Public Art Sculptors  
2004 "Off the Rim" Grounds for Sculpture, Hamilton, NJ  
2003 "Big Little" Jewelers and Sculptors in Metal, Oakland, CA  
2000 "Introductions" Sculpture Garden, Wildwood Farm, Glenellen, CA  
2000 "Interpreting the Figure" Mill Valley Sculpture Garden  
1998 1078 Gallery, Chico, CA (2-person show)  
1998 "Body and Soul" Matrix Gallery, Sacramento, CA  
1998 S.F. Museum of Modern Art, Rental Gallery, San Francisco  
1997 "Marked Metal" Richmond Arts Center, Richmond, CA  
1997 "Humor, Parody, + Satire", PRSG at SF Design Center  
1996 National Women's Caucus for the Arts, Mills College, Oakland, CA  
1996 Pacific Rim Sculptors Group at the Mother Lode, Sonoma, CA  
1995 SF Women Artists Gallery, San Francisco, CA  
1995 Andrea Schwarz Gallery, San Francisco, CA  
1994 Public Art Sculpture Exhibition, City of Santa Clara, CA  
1994 Pacific Rim Sculptors Group, Syntex Gallery, Palo Alto, CA  
1994 ISC Exhibition, Contract Design Center, San Francisco



Elevation rendering of Sowell's design proposal. Each mural will measure approximately 24'w x 5'h x 1"d and be constructed of 1/8" metal sheeting. The metal sheeting will be cut so that the negative spaces of the designs are left, creating the "lines" of each scene. The lines will be painted a rust-brown and the bare wall behind the metal frame will be filled in with colored paint, reminiscent of a coloring book.





Imagery depicting the Murphys' wagon train journey to Sunnyvale.



Imagery depicting the Murphys' wagon train journey to Sunnyvale.





# City of Sunnyvale

## Agenda Item

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15-0362

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### **SUBJECT**

Consideration of Potential Elections Code Section 9212 Report from City Agencies on the Effect of the Proposed Initiative Ordinance to Amend the City of Sunnyvale's Municipal Code to Require Voter Approval for any Sale, Lease, Lease Extension, Lease Renewal, Land Swap, or Transfer of Property Owned, Leased, or Used by the City as a Public Park or Community Service Amenity

#### **BACKGROUND**

On December 2, 2014, proponents of an initiative entitled "Public Lands for Public Use Act" filed a Notice of Intent to Circulate Petition and a Request for Ballot Initiative Title and Summary with the City Clerk. The City Attorney prepared the ballot title and summary for inclusion in the petition form pursuant to Elections Code Section 9203, and the City Clerk furnished a copy to the proponents on December 17, 2014. A copy of both the ballot title and summary prepared by the City Attorney, as well as the full text of the proposed measure is attached for the Council's consideration (Attachment 1). The ballot title is as follows:

"An Initiative Ordinance Amending the City of Sunnyvale's Municipal Code to Require Voter Approval for any Sale, Lease, Lease Extension, Lease Renewal, Land Swap, or Transfer of Property Owned, Leased, or Used by the City as a Public Park or Community Service Amenity."

Circulation of the petition for signatures has commenced. Pursuant to Elections Code Section 9208, the proponents have 180 days from the date of receipt of the title and summary to secure signatures and file the petition with the City Clerk. If the proponents obtain the requisite signatures, and they are verified by the County Registrar, the Council will have to consider whether to adopt the proposed ordinance as drafted, or refer it to a vote of the electorate. The timing for these actions is governed by the date on which the petitions are filed with the Clerk, and the number of signatures gathered.

#### **DISCUSSION**

Elections Code Section 9212 allows the Council to direct preparation of an "impact report" on proposed initiatives. One purpose of this law is to allow the Council to generate information to inform the public about the positive or negative effects of a proposed initiative. The earliest the report may be requested is after circulation of the petition has commenced. Most typically, so-called "9212 reports" are requested after the petitions have been shown to contain the requisite number of signatures to qualify for the ballot. If the report is requested after the petitions have qualified, the 9212 report must be completed in 30 days. If it is requested during circulation of the petition, the 9212 report must be "presented to the legislative body within the time prescribed by the legislative body."

Specifically, Elections Code Section 9212 provides that:

(a) During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of Section 9214, or Section 9215, the legislative body may refer the proposed initiative measure to any city agency or agencies for a report on any or all of the following:

(1) Its fiscal impact.

(2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.

(4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.

(5) Its impact on the community's ability to attract and retain business and employment.

(6) Its impact on the uses of vacant parcels of land.

(7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.

(8) Any other matters the legislative body requests to be in the report.

(b) The report shall be presented to the legislative body within the time prescribed by the legislative body, but no later than 30 days after the elections official certifies to the legislative body the sufficiency of the petition.

As Council can see from the above-quoted full text of Section 9212, the 9212 report can be quite comprehensive and time consuming to prepare. Some of the subjects Council may wish to consider are:

- Scope of the property and types of transactions covered by the proposed ordinance;
- Fiscal and financial impacts on the City and community, including but not limited to implementation costs and benefits;
- Impacts on operation and utilization of affected property;
- Any other matters the Council would like to consider.

In terms of timing, staff estimates that at least six weeks will be needed to complete the 9212 report. Additionally, this effort would compete with other priorities but may be implemented through the use of consultants.

### **FISCAL IMPACT**

While dependent on the specific subject matter areas Council would want investigated, staff believes existing resources could be utilized to conduct the analysis and prepare the 9212 report.

**PUBLIC CONTACT**

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

**STAFF RECOMMENDATION**

Pursuant to Elections Code Section 9212, consider directing preparation of a report from City agencies on the effect of the proposed initiative to amend the City of Sunnyvale's Municipal Code to require voter approval for any sale, lease, lease extension, lease renewal, land swap, or transfer of property owned, leased, or used by the City as a public park or community service amenity. If direction is given to prepare a 9212 report, Council must also specify which subject matter areas it wants City staff to investigate, and an appropriate deadline for the report's completion.

Prepared by: Joan A. Borger, City Attorney  
Reviewed by: Kathleen Franco Simmons, City Clerk  
Reviewed by: Grace K. Leung, Finance Director  
Reviewed by: Robert A. Walker, Assistant City Manager  
Reviewed by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Ballot Title and Summary and Proposed Initiative Measure



## **Initiative Measure to be Submitted Directly to the Voters**

The City Attorney of the City of Sunnyvale has prepared the following title and summary of the chief purpose and points of the proposed measure:

**Title: An Initiative Ordinance Amending the City of Sunnyvale's Municipal Code to Require Voter Approval for any Sale, Lease, Lease Extension, Lease Renewal, Land Swap, or Transfer of Property Owned, Leased, or Used by the City as a Public Park or Community Service Amenity**

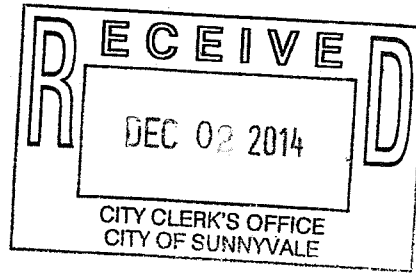
**Summary:** This initiative states that it shall be known as the “Public Lands for Public Use Act” and proposes to amend the Sunnyvale Municipal Code (SMC) to require voter approval before the sale or lease of some types of City property.

Currently, SMC Chapter 2.07 requires city council approval for all purchases, sales, or leases of real property for the City when the purchase, sales price, or lease cost exceeds \$75,000, and city manager approval when the purchase, sales price, or lease cost is \$75,000 or less, or when the lease results in revenue to the City and is for a period less than or equal to 55 years. It further requires city council approval for leases of City property for a term in excess of 55 years, subject to additional procedures set forth in Chapter 2.07.

The proposed initiative would amend these provisions by:

- Defining two categories of City property: “Community Service Amenity,” which generally includes facilities and land whose primary purpose is to provide the public a place of city government administration, recreation, education, exercise, or enjoyment; and “Public Park,” which generally means land set apart for recreation of the public and to maintain open space in the City, including City-owned land shared by agreement with adjacent public schools to augment the public school’s outdoor recreation area.
- Requiring that any land “owned, leased, or used” by the City as a Public Park or Community Service Amenity (including land otherwise transferred to the City for such purposes, and the rights to use land for such purposes), may not be the subject of a “sale, lease, lease extension, lease renewal, land swap, or transfer,” regardless of the amount of the transaction, without the prior approval of a majority of voters in a citywide election.
- Requiring that leases of Public Park or Community Service Amenity land owned, held or controlled by the City, that are in excess of 55 years, also be subject to voter approval.

The initiative ordinance also proposes to take precedence over all other provisions of the City’s Municipal Code, ordinances, resolutions, and administrative policies that conflict with any part of the initiative.



**Save Sunnyvale Parks & Schools, Inc.**

1030 E. El Camino Real, #436  
Sunnyvale, CA 94087  
United States

Tel: +1 408 444 7357  
[www.savesunnyvaleparks.com](http://www.savesunnyvaleparks.com)

December 01, 2014

Kathleen Franco Simmons  
City Clerk  
City of Sunnyvale  
P.O. Box 3707  
Sunnyvale, CA 94088

### **Notice of Intent to Circulate Petition**

Ms. Franco Simmons,

Pursuant to Section 9202(a) of the California Elections Code, notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Sunnyvale for the purpose of obtaining a vote of the Sunnyvale electorate on the proposed measure attached to this notice.

The proponents of this petition request that the ordinance be submitted immediately to a vote of the people at a special election.

A statement of the reasons of the proposed action as contemplated in the petition is as follows:

This petition proposes changes to the Sunnyvale Municipal Code to ensure that the public land the City of Sunnyvale holds in trust for all its residents continues to serve the interests of Sunnyvale residents.


Sunnyvale residents benefit from the public libraries, community swimming pools, community centers, public parks, public golf courses, and numerous other community service amenities that are placed on land the City of Sunnyvale owns for the benefit of its residents. These public parks and community service amenities help children, adults, and families alike to socialize, exercise, and learn as a community.

As Sunnyvale's population grows, the demand for public parks and community service amenities will grow with it. There is a critical and increasing need for more, not less, places for residents to conduct city and community business, enjoy open spaces, study, improve their health, play with their grandchildren, watch or participate in sports, hold neighborhood meetings, walk dogs, or meet with friends.

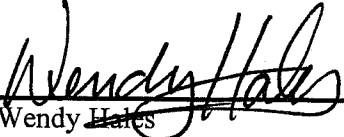
Sunnyvale residents have a vested interest in the outcome of any decision that limits their ability to use these public parks and community service amenities. Therefore, there is a need for the Sunnyvale residents to carefully review and specifically approve significant decisions involving the disposition or use of such community service amenities and public parks. Acquiring new land for public use has become increasingly difficult and expensive. Once public land is lost, it is almost impossible to replace. Furthermore, the City Council and the Sunnyvale residents' views involving the disposition of public lands do not always align.

The clarifications and revisions to the Sunnyvale Municipal Code contained in this proposed measure will ensure that Sunnyvale public lands are not used to facilitate private development or provide a source of funding for capital improvements through any sale, lease, trade, land-swap, or other transfer of community service amenities or public parks without very carefully considered community discussion and voter approval.


In accordance with Section 9202(b) of the California Elections Code and the City of Sunnyvale's Fee Schedule, a payment of \$200.00 has been attached to this statement.

  
\_\_\_\_\_  
Timothy Dietrich  
1061 Firth Ct.  
Sunnyvale, CA 94087

12/1/2014  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Wendy Hales  
1473 Norman Dr.  
Sunnyvale, CA 94087

12/1/2014  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Demetrios Triantafyllou  
1490 Navarro Dr.  
Sunnyvale, CA 94087

Dec. 1, 2014  
\_\_\_\_\_  
Date

THE PEOPLE OF THE CITY OF SUNNYVALE DO ORDAIN AS FOLLOWS:

**SECTION 1. TITLE**

This initiative measure shall be known and cited as the "Public Lands for Public Use Act."

**SECTION 2. REQUEST FOR IMMEDIATE VOTE**

Proponents request that the ordinance be submitted immediately to a vote of the people at a special election.

