City of Sunnyvale

Notice and Agenda

City Council

Tuesday, October 13, 2015 | **7:00 PM** | **Council Chambers, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

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

SPECIAL ORDER OF THE DAY

15-0471 SPECIAL ORDER OF THE DAY - Annual Fire Safety Poster Contest Awards Presentation

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address Council on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Mayor) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow Councilmembers to take action on an item not listed on the agenda. 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.

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 15-0922 Approve City Council Meeting Minutes of September 29, 2015

Recommendation: Approve the City Council Meeting Minutes of September 29, 2015 as submitted.

1.B 15-0871 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 15-0858 Approve Budget Modification No. 7 to Appropriate FY 2015/16 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Grant Funds Totaling $11,432 for Law Enforcement Equipment

1.D 15-0863 Award of Contract for Waste Reduction Behavior Change Strategies (F15-95)

Recommendation: 1) Award a contract in the amount of $199,945 to Action Research to develop and implement a comprehensive behavior change program, in substantially the same form as the attached draft consultant services agreement; and 2) approve a 5% contract contingency in the amount of $10,000.

1.E 15-0403 Adopt a Resolution to Endorse Destination:Home Community Plan to End Homelessness in Santa Clara County 2015-2020

Recommendation: Adopt a resolution to endorse the Destination:Home Community Plan to End Homelessness in Santa Clara County 2015-2020.

1.F 15-0937 Adopt Ordinance No. 3063-15 Amending the List of Official Plan Line Maps in Section 19.06.050 (Maps-Adopted-Designation) of Title 19 (Zoning) of the Sunnyvale Municipal Code to Amend the Mathilda Avenue Plan Line

Recommendation: Adopt Ordinance No. 3063-15.

1.G 15-0864 Adopt the City's Investment Policy for Fiscal Year 2015/16 and Receive the Annual Performance Report for Fiscal Year 2014/15

Recommendation: Adopt the Investment Policy for FY 2015/16 as presented.

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 15-0185 FILE #: 2015-7636
Location: 838 Azure Street and 842 Sunnyvale-Saratoga Road (APN: 211-18-030)
Proposed Project:
General Plan Amendment Initiation request to study changing the General Plan from Low Density Residential to Low Medium Density Residential.
Applicant/Owner: Xin Lu (owner)
Environmental Review: Not required to initiate a General Plan study. The potential General Plan change and future projects will be subject to the provisions of the California Environmental Quality Act (CEQA).

Recommendation: Alternative 1: Initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low-Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R-1.5, R-1.7 and R-2.

3 15-0373 Discussion and Direction on Study Issue and Report Related to Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations (Study Issue DPS 15-0102)

Recommendation: Alternative 1: Direct staff to prepare an ordinance amending Sunnyvale Municipal Code, Section 5.36 Taxicabs, in consideration of Consultant study findings and policy options 1, 2, 3, 5, 8 and 9 as presented in this report.

4 15-0821 Adopt a Resolution to Approve the Annexation of the Butcher Property and Find the Project Categorically Exempt under the California Environmental Quality Act

Recommendation: Alternatives 1 and 2: 1) Find that the project is categorically exempt from CEQA pursuant to guideline 15319(a); and 2) Adopt the resolution to approve the annexation of the Butcher property.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

15-0848 Tentative Council Meeting Agenda Calendar

15-0766 Information/Action Items

15-0813 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 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.

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 for upcoming Council meeting information.

Visit BoardsandCommissions.inSunnyvale.com for upcoming board and commission meeting information.

For a complete schedule of KSUN-15 Council meeting broadcasts, visit KSUN.insunnyvale.com.

City of Sunnyvale

Agenda Item

15-0471 **Agenda Date:** 10/13/2015

SPECIAL ORDER OF THE DAY - Annual Fire Safety Poster Contest Awards Presentation

City of Sunnyvale

Agenda Item

15-0922 **Agenda Date:** 10/13/2015

SUBJECT
Approve City Council Meeting Minutes of September 29, 2015

RECOMMENDATION
Approve the City Council Meeting Minutes of September 29, 2015 as submitted.

City of Sunnyvale

Meeting Minutes - Draft
City Council

Tuesday, September 29, 2015 | **5:30 PM** | **West Conference Room and Council Chambers, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

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

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Griffith called the meeting to order in Council Chambers.

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 the Council met in Closed Session pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; nothing to report.

SPECIAL ORDER OF THE DAY

15-0772 SPECIAL ORDER OF THE DAY - Arts and Humanities Month

Mayor Griffith presented a proclamation in honor of Arts and Humanities Month to Interim Director of Library and Community Services Anne Cain and Arts Commission Chair Misuk Park.

15-0850 SPECIAL ORDER OF THE DAY - National Breast Cancer Awareness Month

Mayor Griffith presented a proclamation in honor of National Breast Cancer Awareness Month to Bobbe Smirni, New Frontiers in Prevention of Breast Cancer.

PUBLIC ANNOUNCEMENTS

Councilmember Meyering announced board and commission vacancies and an application deadline.

Councilmember Whittum announced an upcoming Civic Center Modernization Project Community Workshop.

Michael Goldman announced an upcoming event of the Public Lands for Public Use Act and presented a PowerPoint presentation.

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

CONSENT CALENDAR

Mayor Griffith announced a member of the public requested to pull Item 1.G.

Councilmember Meyering pulled Items 1.A, 1.B, 1.C and 1.E and requested to record a No vote on Items 1.F and 1.G, and abstain on Item 1.H.

Councilmember Whittum stated his vote on the Consent Calendar would not be a vote on Item 1.H, as his home is potentially within 500 feet of the location.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Hendricks seconded the motion to approve Consent Calendar Items 1.D , 1.F and 1.H, and to record abstentions by Councilmembers Meyering and Whittum on Item 1.H.

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

No: 0

1.A 15-0075 Approve City Council Meeting Minutes of September 15, 2015

Public Hearing opened at 11:03 p.m.
No speakers.

Public Hearing closed at 11:03 p.m.

MOTION: Councilmember Davis moved and Councilmember Larsson seconded the motion to approve the City Council Meeting Minutes of September 15, 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 15-0855 Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 11:03 p.m.
No speakers.
Public Hearing closed at 11:03 p.m.

MOTION: Councilmember Davis moved and Councilmember Hendricks 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 15-0809 Award of Contract for Design and Construction Support Services for Pavement Rehabilitation 2016 (F15-99)

Public Hearing opened at 11:04 p.m.
No speakers.
Public Hearing closed at 11:04 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Davis seconded

the motion to approve 1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of $247,700 to NCE Engineering and Environmental Services Inc., 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 mount of $24,770.

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 15-0816 Amend an Existing Contract for Ammunition and Miscellaneous Safety Items (F16-16)

Amend an existing contract with Adamson Police Products for the purchase of ammunition by increasing the not-to-exceed value from $157,000 to $167,000.

1.E 15-0817 Renew Contract with Bill Wilson Center to Provide Limited Youth Workforce Development Services

Public Hearing opened at 7:31 p.m.
No speakers.
Public Hearing closed at 7:31 p.m.

MOTION: Councilmember Meyering