**SECTION 3. SUNNYVALE MUNICIPAL CODE §§ 2.07.030, 2.07.040. AMENDED.**

The Municipal Code of the City of Sunnyvale §§ 2.07.030 and 2.07.040 are hereby amended to read as follows:

**2.07.030. Awarding authority for purchases, sales or leases of real property.**

- (a) The city council shall be the awarding authority for all purchases, sales or leases of real property for the city where the purchase or sales price or total lease cost exceeds seventy-five thousand dollars.
- (b) The city manager shall be the awarding authority for all purchases, sales or leases of real property for the city where the purchase or sales price or total lease cost is seventy-five thousand dollars or less, or where the lease results in revenue to the city and is for a period less than or equal to fifty-five years.
- (c) Notwithstanding the foregoing in subsections (a) and (b), any land, that on the effective date of this subsection (c) or at any later time is owned, leased, or used by the city as a public park or a community service amenity, as defined in subsection (d), land otherwise transferred to the city to be used as a public park or a community service amenity, or the rights to use such land may not be the subject of a sale, lease, lease extension, lease renewal, land swap, or transfer unless the issue of the sale, lease, lease extension, lease renewal, land swap, or transfer is submitted to the qualified voters of the city at an election and is approved by a majority of the votes received at the election.
- (d) For purposes of subsection (c), the following terms shall have the meanings set forth below.
  - (1) "Community service amenity" means libraries, swimming pools, community centers, performing arts venues, gardens, golf courses, zoos, city hall, city administration buildings, and other similar facilities and the land on which the facilities stand, whose primary

purpose is to provide the public a place of city government administration, recreation, education, exercise, or enjoyment.

- (2) "Public park" means land set apart for the recreation of the public, to promote its health and enjoyment, to maintain open space in the city and also includes city-owned public land which may be shared by agreement with adjacent public schools to augment the public school's outdoors recreation area.

**2.07.040. Long-term lease of city property.**

- (a) The city council may enter into a lease of city property that is not a public park or a community service amenity, as defined in Section 2.07.030, subsection (d), for a term in excess of fifty-five years pursuant to the procedures set forth in this section. This section is enacted pursuant to California Government Code Section 37380 for the purpose of establishing alternate procedures thereto and exempting the city from the provisions of subsections (b)(2), (b)(3) and (b)(4) thereof. Except with respect to leases in excess of fifty-five years, the provisions of this section shall not be deemed in any way to restrict the city's authority to enter into other forms of leases so long as the underlying land is not a public park or a community service amenity, as defined in Section 2.07.030, subsection (d).
- (b) A lease in excess of fifty-five years of property owned, held or controlled by the city that is not a public park or a community service amenity, as defined in Section 2.07.030, subsection (d), may be authorized by the city council in accordance with the following procedures:
  - (1) Any lease entered into pursuant to this section shall be authorized by resolution of the city council.
  - (2) Prior to adopting a resolution authorizing a lease, the city council shall hold a public hearing. Notice of the time and place of the hearing shall be published once not less than fourteen (14) calendar days prior to the public hearing, in the official newspaper of the city.
  - (3) The city shall not be required to engage in a competitive bid process for the award of such lease; provided, that at the time of adopting the resolution authorizing the lease the city council makes a determination that entering the lease without engaging in a competitive bid process is in the best interests of the city and its residents.
  - (4) Any such lease shall be subject to periodic review by the city and shall take into consideration the then market conditions. Pursuant to California Government Code Section 37380(b)(1), the city council hereby establishes that the lease provisions which will

periodically be reviewed, at a minimum, shall be those provisions specifying the rent to be paid pursuant to the lease, and such other provisions as may be indicated by the city council at the time of authorizing the lease. The periodic reviews shall occur in accordance with a schedule to be contained in the lease. The periodic review may be in the form of either an express review of the terms by the city council or its designee, or in the form of a procedure contained in the lease for automatic adjustments of the terms in response to market conditions. It is the intent of this provision that inclusion of inflationary adjustments, cost of living adjustments, reappraisals or other similar forms of automatic adjustments shall satisfy the requirements of California Government Code Section 37380(b)(1), without the necessity of a discretionary review by a city officer. (Ord. 2628-99 § 2).

- (c) A lease in excess of fifty-five years of property that as of the effective date of this subsection (c) or at any later date is owned, held or controlled by the city and is a public park or a community service amenity, as defined in Section 2.07.030, subsection (d), must first be submitted to the qualified voters of the City of Sunnyvale at an election and approved by a majority of the votes received at the election pursuant to Section 2.07.030, subsection (c). Any such lease that is so approved may be authorized by the city council in accordance with the procedures set forth in subsection (b).

#### **SECTION 4. PRIORITY.**

Once this measure becomes effective, its provisions shall prevail over and supersede all provisions of the municipal code, ordinances, resolutions, and administrative policies of the City of Sunnyvale which conflict with any provisions of this measure.

#### **SECTION 5. SEVERABILITY.**

In the event a final judgment of a court of competent jurisdiction determines that any section, subsection, sentence, clause, or phrase of this initiative measure is invalid or unenforceable for any reason, the invalid or unenforceable section, subsection, sentence, clause, or phrase shall be severed from the remainder of this measure, and the remaining portions of this measure shall remain in full force and effect without the invalid or unenforceable section, subsection, sentence, clause, or phrase.



# City of Sunnyvale

## Agenda Item

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15-0401

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### SUBJECT

Consider Revisions to Council Policy 7.2.19: Boards and Commissions

#### BACKGROUND

Council Policy requires that a standing subcommittee of three members of City Council review any and all proposed revisions to Council's policy governing boards and commissions prior to consideration of those revisions for action by the full Council.

#### EXISTING POLICY

See Attachment 2, Council Policy 7.2.19: Boards and Commissions.

#### ENVIRONMENTAL REVIEW

N/A.

#### DISCUSSION

On June 2, 2014, the standing Council subcommittee on board and commission bylaws met to consider proposed revisions to Council Policy 7.2.19. The minutes of that meeting are shown in Attachment 1. As a result of that meeting, the subcommittee recommends several revisions to Council Policy 7.2.19, as depicted by Attachment 2 (proposed changes shown in red).

#### FISCAL IMPACT

N/A

#### PUBLIC CONTACT

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

Copies of this report were also shared with each of the City's boards and commissions as "Information Only".

#### ALTERNATIVES

1. Approve the recommendations of the Council subcommittee on board and commission bylaws as depicted in Attachment 2.
2. Approve the recommendations of the Council subcommittee on board and commission bylaws as depicted in Attachment 2 with modifications.
3. Other action as directed by Council.

#### STAFF RECOMMENDATION



Staff makes no recommendation.

Prepared by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Draft Minutes of the Council Subcommittee on Board and Commission Bylaws meeting of June 2, 2014
2. Council Policy 7.2.19: Boards and Commissions with recommendations from Council Subcommittee shown in red



# City of Sunnyvale

## Meeting Minutes - Draft Council Subcommittee on Board and Commission Bylaws Amendments

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Monday, June 2, 2014

6:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

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### CALL TO ORDER

Chair Griffith called the meeting to order at 6:02 p.m. in the West Conference Room.

### ROLL CALL

**Present:** 3 - Member Jim Griffith  
Member Glenn Hendricks  
Member David Whittum

### CONSENT CALENDAR

- 1      [14-0546](#)      Draft Minutes of the Council Subcommittee on Board and  
Commission Bylaws Amendments Meeting of May 4, 2012

MOTION: Subcommittee Member Whittum moved and Chair Griffith seconded the motion to approve the minutes of the May 4, 2012 meeting. The motion carried by the following vote:

**Yes:** 2 - Member Griffith  
Member Whittum

**No:** 0

**Abstain:** 1 - Member Hendricks

### PUBLIC COMMENT

Kevin Jackson provided comments regarding the posting of the agenda on the new website and suggested the meetings could be better publicized. Jackson spoke regarding the importance of public access and communication to boards and commissions on issues of policy and operational concerns, and recommended improvements to public access to board and commission agendas at the Public Library. Jackson inquired as to how to get the vision triangle ordinance addressed, and stated it was not updated in the municipal code as directed by Council.

Thom Mayer expressed agreement with comments made by Kevin Jackson.

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## **PUBLIC HEARING/GENERAL BUSINESS**

### **2      [14-0553](#)      Selection of Chair and Vice Chair**

Chair Griffith opened the floor for nominations for Chair of the Subcommittee.

Subcommittee Member Whittum nominated Glenn Hendricks as Chair.

Subcommittee Member Hendricks seconded the nomination.

The nomination was approved by the following vote:

**Yes:** 3 -    Member Griffith  
                 Member Hendricks  
                 Member Whittum

**No:** 0

Newly-elected Chair Hendricks presided for the remainder of the meeting.

Chair Hendricks opened the floor for nominations for Vice Chair.

Subcommittee Member Griffith nominated David Whittum for Vice Chair.

Subcommittee Member Whittum seconded the nomination.

The nomination was approved by the following vote:

**Yes:** 3 -    Member Griffith  
                 Member Hendricks  
                 Member Whittum

**No:** 0

Chair Hendricks announced Councilmember Whittum has been selected to serve as Vice Chair of the Subcommittee.

### **3      [14-0564](#)      Consideration of Modification to Council Policy 7. 2.19 Boards and Commissions:**

- a. Section 2E: "Code of Ethics" Reference
- b. Section 2G(II): Chair's Role and Responsibilities
- c. Section 2H(III): Definition of a Quorum
- d. Section 2D: Appointment Process
- e. Section 2J: Interaction with Council, Public, Staff and Other

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Board and Commission Members

a. Section 2E: "Code of Ethics" Reference

Public hearing opened at 6:12 p.m.

No speakers.

Public hearing closed at 6:12 p.m.

MOTION: Subcommittee Member Griffith moved and Subcommittee Member Whittum seconded the motion to recommend approval of the staff recommendation that the statement in Council Policy 7.2.19, Section 2.E "shall sign the City's Code of Ethics" be revised to refer to the City's "Model of Excellence" which is an attachment to the City's Code of Ethics. The motion carried by the following vote:

**Yes:** 3 - Member Griffith  
Member Hendricks  
Member Whittum

**No:** 0

b. Section 2G(II): Chair's Role and Responsibilities

Public hearing opened at 6:15 p.m.

Kevin Jackson stated that subparagraph (f) indicates that Council wants to have board and commission representation at their hearing for items that the board or commission has dealt with and disagreed with the information provided in the staff memo. Jackson spoke in support of representation of both sides when there has been disagreement. Jackson spoke in support of study sessions as mentioned in subparagraph (h).

Jeanine Stanek, Heritage Preservation Commission, stated that it needs to be made clear to the Chairs about the expectations of coming to council meetings. Stanek stated she hadn't heard about quarterly meetings with the Chairs.

Thom Mayer suggested quarterly meetings may not be necessary, and spoke in support of annual meetings with the Chairs for improved communication between Council and commissions.

Public hearing closed at 6:21 p.m.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Griffith seconded the motion to leave the wording of Council Policy 7.2.19, Section

2.G.(II)(f) intact.

SUBSTITUTE MOTION: Subcommittee Member Whittum moved and Subcommittee Member Griffith seconded the motion to recommend that Council Policy 7.2.19, Section 2.G.(II)(f) be clarified where it states: "Board and commission chairs or a designated alternate must attend Council meetings to present the board or commission's position to Council on any non-consent calendar item previously addressed..." to state: "Board and commission chairs or a designated alternate may always attend Council meetings to present the board or commission's position to Council. However, they must attend Council meetings to present the board or commission's position to Council on any non-consent calendar item previously addressed by the board or commission when only action minutes from the board or commission meeting are available to Council." The substitute motion carried by the following vote:

**Yes:** 3 - Member Griffith  
Member Hendricks  
Member Whittum

**No:** 0

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Griffith seconded the motion to recommend revision of Council Policy 7.2.19, Section G.(II)(h) to change "Meets with Council in a study session setting on a regular, quarterly or otherwise schedule" to "Meets with Council in a study session setting on a regular schedule at least annually."

AMENDED MOTION: Subcommittee Member Whittum amended and Subcommittee Member Griffith seconded the amendment to include in Section G. (III)(c) under Vice Chair's Roles and Responsibilities, to strike: "on a regular, quarterly or otherwise schedule" and replace with: "per Section G.(II)(h)."

FRIENDLY AMENDMENT: Chair Hendricks suggested the motion be amended to include that the objective of the meeting is to focus on macro issues of reviewing, with the potential of improving the effectiveness of the meeting. Subcommittee Member Whittum accepted the amendment.

FRIENDLY AMENDMENT: Subcommittee Member Griffith suggested adding language regarding the purpose of the meeting in Section J, between the two sections at bottom of page 18 after it says: "Council shall be kept informed..." and before it says: "Council shall consider joint study sessions..."; to add a section saying: "Council shall conduct regular joint meetings with all board and commission

chairs and vice chairs as described in Section G, with the intent of reviewing and improving the overall running of board and commission meetings.

RESTATED MOTION: Chair Hendricks restated Councilmember Whittum's motion, to include revisions in three sections as follows:

- 1- Section G. (II)(h), "Meets with Council in a study session on a regular schedule at least annually."
- 2- Section G.(III)(c) the corresponding change in language to the Vice Chairs' Role and Responsibilities to state: "per Section G.(II)(h)";
- 3- Section J. on Interaction with City Council, Public, Staff, and other Board and Commission Members, at bottom of page 18 between the paragraphs that start as: "Council shall be kept informed..." and: "Council shall consider joint study sessions...", add a paragraph that states: "Council shall conduct regular joint meetings with Chairs and Vice Chairs per paragraph G.(II)(h) with the intention to review and improve overall effectiveness of commission meetings.

The motion carried by the following vote:

**Yes:** 3 - Member Griffith  
Member Hendricks  
Member Whittum

**No:** 0

c. Section 2.H.(III): Definition of a Quorum

Public hearing opened at 6:44 p.m.

Kevin Jackson stated that a downside to the staff proposed definition of a quorum is that boards and commissions might not be able to take any action for considerable periods when people are not available or there are vacancies and spoke in opposition to the more restrictive policy of what constitutes a quorum if it is not legally required.

Daniel Bremond stated that a decision that could be made by one or two persons is not democratic and spoke in support of the recommendation of staff.

Jeanine Stanek spoke in opposition to having too few people making final decisions.

Thom Mayer suggested that if it is a final decision, an appropriate number of people should make it, but that if it is not a final decision or just a recommendation to

Council, do with what you have.

Public hearing closed at 6:49 p.m.

MOTION: Subcommittee Member Griffith moved and Subcommittee Chair Hendricks seconded the motion to recommend approval of the staff recommended language to revise Council Policy 7.2.19, Section H.(III) Quorums, to read: "Boards and commissions have a quorum present when a majority of their total membership is present. 'Total membership' means the number of members provided for when the board or commission was created; i.e., the Planning Commission has a total membership of seven."

The motion carried by the following vote:

**Yes:** 2 - Member Griffith  
Member Hendricks

**No:** 1 - Member Whittum

d. Section 2D: Appointment Process

Public hearing opened at 6:54 p.m.

Kevin Jackson stated the language gives an advantage to people who get nominated first and incentivizes voting for the early nominations. Jackson stated that the recommendation that an entire slate could be appointed with one vote wouldn't apply to different term limits and categories. Jackson spoke in favor of everybody getting a vote if they go through the entire application process.

Thom Mayer spoke in support of giving everybody a vote.

Public hearing closed at 6:57 p.m.

MOTION: Subcommittee Member Griffith moved and Subcommittee Member Whittum seconded the motion to propose the language in Section 2.D. be modified in the following ways: Under the section titled "Ranked-Choice Paper Votes", strike the words "Ranked-Choice" from the subject; strike the sentence "A ranked vote shall count as an affirmative vote" and change: "The candidate receiving the highest ranking..." to: "The candidate receiving the most votes and at least four affirmative votes will be appointed." The motion carried by the following vote:



**Yes:** 3 - Member Griffith  
Member Hendricks  
Member Whittum

**No:** 0

e. Section 2J: Interaction with Council, Public, Staff and Other Board and Commission Members

Public hearing opened at 7:22 p.m.

Kevin Jackson spoke in favor of providing a way for the public to communicate directly to the commissioners and recommended the concerns over operational issues be handled through the board and commission members' training. Jackson stated the most important consideration is on page one of policy statement A, 7.2.19, policy statements A.1. and A.2, which state the boards and commissions provide a forum and opportunity for broad community participation and input. Jackson stated he would prefer to receive communications directly, rather than having it printed out and put in the agenda, similar to how it is handled for Council. He suggested including a notice on every message that it is visible to the public and becomes a public record.

Daniel Bremond stated that all communication with boards and commissions is driven by the Code of Ethics and that it is clearly stated that any subject discussed by the commission must be done in public. He stated that he agrees that the City website needs to be improved, but that it shouldn't become like the social media site "Nextdoor". He stated that, on the distinction between operational and the purpose of the commission, there is no limit, and that every decision has a financial impact.

Jeanine Stanek stated that the majority of Heritage Preservation Commissioners don't think private emails should be published. She stated that commissioners would like to see what's going on, but that there should be filters in some ways.

Thom Mayer stated that without communications from the public on operational issues, commissioners won't see problem trends. Mayer spoke in favor of including a paragraph in bold letters that states: "Do not respond to this. This is an operational issue that is only provided for your information." He stated the staff liaison should not be the gatekeeper of the information; the public should be the gatekeeper. Mayer stated that the public should have the opportunity to send comments to an email address which is sent to the staff liaison, who can then

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amend the paragraph to it and forward to all commissioners.

Public hearing closed at 7:40 p.m.

MOTION: Subcommittee Member Whittum proposed a motion that the subcommittee supports electronic communication from the public to the boards and commissions with appropriate safeguards and supports a clarified, more cohesive approach to presenting that information on the web.

Motion died due to lack of a second.

MOTION: Subcommittee Member Whittum moved that the subcommittee recommends that the Council supports electronic communications from the public to the boards and commissions, subject to appropriate safeguards.

Motion died due to lack of a second.

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Griffith seconded the motion to add to the set of five guiding principles for staff:

“Facilitate the public’s ability to provide information to the boards and commissions.”

RESTATED MOTION: Subcommittee Whittum restated the motion to include that the Subcommittee endorses that staff will be guided by the principles listed in the five bullet points that are on page four and five of the staff report, plus the additional principle: “Facilitate communication of information on policy issues from the public to the boards and commissions.” The motion carried by the following vote:

**Yes:** 3 - Member Griffith  
Member Hendricks  
Member Whittum

**No:** 0

MOTION: Subcommittee Member Whittum moved and Subcommittee Member Griffith seconded the motion to recommend that the Mayor talk to the City Manager regarding timeliness in this matter. The motion carried by the following vote:

**Yes:** 3 - Member Griffith  
Member Hendricks  
Member Whittum

**No:** 0

**PUBLIC COMMENT (Continued)**

Chair Hendricks reopened the public comment period.

Daniel Bremond, Trustee of the Library, requested the subcommittee modify text regulating board, commission and Council meeting dates by adding that no meeting shall be held the day before or the day of an election. Bremond stated that members should not have to choose between attending a meeting or working for an election.

Chair Hendricks suggested the matter could be put on a future agenda.

Kevin Jackson referred to the page 12 of the policy manual chapter, subparagraph C stating "Budget..."; on the sentence above that, under study issues process stating: "Within one month of origin, new study issue papers sponsored by Council or a board or commission will be presented to respective boards or commissions or at the next regular meeting. Jackson stated that does not happen, and the commission often has to rank the study issues before they have seen them. He stated that when a correction is needed, the commission is told the City Manager has already signed it and it is too late to change it. He stated the commission would like to be able to see the proposed study issue and correct any misconceptions, because otherwise, the commission has to decide whether to drop it and try again the next year, or to go with one that isn't really what the commission requested.

Chair Hendricks suggested the Mayor may want to talk to the City Manager about directing staff to handle these processes more consistently.

### **ADJOURNMENT**

Chair Hendricks adjourned the meeting at 8:34 p.m.

## COUNCIL POLICY MANUAL

**Policy 7.2.19 Boards and Commissions**

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**POLICY PURPOSE:**

The purpose of this policy is to outline those Council policies pertaining to the City's Boards and Commissions Program.

**1. POLICY STATEMENT:**

This policy pertains only to Council-appointed boards and commissions. Many of its provisions are rooted in the City Charter, and where any conflict exists between this policy and the City Charter, the City Charter shall prevail.

**A.** Boards and commissions are created by the City Council for the following general purposes:

- (I) To recommend to City Council specific policy-related issues for possible Council study and action, and to provide a forum and opportunity for broad community participation in the identification and prioritization of those issues; and
- (II) To advise City Council on specific policy issues Council has chosen to study, and to provide a forum and opportunity for broad community input on those issues.
- (III) See also Section 2.I, Duties.

**B.** Boards and commissions shall not involve themselves in administrative/operational matters or the implementation of Council policy, except as requested by the city manager or his/her designated staff. (See also Section 2.I., Duties.)

**2. BOARD AND COMMISSION BYLAWS**

**A.** The City maintains ten Council-appointed boards and commissions.

As a matter of policy, it serves the public interest to have the greatest possible public access to board and commission meeting. As such, meeting locations for boards and commission shall be selected by staff according to the following guidelines:

- Meeting rooms should be of a size adequate to allow for public participation.
- Commissions should meet in a location permitting recurring usage of that location to the greatest extent possible.
- Boards and commissions should preferably meet in either Council Chambers or the West Conference Room at City Hall.

## COUNCIL POLICY MANUAL

- (I) Arts Commission: This five-member commission acts in an advisory capacity to the City Council in matters pertaining to the arts and the development and promotion of arts programs and activities. Meetings are held on the third Wednesday of each month at 7 p.m.
- (II) Bicycle and Pedestrian Advisory Commission: This seven-member commission acts in an advisory capacity to the City Council on bicycle and pedestrian issues. Meetings are held on the third Thursday of each month at 6:30 p.m.
- (III) Board of Building Code Appeals: formed by Municipal Code Ordinance 1315. This five-member board has final decision-making authority in all appeals related to building construction, including interpretation of building codes. Meetings are held only as necessary, on the third Wednesday of the month at 6 p.m.
- (IV) Board of Library Trustees: formed by City Charter Section 1013. This five-member board acts in an advisory capacity to the City Council on library related issues. Meetings are held on the first Monday of each month at 7 p.m. If the first Monday is a City observed holiday, the meeting will be held on the second Monday of the month.
- (V) Heritage Preservation Commission: formed by City Charter Section 1015. This seven-member commission acts in an advisory capacity to the City Council and has certain decision-making authority on the restoration, maintenance and operation of heritage resources throughout the City. Meetings are held on the first Wednesday of every other month beginning in January (and on the first Wednesday of alternate months when needed) at 7 p.m.
- (VI) Housing and Human Services Commission: This seven-member commission acts in an advisory capacity to the City Council on programs, policies, and other issues regarding housing and human services. Meetings are held on the fourth Wednesday of each month at 7 p.m.
- (VII) Parks and Recreation Commission: formed by City Charter Section 1011. This five-member commission acts in an advisory capacity to the City Council in matters and services pertaining to parks, open space, playgrounds, entertainment, other cultural and recreational activities. Meetings are held on the second Wednesday of each month at 7 p.m.
- (VIII) Personnel Board: formed by City Charter Section 1007. This five-member board acts in an advisory capacity to the City Council and city manager in matters pertaining to personnel administration. Meetings are held only as necessary, on the third Monday of each month at 5 p.m.

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- (IX) **Planning Commission:** formed by City Charter Section 1009. This seven-member commission acts in an advisory capacity to the City Council and has some decision-making authority on land use and development of the City. Meetings are held on the second and fourth Monday of each month at 8 p.m.
- (X) **Sustainability Commission:** This seven-member commission acts in an advisory capacity to the City Council to provide expertise on major policy areas related to the environmental sustainability goals of the Climate Action Plan (CAP) and General Plan. Meetings are held on the third Monday of each month at 7 p.m. If the third Monday is a City observed holiday, the meeting will be held on the third Tuesday of the month at 7 p.m.

### **B. Eligibility and Membership**

No board or commission members shall hold any paid office or employment in the City Government. All persons appointed shall be registered voters of the City and shall maintain their principal place of residence within the City at the time of their appointment (exceptions: Bicycle and Pedestrian Advisory Commission, Category Two, per Section 2. B. (IV) (b) (ii)), Sustainability Commission, Category Two, per Section 2.B. (IV) (d) (ii)). If at any time during their term any member of a board or commission shall cease to be an elector of the City or shall cease to maintain their principal place of residence within the City, then such person shall become ineligible to continue to serve as a member of the board or commission and said position shall be declared vacant by the City Council.

#### **(I) Spouses, Household Members, and Relatives**

No individual shall be eligible to serve on a City board or commission, chartered or otherwise, who has a spouse, household member living under the same roof, or designated relative (parent, step-parent, grandparent, child, sister, brother, niece, nephew, uncle, or aunt of the individual or of the individual's spouse), currently serving as a member of the City Council, or employed as the city manager, assistant city manager, assistant to the city manager, city attorney, department director or assistant director or equivalent for the City of Sunnyvale.

#### **(II) Concurrent Service**

No member of any board or commission listed herein, chartered or otherwise, may serve on more than one board or commission at the same time.

- (a) **Exception:**

## COUNCIL POLICY MANUAL

Members of the Board of Building Code Appeals may serve on another board or commission at the same time.

### (III) **Specific membership requirements for charter-related Boards and Commissions are as follows:**

#### (a) Board of Building Code Appeals:

To be eligible for appointment, each appointee shall be qualified by experience and training to pass upon matters pertaining to building construction. (*Source: Municipal Code Chapter 16.08*)

#### (b) Personnel Board:

To be eligible for appointment, each appointee shall neither hold public office or employment nor be a candidate for any other public office or position, nor be a former City employee. (*Source: City Charter Section 1007*)

No individual shall be eligible to or continue to serve on the Personnel Board who has a spouse, household member, or designated relative (parent, step-parent, grandparent, child, sister, brother, niece, nephew, uncle, or aunt of the individual or of the individual's spouse), employed by the City of Sunnyvale *in a position which has the right to have a disciplinary matter heard before the Personnel Board.*

Two of the five members shall be appointed by the City Council from a list of five persons to be nominated by election of the employees in the classified service. (*Source: City Charter Section 1007*)

#### (c) Planning Commission:

To be eligible for appointment, each appointee shall not hold any paid office or employment in the City government, *except that the city manager or his/her designated representative, shall serve as an ex-officio member of the Commission.* (*Source: City Charter Section 1009*)

### (IV) **Specific membership requirements for non-charter-specified Boards and Commissions are as follows:**

#### (a) Arts Commission:

The members of this commission shall have a demonstrated interest in the arts (such as visual, performing, literary) and in the art programs of the City. It is preferable that the Arts Commission include at least one



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member with a background in visual arts and at least one member with a background in performing arts.

### (b) Bicycle and Pedestrian Advisory Commission

The members of the commission shall be selected from two categories:

- i. Category One (four members) shall be bicyclists or pedestrians in the City of Sunnyvale. Every person in this category shall, at the time of his or her appointment, be a registered voter of the City and shall maintain his or her principal place of residence within the City. Should any person so appointed cease to be an elector of the City or cease to maintain his or her principal place of residence within the City, that person shall be ineligible to continue to serve as a member of the commission.
- ii. Category Two (three members) shall include members of the PTA or other parent groups, administrations of schools in Sunnyvale, commute coordinators for major employers within the City, members of neighborhood associations, principals or teachers from Sunnyvale schools or persons interested in park and recreational activities in the City.

### (c) Housing and Human Services Commission:

The members of the Housing and Human Services Commission shall have a demonstrated interest in housing or human services issues.

### (d) Sustainability Commission

The Sustainability Commission shall be open to individuals with a demonstrated interest in environmental sustainability issues. The members of the commission shall be selected from two categories:

- i. Category One (minimum of three members) shall be Sunnyvale registered voters.
- ii. Category Two (minimum of one member) shall include members of the Sunnyvale business community. Such members need not be Sunnyvale residents.

## (V) **Limitation on Terms**

Any person appointed to a board or commission shall be immediately eligible, upon the expiration of their term or resignation prior to completion of their term if appointed to a different board or commission, to serve on a different board or commission.

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All board and commission members are eligible to serve two successive four-year terms on the same board or commission. No person who has served two such successive four-year terms shall be eligible for appointment to that same board or commission for two years following the expiration of the second full term for which the member was appointed and served. Serving an unexpired term of up to 2 years in length shall not count toward years served in terms of eligibility.

### C. Recruitment

Through the Office of the City Manager, efforts will be made to fill board or commission vacancies as soon as practical. Upon notification of a vacancy, whether planned or unplanned, staff shall inform Council of the status of recruitment efforts to fill the vacancy.

### D. Appointment

Appointments of board and commission members shall be placed on the agenda at a City Council meeting.

The appointment process will be conducted according to one of the following two methods. In the event that one or more Councilmembers participate via teleconference, voting shall be done using individual candidate votes. Otherwise, the choice of methods is at the discretion of the Mayor on a commission-by-commission basis.

#### Individual Candidate Votes:

The Mayor will announce by board or commission each vacancy including its term, and then will read each applicant's name. Council will vote on each applicant. The candidate receiving the most affirmative votes and at least four affirmative votes will be appointed. Should no candidate receive at least four affirmative votes, the vacancy will remain. The process is repeated for each board or commission.

#### ~~Ranked-Choice~~ Paper Votes:

The Mayor will announce each board or commission in an order predetermined by the City Clerk to facilitate a speedy process and to accommodate applicants who specify multiple preferences. The City Clerk will distribute individual voting sheets to be completed by each Councilmember. ~~A ranked vote shall count as an affirmative vote.~~ The candidate receiving the ~~most votes~~ highest ranking and at least four affirmative votes will be appointed. Should no candidate receive at least four affirmative votes, the vacancy will remain.

#### Resolving ties:

Should a tie between the candidates receiving the most affirmative votes occur, the affected applicants will be voted on again. If a tie still remains, and the

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affected applicants each have received at least four affirmative votes, the Mayor would ask the city attorney to draw the name of the person to be appointed.

If vacancies still exist after the appointment process is conducted, staff shall inform Council of alternative courses of action.

### (I) **Exception:**

#### (a) Board of Building Code Appeals

- i. In the event an appeal to be heard by the Board of Building Code Appeals is filed and the board lacks a quorum, the Director of Community Development shall select a temporary board member(s) to hear such an appeal. Any temporarily appointed board member(s) shall hear no more than three appeals within 12 months and shall meet all eligibility requirements as described in this policy.

### E. **Oath of Office**

Each board and commission member, before entering upon the discharge of the duties of his/her office, shall sign the City's Model of Excellence (an attachment to the Code of Ethics document) and take, subscribe to, and file with the city clerk the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of (here inserting the name of office) according to the best of my ability." (*Source: City Charter Section 910*)

After taking the Oath of Office and signing the ~~Code of Ethics~~Model of Excellence in the Office of the City Clerk, each board and commission member shall have the opportunity to receive a ceremonial Oath of Office at a regularly scheduled Council meeting.

### F. **Required Training/Conferences and Disclosure Obligations**

- (I) Mandatory training shall be provided to all board and commission members by the City through the Office of the City Manager, including an orientation session for new members. Training shall be delivered as deemed necessary by the Council and/or city manager and may include topics germane to a specific board or commission and/or training generic to all boards and commissions (e.g. ethics training or "how to run a meeting" for board and commission chairs).

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- (II) Conferences are conducted periodically by outside groups to assist members of boards and commissions in meeting their respective responsibilities more effectively. The City's interests are often served by participation in the educational and training programs offered at the conferences. Each member of City boards and commissions may attend related training and/or conferences, provided that the conference subject matter pertains directly to the function of the board and commission and that funds for this purpose have been budgeted.
- (III) Designated boards and commissions are subject to conflict of interest provisions of the Political Reform Act and must file Statements of Economic Interests. Statements must be filed within 30 days of taking office and thereafter annually, as well as upon leaving office.

California Government Code Section 87200 (the Political Reform Act) specifically applies to:

- Members of the Planning Commission

The City's Conflict of Interest Code requires appointees of designated boards and commissions to file Statements of Economic Interests. The City's Conflict of Interest Code designates members of the following boards and commissions to file Statements of Economic Interests:

- Members of the Board of Building Code Appeals
- Members of the Heritage Preservation Commission
- Members of the Housing and Human Services Commission

### **G. Officers**

#### **(I) Selection of Chair and Vice Chair**

Unless otherwise dictated by City Charter, each board and commission shall, within the month of July each year, or during the next regularly scheduled meeting if a July meeting is not otherwise necessary, elect one of its members as presiding officer, to serve commencing after the end of the meeting, upon completion of mandatory chair training and ideally in time to advise staff on the agenda for the next regularly-scheduled meeting. The Board of Building Code Appeals must meet in July to select a chair and vice chair if no meetings are scheduled in the future. The selection of chair and vice chair shall be the last item on the agenda at the scheduled meeting. All boards and commissions shall select their chair and vice chair in accordance with practices and procedures outlined by the Office of the City Clerk.

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### (II) Chair's Role and Responsibilities

- (a) Attends training in how to be an effective chair prior to assuming the role.
- (b) Presides at meetings of the board or commission, and follows Brown Act requirements for conducting meetings.
- (c) Serves as a liaison to Council at City Council meetings.
- (d) Coordinates the scheduling of special meetings or cancellation of a meeting with the staff liaison.
- (e) Coordinates the setting of the agenda with the staff liaison. Should the chair and the staff liaison disagree regarding the agenda, the city manager shall have final authority subject to appeal to the City Council.
- (f) Board and commission chairs or a designated alternate may always attend Council meetings to present the board or commission's position to Council. However, they must attend Council meetings to present the board or commission's position to Council on any non-consent calendar item previously addressed by the board or commission when only action minutes from the board or commission meeting are available to Council. The chair or designated alternate shall report back to their board or commission on Council's discussion and ultimate decision.
- (g) Counsels and administers verbal reprimands and written warnings to board and commission members who do not comply with City policy.
- (h) Meets with Council in a study session setting on a regular schedule at least annually.~~quarterly or otherwise schedule.~~

### (III) Vice Chair's Role and Responsibilities

- (a) Attends training in how to be an effective vice chair prior to assuming the role.
- (b) Serves as the presiding officer in the absence of the chair.
- (c) Joins board or commission chairs in meetings with Council in a study session setting on a regular schedule at least annually, per Section G.(II)(h).~~quarterly or otherwise schedule.~~

## H. Meetings, Attendance and Quorums (see also Council Policy 7.3.8 Posting of Agendas and Procedure for Confirming Proper Posting and Notice of Meetings)

### (I) Meetings

Each board and commission shall hold regular meetings and special meetings as it may require. All meetings shall be open to the public and

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meet Brown Act requirements (with the exception of certain disciplinary review proceedings of the Personnel Board).

All board and commission meetings shall operate under Parliamentary Procedure. Should this policy and Parliamentary Procedure conflict, this policy shall take precedence.

### (II) **Attendance**

Each member of a City board or commission is expected to attend all regularly scheduled meetings\*, and as many special meetings as possible. When a board or commission member knows in advance that he/she will be absent from a meeting, the member shall give advance notice to the chair and/or staff liaison.

The board/commission chair shall, in consultation with the staff liaison, propose that each absence be “excused” or “unexcused”. Each board or commission shall then determine by general consent (or, failing to achieve general consent, by majority vote) their members’ absences from regularly scheduled meetings as excused or unexcused\*\* and shall include that record in official meeting minutes. Absences from special meetings shall be recorded but shall not be classified as “excused” or “unexcused”.

Unexcused absences from three consecutive regularly scheduled meetings, or from more than 25% of all regularly scheduled meetings over any twelve consecutive month period, shall result in that member’s seat being declared vacant by the city clerk. Any declaration of vacancy based on unexcused absence from more than 25% of all regularly scheduled meetings over any consecutive 12-month period shall be appealable to the City Council. (Declarations based on absence from three consecutive regularly scheduled meetings are Charter-based and are not appealable.)

Board and commission members are responsible for monitoring their own attendance records. Staff shall prepare for the City Council semi-annual reports of all the City’s boards and commissions showing the attendance of each member at both regular and special meetings during the past 12 months. The percent of regularly scheduled meetings attended shall only be shown for board and commission members having been in office at least six months.

Council shall take into consideration board and commission member attendance records, including tardiness, when evaluating the overall performance of board and commission members.

\* *Regularly scheduled meetings* are defined as those in alignment with the general description provided the public as to the times that board or

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commission routinely meets. For example, if the Heritage Preservation Commission is advertised as meeting the first Wednesday of every month, meetings held on these dates only shall be considered “regular meetings”. Any other meetings shall be considered special meetings. Regularly scheduled meeting *dates and times* for all boards and commissions shall be posted on the City’s Web site and in the Boards and Commissions Handbook.

**\*\* *Excused absences*** shall be limited to those which meet both of the following requirements:

- (a) The absent member must have informed the chair and/or the City staff liaison to the board or commission, of their intended absence prior to the scheduled meeting. (Failure to inform the chair or the staff liaison prior to the meeting shall result in an unexcused absence, unless extenuating circumstances prevent advance notice), *and*
- (b) The absence is due to one of the following:
  - i A death in the family,
  - ii Personal illness,
  - iii Board or commission-related business,
  - iv Personal leave (limited to one per fiscal year for those boards/commissions meeting monthly or less frequently and to 10% of regularly scheduled meetings for those meeting more frequently)
  - v Emergency, or
  - vi Decision by member’s supervisor in employment or required military service,
  - vii Maternity leave.

### (III) **Quorums**

Boards and commissions have a quorum present when a majority of their ~~total~~current membership is present. “~~Total~~Current membership” means the number of members provided for when the board or commission was created; i.e., the Planning Commission has a total membership of seven.~~is defined as the official membership, less any seats that are formally vacant through resignation, unfilled vacancy or removal.~~

### (IV) **Majority and Abstentions**

Board and/or commission motions shall be approved by a majority of legal votes cast. Members who fail to vote are presumed to have waived the exercise of their right and to have consented to allow the will of the



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organization to be expressed by those voting. The tabulation of a vote is based on the number of members present *and* voting. Abstentions are not counted, since a member who abstains voluntarily relinquishes his or her vote, and is not counted in the results. (*Source: The Standard Code of Parliamentary Procedure, 4<sup>th</sup> Edition*)

### (V) **Ad-hoc Committees**

Ad-hoc committees may be established as required to facilitate the study of Council-directed or staff-requested initiatives. These committees will be project-specific and will function only for the duration of the project.

## **I. Duties**

Aside from obligations related to attendance and training noted elsewhere in this policy, the general duties for all board and commission members are:

### (I) **General Duties**

#### (a) **Work Plans**

Each board and commission shall create an Annual Work Plan which is a 12-month calendar of the policy issues the board/commission will be acting on during the year.

#### (b) **Study Issues Process**

The Study Issues process is designed to assist City Council with setting priorities for the coming calendar year. Board and commission members have two roles in this process:

- To advise Council regarding the identification of policy issues to study
- To advise Council on those issues Council has decided to study

Within one month of origin, new study issue papers sponsored by Council or a board or commission will be presented to respective boards or commissions, or at the next regular meeting of the respective board or commission.

#### (c) **Budget**

Board and commission members have two roles in the budget process:

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- To advise Council regarding the identification of budget issues
- Provide Council a recommendation regarding the city manager's recommended budget for content under the purview of their board or commission.

### (d) Operational Issues

Board and commissions may serve as advisory bodies to staff regarding operational issues upon request by staff.

## (II) **Specific Duties**

### (a) Arts Commission

- i Review those portions of master plans of park or facility development or expansion which relate to the arts, for adequacy, appearance and other appropriate criteria, in an attempt to ensure good design and then make recommendations to City Council.
- ii Review and make recommendations on the Arts Sub-Element of the General Plan.
- iii Review and make recommendations regarding agreements with arts-related outside groups and recommend funding allocations.
- iv Make policy recommendations regarding the purchase of art for public buildings and for art in private development in accordance with Council Policy 6.4.3. *Art in Private Development*.
- v Study the regional and state Arts Master Plans and make recommendations to the City Council.

### (b) Bicycle and Pedestrian Advisory Commission

- i Recommend priorities for bicycle and pedestrian projects for the annual TDA Article 3 funding application cycle.
- ii Participate in periodic review and revision of the Bicycle Plan and Map.
- iii Review and make recommendations on changes to the Sunnyvale Municipal Code related to bicycles and pedestrians.
- iv Review and make recommendations on Federal, State and regional policy proposals related to bicycles and pedestrians.
- v Develop recommendations on promotion of bicycling and walking as viable, sustainable means of transport.
- vi Review and make recommendations on the applicable sections of the General Plan.

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- (c) Board of Building Code Appeals
  - i Consider and make determinations on appeals of building code decisions made by the Chief Building Official or Fire Marshal. (*Source: Sunnyvale Municipal Code Chapter 16.16.020*)
  - ii Consider and make determinations on appeals of green building requirements made by the director of community development. (*Source: Sunnyvale Municipal Code Chapter 19.39*)
- (d) Board of Library Trustees
  - i Review and make recommendations on the Library Sub-Element of the General Plan.
  - ii Assess community conditions which affect Library goals and policies.
  - iii Review and make recommendations regarding agreements with outside groups and recommend funding allocations.
- (e) Heritage Preservation Commission
  - i Act in an advisory capacity to the City Council in all matters pertaining to heritage resources, landmark sites and landmark districts. (*Source: City Charter Section 1016*)
  - ii Exercise such functions with respect to any heritage resource, landmark site or landmark district as may be prescribed by ordinance. (*Source: City Charter Section 1016*)
  - iii Decision-making authority on resource alteration permits and landmark alteration permits as well as actions to remove a heritage resource from the list of heritage resources. These decisions are final unless appealed to the City Council.
  - iv Final decision-making authority on appeals of staff decisions of minor landmark and resources alteration permits.
  - v Recommendations to City Council on new heritage resource and landmark sites and districts (including buildings, landscapes, and other artifacts that are considered significant in Sunnyvale's history).
  - vi Recommendation to the City Council on Heritage Housing and other heritage zoning districts.
  - vii Participation in the development and promotion of museums and City archives.
- (f) Housing and Human Services Commission
  - i Review and make recommendations on the Housing and Community Revitalization Sub-Element and Socioeconomic Element of the General Plan.
  - ii Review proposed funding policies and grant applications by eligible housing and human service\* agencies for Community Development Block Grant (CDBG) HOME and/or other

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available funds for public services and/or housing projects, and make funding recommendations to Council in response to the proposals received.

- iii Hold public hearings on draft HUD Consolidated Plans and Annual Action Plans to receive public input and provide recommendations to Council regarding the content of those plans.
- iv In the interest of efficiency and certainty of the land use planning and development process, the Housing and Human Services Commission shall not be involved formally in matters within the responsibility of the Sunnyvale Planning Commission, as defined by State law and the Charter and ordinances of the City of Sunnyvale, in any manner that would delay or interfere with consideration of land use permit applications or legislative decisions affecting particular properties. The commission shall not be formally involved in issues pertaining directly to current or future human services programs which are directly provided by, co-sponsored by, or relate directly (in the case of outside funding) to the programs provided by City departments for which the Council has established an advisory board or commission, unless dual responsibility therefore is explicitly authorized by a City Council-approved Agenda Calendar or work plan.
- v Study, evaluate and recommend policies relating to human rights and human relations issues related to housing and human services\* in Sunnyvale.

\*human services as defined by Council Policy 5.1.3

### (g) Parks and Recreation Commission

- i Study, evaluate and recommend to the City Council policies relating to parks and recreation activities, such as:
  - Community center use policy
  - Park building use policy
  - Picnic facility use policy
  - License agreements
- ii Review master plan of park development or expansion for adequacy, appearance and other appropriate criteria in an attempt to assure good design and make recommendations to the Council.
- iii Review and make recommendations regarding agreements with parks and recreation related outside groups and recommend funding allocations.
- iv Study, evaluate and recommend to the City policies relating to human rights and human relations issues that may arise when

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addressing issues such as inclusion in the use of City parks and recreation facilities, program accessibility and cultural diversity.

### (h) Personnel Board

- i Hear appeals of any officer or employee in the Classified Service who is reclassified, suspended, demoted or removed, and report its finding to the City Council and City Manager; the findings and conclusions of the Personnel Board shall be final and no appeal may be taken therefrom. (*Source: City Charter Section 1008*)
- ii After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of the civil service rules and regulations. (*Source: City Charter Section 1008*)
- iii Perform such other duties with reference to personnel administration, not inconsistent with this Charter, as the City Council may require by ordinance. (*Source: City Charter Section 1008*)

### (i) Planning Commission

- i After a public hearing thereon, recommend to the City Council the adoption, amendment, or repeal of Master, General, or Precise Plans, or any part thereof, for the physical development of the City. (*Source: City Charter Section 1010*)
- ii Exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by ordinance. (*Source: City Charter Section 1010*)
- iii Exercise such other functions as now or may be hereafter authorized by the provisions of Title 7 entitled “Planning” of the Government Code of California, or as hereafter amended or added to, insofar as they do not conflict with the provisions of the Charter. (*Source: City Charter Section 1010*)
- iv Decision-making authority on a variety of discretionary land use applications (e.g. use permits, special development permits, variances, specified design reviews, tentative maps and appeals of decisions of the Zoning/Administrative Hearing Officer). These decisions are final unless appealed to the City Council.
- v Final decision-making authority on appeals of staff decisions on minor land use applications (e.g. Tree Removal Permits, Miscellaneous Plan Permits).
- vi Provide recommendations to City Council on legislative actions such as zoning code amendments, rezoning of property, amendments to the General Plan, and new and

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revised specific plans as well as related applications considered at the same time as a legislative action.

- vii Review and make recommendations on the entire General Plan (all Elements and Sub-elements) as updates and amendments are considered.
- viii Review and act on environmental documents in compliance with the California Environmental Quality Act (CEQA), when related to any of the above actions.

### (j) Sustainability Commission

- i. Advise Council on policy issues addressing sustainability goals.
- ii. Advise Council on how to strategically accelerate Sunnyvale's progress towards sustainability and recommend priorities, in order to promote continued regional leadership in sustainability.
- iii. Periodically review policies governing specific practices, such as greenhouse gas (GHG) emissions reduction, water conservation, renewable energy, energy efficiency, waste reduction, and urban forestry. Illustrative examples include creation of infrastructure for low emission vehicles, habitat restoration and conservation, biodiversity preservation, and reduction of toxics in the waste stream.
- iv. Advise Council on ways to drive community awareness, education, and participation in best practices.
- v. Review and make recommendations to Council on Federal, State and regional policies related to sustainability which impact Council's goals and policies.

### (III) Additional Duties

Additional duties may be conferred upon specific boards and/or commissions by the City Council. These shall be memorialized via the City Charter or by revision to this policy.

## **J. Interaction with City Council, Public, Staff, and other Board and Commission Members**

The city manager shall appoint a staff liaison to support each board and commission.

In addition to their role as advisors to the Council, boards and commissions serve as liaisons between the City and the general public regarding issues under their purview at City sponsored meetings or events. Each board and commission functions as a communication link between the community and the City,

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explaining City programs and recommendations, advocating established City policy and services, as well as providing a channel for citizen expression.

Outside of official board or commission meetings, individual board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose. In private settings, board and commission members may communicate at any time and on any subject with individual members of the City Council, and may express to them individual viewpoints and opinions. In public, however, all members shall represent the official policies or positions of their board or commission, with the following exception: during a Council public hearing on any item addressed by the board or commission, any member may speak under standard time limits, but shall indicate whether their testimony represents an official position (majority opinion) or a minority opinion of the board/commission to which they belong. The chair shall represent the majority view of the board or commission, but may report on any minority views as well, including his or her own. When an official board or commission position differs from staff's recommendation on a particular policy issue, then at the Mayor's discretion additional time may be provided to the chair of the board or commission (or his/her designee) to explain the position of the board/commission or to rebut statements made by staff or the public. If new information is brought to light during a public hearing which was not shared previously with the board or commission, the Mayor may allow the board or commission chair to respond. If the Council deems the new information sufficient to warrant additional study, then by majority vote Council may remand the issue back to the board or commission for further study prior to taking other action itself. (*Source: Code of Ethics and Conduct for Elected and Appointed Officials*)

Individual opinions and positions may be expressed by board and commission members regarding items that have not come before the particular board/commission to which they belong. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do. (*Source: Code of Ethics and Conduct for Elected and Appointed Officials*)

Although a board or commission may disagree with the final decision the Council makes, the board or commission shall not act in any manner contrary to the established policy adopted by the Council. (*Source: Code of Ethics and Conduct for Elected and Appointed Officials*)

Board and commission members shall adhere to the City's Code of Ethics and Conduct for Elected and Appointed Officials. Council conduct with boards and commissions is also covered in the City's Code of Ethics and Conduct for Elected and Appointed Officials.



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Council shall be kept informed of the activities of boards and commissions by virtue of the board and commission minutes.

Council shall conduct regular joint meetings with Chairs and Vice Chairs per paragraph G.(II)(h) with the intention to review and improve overall effectiveness of commission meetings.

Council shall consider joint study sessions with boards and commissions as warranted.

Council shall encourage members of the public to submit issues and/or concerns to the appropriate board or commission prior to Council considering the matter.

*(Source: Community Engagement Sub-Element 7.2C.5(a))*

Board and commission members with individual concerns of a non-operational nature may seek guidance in any of the following ways:

- (I) Consult with the board/commission chair. If possible, this is the preferred course of action.
- (II) Consult with the Mayor.
- (III) Consult with another Councilmember.

When a commission has questions about the commission's duties or the interpretation of Council policy, the commission may direct an inquiry to:

- (I) The Mayor.
- (II) The Council Subcommittee on Bylaws.
- (III) The full Council.

When sharing public correspondence with boards and commissions, staff shall be guided by the following principles:

- Facilitate communication of information on policy issues from the public to the boards and commissions
- Adhere to the law and Council policy (the two Council policies that most relate to this issue are: "Outside of official b/c meetings, individual b/c members are not authorized to represent the City or their b/c unless specifically designated by the Council or the b/c to do so for a particular purpose", and "Boards and commissions may serve as advisory bodies to staff regarding operational issues upon request by staff.")
- Treat all the City's boards and commissions equitably
- Provide all boards and commissions the information needed to do their jobs

## COUNCIL POLICY MANUAL

- Avoid misleading the public
- Utilize staff time efficiently and effectively

### **K. Recognition**

An annual event to recognize the service of all board and commission members, as well as citizens serving on special Council ad-hoc committees, shall be coordinated through the Office of the City Manager.

Outgoing board and commission members who have served their full term shall receive a certificate of appreciation and a small memento of appreciation. The type of certificates and mementos provided are at the discretion of the Office of the City Manager, shall not exceed the gift limit established by the Fair Political Practices Commission in effect at the time, and will be suitable for the occasion.

### **L. Resignation/Completion of Term**

When a board or commission member resigns from his or her seat, the member shall notify the Mayor in writing (email, fax or letter), with copies to the staff liaison, city clerk and city manager, indicating the effective date and the reason(s) for resignation. When the resignation notice is received by the Office of the City Clerk, staff shall notify Council of the resignation and the status of recruitment efforts to fill the vacancy.

Upon resignation or completion of board or commission assignment, individuals shall not represent themselves further as a board or commission member.

### **M. Sanctions**

Counseling, verbal reprimands and written warnings may be administered by the Mayor to board and commission members failing to comply with City policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective board or commission, the city clerk, the city attorney, the city manager, and the City Council. Written reprimands administered by the Mayor shall not be included in packets for public meetings and shall not be publicized except as required under the Public Records Act. (*Source: Code of Ethics and Conduct for Elected and Appointed Officials*)

Any form of discipline involving formal censure, or affecting board or commission member status (i.e., removal from office or removal of chairperson status), shall be imposed by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation. The Report to Council shall be distributed in

## COUNCIL POLICY MANUAL

accordance with normal procedures, including hard copies to numerous public facilities and posting online. Any Report to Council addressing alleged misconduct by a board or commission member shall be routed through the Office of the City Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

### **N. Investigations**

When deemed warranted, the Mayor or majority of Council may call for an investigation of board or commission member conduct. Should the city manager or city attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the city manager and/or the city attorney to investigate the allegation and report the findings.

The results of any such investigation shall be provided to the full Council in the form of a Report to Council, and shall be placed on the agenda of a noticed public meeting as “Information Only”. Any such report shall be made public and distributed in accordance with normal procedures (i.e., hard copies to numerous public locations and posted online). Any report to Council addressing the investigation of board and commission members shall be routed through the Office of the City Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

It shall be the Mayor and/or the Council’s responsibility to determine the next appropriate action. These actions include, but are not limited to: take no further action; discussing and counseling the individual on the violations; placing the matter on a future public hearing agenda to consider sanctions; forming a Council ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Council consideration.

### **O. Removal**

The members of each board or commission shall be subject to removal by motion of the City Council approved by at least four affirmative votes, for the following reasons:

- (I) Failure to maintain eligibility requirements
- (II) Failure to take the required Oath of Office
- (III) Failure to complete required training
- (IV) Failure to meet attendance requirements
- (V) Failure to fulfill board or commission duties
- (VI) Failure to adhere to Council policy governing boards and commission member interaction with City Council, the public, staff, and/or other board or commission members.

## COUNCIL POLICY MANUAL

### (VII) Violation of Code of Ethics and Conduct

#### **P. Administrative Policies**

The city manager shall have full authority to develop and implement any administrative policies and practices deemed necessary to support the operation of all boards and commissions.

#### **Q. Council Liaisons to Boards and Commission**

The City Council shall appoint one councilmember to serve as a council liaison to each board and commission, except for the Planning Commission, the Personnel Board, and the Board of Building Code Appeals. Appointments shall change every six months, with the roster established annually as part of the City Council intergovernmental relations appointment process. The method of assignment shall be automatic rotation using seat numbering and alphabetic ordering of commissions. Attendance at board or commission meetings by the council liaison is encouraged but not mandatory. Council liaisons may informally arrange for a council alternate when scheduling conflicts arise.

During a board or commission meeting, the Council liaison shall serve a role similar to that of the staff liaison. The primary responsibility for providing information to boardmembers or commissioners belongs to the staff liaison, but the council liaison may provide additional information at the request of the chair when questions fall beyond the scope of staff's expertise. The council liaison may raise points of order when procedural issues arise.

During board or commission meetings, authority resides with the board or commission chair. Council liaisons shall refrain from:

- i. Interfering with the smooth operation of board or commission meetings
- ii. Acting in a manner that undermines the chair's authority
- iii. Participating in policy discussions except when providing factual information at the request of the chair
- iv. Speaking on behalf of the full Council without appropriate authority
- v. Acting as spokesperson for the board or commission.

When questions or concerns arise regarding the conduct of a council liaison, the chair of the board or commission should consult with the Mayor for possible resolution. When the liaison in question is the Mayor, the chair should consult with the Vice Mayor for possible resolution.

#### **R. Bylaw Revisions**

## COUNCIL POLICY MANUAL

Boards and commissions may craft additional bylaw provisions specific to themselves as long as they do not conflict with Sections A through P above. Any additional bylaw provisions must be approved by the City Council.

### **S. Council Subcommittee**

A standing subcommittee of three members of City Council shall review all bylaw revisions. The role of the subcommittee shall be to review the proposed bylaws before consideration for action by the full Council. Subcommittee meetings are subject to Brown Act noticing requirements.

((Adopted: RTC 07-148 (5/1/07); clarity update 9/21/07; Revised by RTC 08-043 (2/12/08) in accordance with Council action on 11/27/07 and 1/29/08; Revised by RTC 08-294 (10/14/08); Revised by RTC 09-047 (2/24/09); Revised by RTC 09-098 (5/12/09); clerical update (5/15/09); Revised by RTC 09-315 (12/15/09); Revised by RTC 10-143 (5/25/10) in accordance with Council action on 3/23/10; Revised by RTC 10-217 (8/31/10); Revised by RTC 10-249 (9/14/10); Revised by Resolution 458-10 (11/9/10); Revised by RTC 11-009 (1/25/11) in accordance with Council action on 12/7/10; Amended: RTC 11-184 (8/23/2011); Amended by Council action (9/13/2011); Amended by Council action (12/6/2011); Revised by RTC 12-010 (2/7/2012); Amended by Council action, Item #5 (5/15/2012))

Lead Department: Office of the City Manager



# City of Sunnyvale

## Agenda Item

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15-0070

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### **SUBJECT**

City Legislative Advocacy Position to Increase Disclosure Statement Requirements for Political Advertisements

#### **BACKGROUND**

This report is presented at the request of the Mayor to provide the Council with an opportunity to establish a legislative advocacy position supporting efforts for greater transparency in political advertisements.

In 2012, the Council voted to support AB 1648 (Brownley) which attempted to make changes to required disclosures on campaign advertisements and mailers. That measure failed to pass out of the Senate. Similarly, in 2013, SB 52 (Leno and Hill), known as the DISCLOSE Act, failed in the State Assembly's final voting period of the legislative session. The bill would have required all political advertisements to prominently display the names of their three biggest funders.

In the past, regarding this topic, Council has taken positions on specific legislation. Although staff does not make a recommendation on whether or not the Council should take a position on this topic, it does urge Council to establish a long-term policy rather than specifically endorse a certain measure. That approach will enable Council and staff to perform advocacy in the future without having to return to Council for specific approval.

#### **EXISTING POLICY**

**Council Policy 7.4.14 Legislative Advocacy Positions:** The LAP is utilized by Councilmembers and staff throughout the year to determine City positions on legislation and intergovernmental issues and minimizes the need for staff to request direction from Council on legislation and issues as they arise.

#### **ENVIRONMENTAL REVIEW**

N/A

#### **DISCUSSION**

Legislation has once again been introduced at the State Capitol which would pursue additional regulations and requirements regarding funding sources of political advertisements. AB 700 (Levine and Gomez) is one such bill, which would require significantly greater transparency in political ads. The bill requires the top three funders of ballot measure ads to be shown clearly and unambiguously on the ads themselves. It also requires that the funders disclosed on ads be the original sources of the contributions to the committee that paid for the ad, regardless if funds went through other committees or organizations.

According to the National Institute on Money in State Politics, over \$640 million was spent on ballot measures alone in the last two election cycles in California. Most of it was spent by committees, without disclosure of the true funders, by using committee names such as "Stop Special Interest Money Now" or "Californians Against Higher Health Care Costs".

**FISCAL IMPACT**

No fiscal impact as a result of the action taken via this report.

**PUBLIC CONTACT**

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

**ALTERNATIVES**

1. Direct staff to establish a City Legislative Position to Increase Disclosure Statement Requirements for Political Advertisements.
2. Other direction by Council.

**STAFF RECOMMENDATION**

Staff makes no recommendation.

Although staff does not make a recommendation on whether or not the Council should take a position on this topic, it does urge Council to establish a long-term policy rather than specifically endorse a certain measure. This approach will enable Council and staff to perform advocacy in the future without having to return to Council for specific approval.

Prepared by: Yvette Blackford, Senior Management Analyst

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager





# City of Sunnyvale

## Agenda Item

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**15-0448**

**Agenda Date:** 4/21/2015

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**SUBJECT**

Ratification of Intergovernmental Assignment Appointment for Councilmember Jim Davis

**STAFF RECOMMENDATION**

Staff makes no recommendation.

**ATTACHMENT**

1. Letter from Cities Association of Santa Clara Valley to the Association of Bay Area Governments



P.O. Box 1079  
Los Gatos, CA 95031

Ceil Scandone  
Association of Bay Area Governments  
P.O. Box 2050  
Oakland, CA 94604-2050

Dear Ms. Scandone:

The City Selection of Santa Clara County met on April 9, 2015, and appointed Councilmember Jim Davis of Sunnyvale, to an ongoing term on the ABAG Hazardous Waste Management Facility Allocation Committee.

Please send correspondence to:

Council Member Jim Davis  
City of Sunnyvale  
P.O. Box 3707  
Sunnyvale, CA 94088-3707  
Phone: 408-992-1863

A copy of the City Selection Committee Minutes is attached.  
If there are any questions regarding this appointment, please call me at (408) 766-9534.

Sincerely,

Raania Mohsen  
Executive Director  
Cities Association of Santa Clara County

Cc: Jason Baker, President, Cities Association of Santa Clara County  
Council Member Jim Davis, City of Sunnyvale  
Kathleen Franco Simmons, City Clerk, City of Sunnyvale  
Dusty Christopherson, Deputy Clerk, SCC Board of Supervisors



# City of Sunnyvale

## Agenda Item

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**15-0041**

**Agenda Date:** 4/21/2015

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Tentative Council Meeting Agenda Calendar



# City of Sunnyvale

## Tentative Council Meeting Agenda Calendar

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### Tuesday, April 28, 2015 - City Council

#### **Closed Session**

- 15-0150** 6 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of Human Resources; Deanna J. Santana, City Manager  
Employee organization: Public Safety Managers Association (PSMA)  
Employee organization: Public Safety Officers Association (PSOA)  
Employee organization: Sunnyvale Employees Association (SEA)  
Employee organization: Sunnyvale Managers Association (SMA)

#### **Special Order of the Day**

- 15-0230** SPECIAL ORDER OF THE DAY - Department of Public Safety Special Awards
- 15-0318** SPECIAL ORDER OF THE DAY - 2015 Green Business Certification Recipients

#### **Public Hearings/General Business**

- 14-0030** Peery Park Specific Plan - Draft Project Description, Draft Vision, Guiding Principles, Goals and Policies and Conceptual Policy Framework Diagrams and Maps
- 14-0034** Biological Constraints and Opportunities Analysis for the Sunnyvale Landfill and Baylands Park and Protecting Burrowing Owl Habitat on City Facilities (Study Issue)
- 15-0103** Conduct Protest Hearing and Adopt a Resolution of the City of Sunnyvale to Levy an Annual Assessment for the Downtown Sunnyvale Business Improvement District

### Tuesday, May 5, 2015 - City Council

#### **Closed Session**

- 15-0442** 5 P.M. Closed Session held pursuant to California Government Code Section 54956.8:  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Properties: 396 Charles Avenue; 397 S. Mathilda Avenue, 402 Charles Avenue; 403 S. Mathilda Avenue

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Agency negotiators: Deanna J. Santana, City Manager; Kent Steffens, Assistant City Manager  
Negotiating Parties: Paul Elkins (Trustee), Christy Kramer (Trustee), Michael and Cynthia Sorci (Trustees), and Toll Brothers Inc. (Optionee)  
Under negotiation: Price and terms of a potential purchase

- 15-0151** 5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of Human Resources; Deanna J. Santana, City Manager  
Employee organization: Public Safety Managers Association (PSMA)  
Employee organization: Public Safety Officers Association (PSOA)  
Employee organization: Sunnyvale Employees Association (SEA)  
Employee organization: Sunnyvale Managers Association (SMA)

**Special Order of the Day**

- 15-0432** SPECIAL ORDER OF THE DAY - Teen Self-Esteem Month Proclamation Presentation

**Public Hearings/General Business**

- 15-0439** Address Golf and Tennis Operations Fund Deficit in FY 2014/15 and Approval of Budget Modification No. 44
- 15-0156** Review and Approve Draft 2015-20 Consolidated Plan
- 15-0158** Consider Housing and Urban Development (HUD) Action Plan for FY 2015-16
- 15-0213** Acknowledge the Department of Public Works' amendments to the Operational Standards for Acceptance of Land for Park Purposes
- 15-0245** Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Primary Treatment Facility Project at the Water Pollution Control Plant; Provide an Update on Equipment Purchasing; and Approval to Proceed with the Project
- 15-0431** Award of a Contract for Water Pollution Control Plant Construction Management Services (F15-40)

**Tuesday, May 12, 2015 - City Council**

**Study Session**

- 15-0370** 4:30 P.M. SPECIAL COUNCIL MEETING (Study Session)  
JOINT STUDY SESSION WITH PLANNING COMMISSION  
Regulating Short-term Residential Rental Units (Study Issue)
- 15-0371** 5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

**Presentation**

**14-0272** PRESENTATION - Community Choice Energy

**Public Hearings/General Business**

**15-0343** Approve Changes to the Council Policy on Council Travel and Conferences

**15-0379** File #: 2014-7624  
Location: 1026 Lois Avenue (APN: 198-34-011)  
Zoning: R-0  
Proposed Project:  
Appeal by a neighbor of a Planning Commission Decision approving a DESIGN REVIEW to allow construction of a new two-story home with a total floor area of 2,993 square feet (2,566 square feet living area and a 427-square foot garage) resulting in 49.8% floor area ratio (FAR).  
Applicant / Owner: BO Design (applicant) / Haiyan Gong (owner)  
Environmental Review: A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Wednesday, May 13, 2015 - City Council**

**Study Session**

**15-0062** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Board and Commission Interviews

**Monday, May 18, 2015 - City Council**

**Study Session**

**15-0380** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Board and Commission Interviews

**Tuesday, May 19, 2015 - City Council**

**Closed Session**

**15-0152** 4:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of Human Resources; Deanna J. Santana, City Manager  
Employee organization: Public Safety Managers Association (PSMA)  
Employee organization: Public Safety Officers Association (PSOA)  
Employee organization: Sunnyvale Employees Association (SEA)  
Employee organization: Sunnyvale Managers Association (SMA)

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## **Study Session**

**15-0164**            5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)  
JOINT STUDY SESSION WITH PLANNING COMMISSION  
Land Use and Transportation Element (LUTE)  
Location: Council Chambers

## **Special Order of the Day**

**15-0115**            SPECIAL ORDER OF THE DAY - "Schools Goin' Green" Grant Program  
Presentation

**15-0434**            SPECIAL ORDER OF THE DAY - Public Works Week Proclamation  
Presentation

## **Public Hearings/General Business**

**15-0063**            Appoint Applicants to Boards and Commissions

**15-0055**            Introduction of Local Hiring Ordinance

**15-0114**            Adopt Success Criteria for the Civic Center Modernization Project

**15-0440**            File #: 2014-8023  
Location: 787 N. Mary Avenue (APN: 165-40-003)  
Zoning: MS  
Proposed Project:     Application for a project on a 4.02-acre site:  
USE PERMIT to allow a new 54-foot tall wireless facility (mono-eucalyptus)  
in the parking lot of an industrial site.  
Applicant / Owner: Verizon Wireless (applicant) / North Mary, LLC (owner)  
Environmental Review: Negative Declaration

## **Thursday, May 21, 2015 - City Council**

## **Public Hearings/General Business**

**15-0064**            8:30 A.M. SPECIAL COUNCIL MEETING  
Budget Workshop

## **Tuesday, June 9, 2015 - City Council**

## **Closed Session**

**15-0153**            5 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section  
54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of Human  
Resources; Deanna J. Santana, City Manager  
Employee organization: Public Safety Managers Association (PSMA)



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Employee organization: Public Safety Officers Association (PSOA)  
Employee organization: Sunnyvale Employees Association (SEA)  
Employee organization: Sunnyvale Managers Association (SMA)

**15-0096**      6 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section  
54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager

Closed Session held pursuant to California Government Code Section  
54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: City Council Compensation  
Subcommittee  
Unrepresented Employee: City Manager

**Special Order of the Day**

**15-0065**      SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and  
Commission Members

**Public Hearings/General Business**

**15-0301**      Public Hearing - Annual Review of Fees and Charges for Fiscal Year  
2015/16

**15-0302**      Proposed FY 2015/16 Rates for Water, Wastewater, and Solid Waste  
Utilities for Services Provided to Customers Within and Outside City  
Boundaries

**15-0303**      Annual Public Hearing on FY 2015/16 Budget and Resource Allocation  
Plan and Establishment of Appropriations Limit

**15-0421**      Community Choice Energy

**Tuesday, June 23, 2015 - City Council**

**Closed Session**

**15-0154**      4 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section  
54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of Human  
Resources; Deanna J. Santana, City Manager  
Employee organization: Public Safety Managers Association (PSMA)  
Employee organization: Public Safety Officers Association (PSOA)  
Employee organization: Sunnyvale Employees Association (SEA)  
Employee organization: Sunnyvale Managers Association (SMA)

**15-0097**      5 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section

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54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Attorney

Closed Session held pursuant to California Government Code Section  
54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: City Council Compensation  
Subcommittee  
Unrepresented Employee: City Attorney

**Study Session**

**15-0116** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Results of Civic Center Space Planning and Market Analysis Studies

**Public Hearings/General Business**

**15-0184** 2015 2nd Quarterly Consideration of General Plan Amendment Initiation  
Requests

**15-0207** Introduce an Ordinance to Approve Two New Affordable Housing Fees -  
Commercial Linkage Fee and Rental Impact Fee

**15-0304** Adopt FY 2015/16 Budget, Fee Schedule, and Appropriations Limit

**Tuesday, July 14, 2015 - City Council**

**Public Hearings/General Business**

**15-0365** Adopt a Resolution to Approve the Annual Engineer's Report and to Levy  
Annual Assessment for The Downtown Parking Maintenance District  
Assessment for Fiscal Year 2015-2016

**Tuesday, July 28, 2015 - City Council**

**Public Hearings/General Business**

**15-0388** Design Review Guidelines for Parking Structures (Study Issue)

**Tuesday, August 11, 2015 - City Council**

**Study Session**

**15-0443** 5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Civic Center Site Design and Land Use Alternatives

**Public Hearings/General Business**

**15-0390** Appropriate Locations for Child Care Facilities (Study Issue)

**Tuesday, August 18, 2015 - City Council**

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**Public Hearings/General Business**

**15-0067** TBD - meeting to be held only if necessary

**Tuesday, August 25, 2015 - City Council**

**Study Session**

**15-0071** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Board and Commission Interviews (as necessary)

**Public Hearings/General Business**

**15-0373** Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab  
Franchise Regulations (Study Issue)

**Tuesday, September 15, 2015 - City Council**

**Public Hearings/General Business**

**15-0072** Appoint Applicants to Boards and Commissions (as necessary)

**15-0369** League of California Cities Peninsula Division 2016 Election of Officers

**Tuesday, September 22, 2015 - City Council**

**Public Hearings/General Business**

**15-0073** TBD - meeting to be held only if necessary

**Tuesday, September 29, 2015 - City Council**

**Study Session**

**15-0444** 5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Review Civic Center Community Workshop Results and Land Use  
Opportunities and Constraints

**Special Order of the Day**

**15-0074** SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and  
Commission Members (as necessary)

**Tuesday, October 6, 2015 - City Council**

**Public Hearings/General Business**

**15-0075** TBD - meeting to be held only if necessary

**Tuesday, October 13, 2015 - City Council**

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## **Public Hearings/General Business**

**15-0185**                      2015 3rd Quarterly Consideration of General Plan Amendment Initiation Requests

**Tuesday, October 27, 2015 - City Council**

## **Public Hearings/General Business**

**15-0077**                      Agenda items pending - To be scheduled

**Tuesday, November 10, 2015 - City Council**

## **Study Session**

**15-0078**                      6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Board and Commission Interviews (as necessary)

**Tuesday, November 17, 2015 - City Council**

## **Study Session**

**15-0166**                      6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Discussion of Council 2016 Intergovernmental Relations Assignments

## **Public Hearings/General Business**

**15-0079**                      Appoint Applicants to Boards and Commissions (as necessary)

**15-0392**                      Evaluate Timing of Park Dedication In-Lieu Fee Calculation and Payment  
(Study Issue)

**15-0445**                      Civic Center Land Use and Financing Strategies

**Tuesday, December 1, 2015 - City Council**

## **Closed Session**

**15-0098**                      6 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager

Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: City Council Compensation Subcommittee  
Unrepresented Employee: City Manager

## **Special Order of the Day**

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**15-0359** SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members (as necessary)

**Tuesday, December 15, 2015 - City Council**

**Closed Session**

**15-0099** 6 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Attorney

Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: City Council Compensation Subcommittee  
Unrepresented Employee: City Attorney

**Public Hearings/General Business**

**15-0383** Prohibit Smoking inside All Units and in Common Areas of Multi-Family Residences and Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses (Study Issue)

**Tuesday, January 5, 2016 - City Council**

**Public Hearings/General Business**

**15-0082** Agenda items pending - To be scheduled

**Tuesday, January 12, 2016 - City Council**

**Public Hearings/General Business**

**15-0083** Agenda items pending - To be scheduled

**Friday, January 29, 2016 - City Council**

**Public Hearings/General Business**

**15-0084** 8:30 A.M. SPECIAL COUNCIL MEETING  
Study/Budget Issues Workshop

**Tuesday, February 9, 2016 - City Council**

**Public Hearings/General Business**

**15-0085** Agenda items pending - To be scheduled

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**Tuesday, February 23, 2016 - City Council**

**Public Hearings/General Business**

**15-0086**                      Agenda items pending - To be scheduled

**Date to be Determined - City Council**

**Public Hearings/General Business**

**14-0035**                      Pilot Bicycle Boulevard Project on East-West and North-South Routes  
(Study Issue)

**14-0273**                      Optimization of Wolfe Road for Neighborhood and Commuters via  
Reconfiguration and Signalization (Study Issue)

**14-0429**                      Resolution Forming Homestead Road Underground Utility District - Public  
Hearing

**15-0186**                      2015 4th Quarterly Consideration of General Plan Amendment Initiation  
Requests



# City of Sunnyvale

## Agenda Item

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**15-0214**

**Agenda Date: 4/21/2015**

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Information/Action Items



**2015 INFORMATION/ACTION ITEMS**  
**COUNCIL DIRECTIONS TO STAFF**

No.	Date Assigned	Directive/Action Required	Dept	Due Date	Date Completed
1.	2/25/14	Schedule Rule 20A Resolution for future Council agenda	DPW	TBD	
2.	1/6/15	When presenting Investment Policy to Council this coming fall, include option to preclude direct investment in fossil fuels	FIN	October 2015	

**NEW STUDY/BUDGET ISSUES  
SPONSORED BY COUNCIL IN 2015**

No.	Date Requested	Study Issue Title	Requested By	Dept	Issue Paper Approved by City Manager
1.	3/17/15	Draft a 2016 study issue paper to discuss the concept of using bond money to build affordable housing	Davis/ Whittum	CDD	



# City of Sunnyvale

## Agenda Item

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15-0397

Agenda Date: 4/21/2015

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### REPORT TO COUNCIL

#### **SUBJECT**

Minimum Wage Regional Update (Information Only)

#### **BACKGROUND**

On October 28, 2014, Council adopted a Minimum Wage Ordinance for the City of Sunnyvale. The ordinance includes the following provisions:

- Applies to employers that maintain a place of business in Sunnyvale and/or provide goods/services within city limits
- Sunnyvale's minimum wage is \$10.30 per hour as of January 1, 2015
- Beginning January 1, 2016, and every January 1 thereafter, the rate will adjust by an amount corresponding to the prior year's Consumer Price Index (CPI)

In addition to adopting the minimum wage ordinance, Council directed staff to work with neighboring cities, specifically the City of Mountain View, and regional organizations with the goal of reaching a \$15.00 per hour minimum wage by 2018.

Staff used numerous tools to notify employers and employees about the City's new minimum wage. Staff used social media, the City's Web page, sent press releases to English, Spanish, and Chinese language media outlets, and included the new minimum wage rate on the business license renewal forms. In the three months that the ordinance has been in effect, two formal complaints have been received. One complaint was deemed unsupported as the investigation found no violation. The other complaint was determined to be a minimum wage violation and staff is in the process of determining the amount of back wages owed.

#### **DISCUSSION**

There have been several new minimum wage efforts at the local, regional, and State levels since Council adopted the Minimum Wage Ordinance.

In December 2014, Senator Mark Leno introduced Senate Bill (SB) 3 to raise the State's current minimum wage of \$9.00 per hour to \$11.00 per hour effective January 1, 2016 and \$13.00 on January 1, 2017. Beginning on January 1, 2019, the minimum wage would be adjusted annually by the rate of inflation. SB 3 is currently awaiting a hearing date in the Senate Labor and Industrial Committee.

Voters in San Francisco and Oakland approved measures to increase the minimum wage. In San Francisco, voters approved Proposition J which increased San Francisco's minimum wage to \$11.05 per hour effective January 1, 2015, and gradually increasing it to \$15.00 per hour by July 1, 2018. Voters in Oakland approved Measure FF which increased the minimum wage to \$12.25 effective

March 2, 2015, with annual adjustments each January 1.

Staff in Palo Alto, Campbell, and Santa Clara are exploring a minimum wage increase similar to the increase approved/adopted in San Jose, Mountain View, and Sunnyvale. The City of Campbell has a study session planned for May 2015 to discuss the minimum wage issue. Palo Alto and Santa Clara may introduce a minimum wage ordinance by summer 2015.

So far, Mountain View has been the only city to express formal support for the \$15.00 by 2018 goal. On March 31, 2015, Mountain View City Council directed its staff to work with Sunnyvale staff, and other cities, on a regional goal of reaching \$15.00 by 2018. Mountain View City Council directed its staff to return in the fall to present feedback from the public and other cities, to provide information on studies for and against increasing the minimum wage, and to provide options for a new ordinance. The Mountain View City Council also directed its staff to:

- Send a letter of support for SB 3 (Leno)
- Encourage a regional approach to the minimum wage issue via the Cities Association of Santa Clara County
- Work in cooperation with Sunnyvale and other cities who may adopt the \$15.00 by 2018 goal
- Send a letter to all mayors and city managers, jointly with Sunnyvale, outlining the regional effort and seeking their support
- Host two community engagement meetings to receive feedback on a regional plan (the first to be held jointly with Sunnyvale, the second in Mountain View).
- Conduct targeted outreach to solicit input from the business community
- Post an Open City Hall (online survey) question on the issue
- Solicit feedback from the business community and the general public on the following incremental minimum wage increase proposal:
  - \$12.00 per hour minimum wage by July 1, 2016
  - \$13.50 per hour minimum wage by July 1, 2017
  - \$15.00 per hour minimum wage by July 1, 2018

Sunnyvale staff, in cooperation with staff from the City of Mountain View, will present a report to Council with the feedback received from other cities, the public, and the business community by late November/early December 2015. Staff will also present Council with options for a new minimum wage ordinance to increase the City's minimum wage to \$15.00 by 2018.

Prepared by: Connie Verceles, Economic Development Manager

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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**15-0069**

**Agenda Date: 4/21/2015**

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Board/Commission Meeting Minutes



# City of Sunnyvale

## Meeting Minutes - Draft

### Housing and Human Services Commission

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Wednesday, March 25, 2015

7:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

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#### **CALL TO ORDER**

Chair Gilbert called the meeting to order at 7:07 p.m.

#### **SALUTE TO THE FLAG**

Chair Gilbert led the salute to the flag.

#### **ROLL CALL**

**Present:** 6 - Chair Diana Gilbert  
Vice Chair Younil Jeong  
Commissioner Dennis Chiu  
Commissioner Patti Evans  
Commissioner Chrichelle McCloud  
Commissioner Barbara Schmidt  
**Absent:** 1 - Commissioner Navpreet (Ruby) Sidhu

**Council Liaison Jim Davis (present)**  
**Commissioner Chrichelle McCloud arrived at 7:12 p.m.**  
**Commissioner Navpreet Sidhu (unexcused absence)**

#### **PUBLIC ANNOUNCEMENTS**

None.

#### **CONSENT CALENDAR**

- 1.A**     [15-0232](#)     Draft Minutes of the Housing and Human Services  
Commission Meeting of February 25, 2015
- 1.B**     [15-0350](#)     Draft 2015 Master Work Plan

Chair Gilbert asked if anyone wanted to pull any item from the consent calendar.  
No one did.

Chair Gilbert asked for a motion.

Commissioner Chiu moved, and Vice Chair Jeong seconded, to approve the consent calendar which was comprised of the Draft Minutes of the Housing and Human Services Commission meeting of February 25, 2015, and the Draft 2015 Master Work Plan.

The motion carried by the following vote:

**Yes:** 5 - Chair Gilbert  
Vice Chair Jeong  
Commissioner Chiu  
Commissioner Evans  
Commissioner Schmidt

**No:** 0

**Absent:** 2 - Commissioner McCloud  
Commissioner Sidhu

### **PUBLIC COMMENTS**

None.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. [15-0298](#) Evaluations and Funding Recommendations for FY 2015-16  
Human Services Grants and CDBG/HOME Capital Project  
Loans

Housing Officer Suzanne Isé gave a brief report explaining how the scoring committee evaluated and ranked the proposals received in response to the requests for proposals for human services and capital projects, following the criteria detailed in the Request for Proposals. She noted that staff received 22 human services proposals and 2 capital project proposals. She also reviewed staff's recommendations and alternatives.

Ms. Isé noted that both proposals received for capital projects were recommended for funding; Sunnyvale Community Services for their full request and MidPen Housing for slightly less than their request, due to the limited amount of funding available.

Ms. Isé then reviewed Scenarios A and B for both CDBG and General funds for the human services proposals. She explained that Project Sentinel was not



recommended for CDBG funding, but it was funded through a budget supplement last year and may pursue that option this year as well.

The commissioners asked for specific reasons why some of the agencies that were not recommended for funding ranked lower, although some have been previously funded or have previously applied for funding before. Housing Officer Isé explained that the scores and ranking reflected the quality of the proposal that they submitted, and that past performance is taken into account to some extent, but that is not the only scoring criteria.

Chair Gilbert opened the public hearing at 7:52 p.m.

The following speakers spoke during the public hearing. Those that previously received funding from the City, and were being recommended for funding again, thanked staff and urged the Commission to support staff's recommendation.

1. Jeff Webber, a representative of Abilities United's Adult Services program for individuals with mental and physical disabilities, submitted a speaker card but had to leave before the public hearing began.

2. Mary Johnson, Sunnyvale resident, spoke on behalf of the Live Oak Adult Day Services program. She explained that, although she also looked at using the Day Break Cares program in Sunnyvale, she chose to take her husband to Live Oak in Cupertino because it was a better fit for her and her husband.

3. Sujatha Venkatraman, West Valley Community Services, spoke about the Haven to Home program, which provides intensive case management for homeless individuals and homeless families.

4. Ronald Nathan, Senior Nutrition Program at First United Methodist Church, described his program which provides hot, nutritious lunches, yoga, live music, dancing, socialization, and educational opportunities for many low income seniors.

5. Pilar Furlong, Bill Wilson Center, described the Center's Family and Youth Counseling program for at-risk youth and their families. It receives referrals from other non-profits, police, parents and schools.

6. Zakia Afrin, Maitri Legal Advocacy program, thanked staff for offering to provide feedback on their proposal to provide immigration services accredited by the Department of Homeland Security to victims of domestic abuse.

7. Teresa Johnson, the Health Trust, described the Meals on Wheels program, which delivers meals and provides wellness checks to seniors and disabled adults who are homebound, and noted that Sunnyvale's funds leverage funding from other sources to provide additional assistance, such as pet food.

8. Marie Bernard, Sunnyvale Community Services, described the Year-Round Food program which provides each family an average of \$300 worth of food every

month and delivers food to 100 seniors every month. The CDBG funding is used to fill the gap to purchase the food that is not donated by the food bank, such as dry milk and protein-rich foods.

9. Colleen Budenholzer, InnVision Shelter Network, described InnVision's program to provide "Beyond the Bed" services which help individuals regain permanent housing and self-sufficiency through intensive case management, benefits assistance and job development. Sunnyvale's funding will help the agency staff additional beds in four different shelters. Each one serves distinct types of clients: single women with children; families; individuals in need of mental health services; and single men.

10. Kyra Kazantzis, Law Foundation, and Stephanie Rabiner, Project Sentinel, described their Fair Housing Services. Project Sentinel staff provides the investigation services, intake, and testing, and the Law Foundation gives recommendations regarding the investigation of housing discrimination claims and provides legal services ranging from advice and filing administrative complaints, to filing suit in court when needed.

Chair Gilbert called for a 5 minute break.

11. Wanda Hale, Catholic Charities, described the Long Term Care Ombudsman program, a federal- and state-mandated program that serves 13 cities in Santa Clara County. They visit nearly 12,000 residents of long-term care facilities, such as nursing homes, assisted living facilities and board and care facilities. A majority of their time is spent investigating elder abuse. Ms. Hale thanked the City for its past support and noted that this program does not receive any funding from Catholic Charities, in response to an earlier question by a commissioner.

12. Anky Van Deursen, Project Sentinel Landlord Tenant Services, submitted a speaker card, but left before the public hearing.

13. Jeff Summerville, MidPen Housing, described the Crescent Terrace rehabilitation project. Crescent Terrace was built in 1985, it has 48 one-bedroom units, and houses very low-income seniors. Funding will be used to replace major building systems, upgrade living quarters, and improve sustainability. All windows, cabinets, and lighting systems will be replaced, and solar and highly efficient irrigation systems will be added.

14. Greg Pensinger, Downtown Streets Team, spoke about the WorkFirst Sunnyvale program and showed a brief video, "We'll Lift You Up", which features team members from Sunnyvale that have directly benefited from the WorkFirst Sunnyvale program.

15. Colleen Hudgen spoke on behalf of Live Oak Adult Day Services and asked that the Commission consider funding her proposal, which staff did not recommend

funding.

16. Maritza Henry, Family and Children Services, described their counseling services for at-risk youth. She thanked staff for its recommendation, and asked the commissioners to consider a higher amount. She noted that the waiting list for service at the Columbia Neighborhood Center for their bilingual therapist keeps getting longer. She added that the decrease in funding compared to the prior year will make the youth and their families have to wait even longer for the counseling services that they need.

17. Vanessa Corona, Friends for Youth, described her Mentoring Services program for students of Columbia Middle School, and noted that 50% of the kids on their waiting list are from Sunnyvale.

18. Kathleen King, Healthier Kids Foundation, described their new VisionFirst Program. She asked the commissioners to reconsider staff's recommendation and encouraged them to fund her program.

19. Georgia Bacil, Senior Adults Legal Assistance (SALA), described their free legal services for seniors who are very low-income, at risk of abuse, isolation, or premature institutionalization. Services are provided at Sunnyvale Community Services, which provides a private meeting room for SALA consultations.

Commissioner Chiu asked if any of the agencies that were not recommended for funding would be willing to accept a grant of just several thousand dollars. The Director of Live Oak Adult Day Services, Colleen Hudgen, said that she would accept it. The Director of Healthier Kids, Kathleen King, responded that the administrative workload that these grants place on both her staff and the City staff is not justified for such a small amount of funding, so regrettably she would have to decline it.

Other commissioners also acknowledged that the administrative burden was the main reason for establishing a \$10,000 minimum for general fund grants and \$25,000 for CDBG funds.

Chair Gilbert closed the public hearing at 9:27 p.m.

Chair Gilbert restated staff's recommendation and the alternatives listed on the report, and asked for a motion.

Commissioner Chiu moved and Commissioner Evans seconded to recommend Alternative 3, Scenario A for CDBG and General Funds, with a modification to decrease Friends for Youth to \$10,000, and add a grant of \$5,000 for Live Oak Adult Day Services.

Commissioner Evans spoke to the motion, reminding all the commissioners why the \$10,000 minimum was established, and noted that she was not comfortable supporting the motion, but had seconded to allow it to be discussed. She asked everyone to remain objective, and added that she understood how difficult it was to make these choices, but urged all the commissioners to stick to Scenario A as presented by staff.

Commissioner McCloud offered a friendly amendment to reduce the Meals on Wheels grant to \$15,000, and to reduce Family and Children Services grant to \$10,000, and award the remaining \$5,000 to Maitri.

After further discussion by Commissioners, Commissioner Chiu accepted the friendly amendment, and Chair Gilbert restated the motion, which essentially resulted in Scenario B, but with no grant for Healthier Kids, and a \$5,000 grant each for Live Oak and Maitri.

The motion carried by the following vote:

**Yes: 4 -** Vice Chair Jeong  
Commissioner Chiu  
Commissioner McCloud  
Commissioner Schmidt

**No: 2 -** Chair Gilbert  
Commissioner Evans

**Absent: 1 -** Commissioner Sidhu

Commissioner Evans and Chair Gilbert dissented because they did not agree with awarding grants of less than \$10,000, which is the established minimum according to Council Policy.

After a brief discussion, Chair Gilbert asked for a motion regarding the capital projects proposals.

Commissioner Evans moved and Commissioner McCloud seconded to recommend Alternative 4: Recommend funding the capital project proposals in the amounts recommended by staff.

The motion carried unanimously by the following vote:

**Yes:** 6 - Chair Gilbert  
Vice Chair Jeong  
Commissioner Chiu  
Commissioner Evans  
Commissioner McCloud  
Commissioner Schmidt

**No:** 0

**Absent:** 1 - Commissioner Sidhu

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

#### **-Commissioner Comments**

None.

#### **-Staff Comments**

Housing Officer Isé asked the Commissioners if they would consider holding the May meeting on the 20th rather than the 27th, to accommodate the proposed timeline for the hearings on the draft ordinances to implement the two new housing impact fees.

After some brief discussion they all agreed that they could attend and were agreeable to changing the date.

### **ADJOURNMENT**

Chair Gilbert adjourned the meeting at 10:08 p.m.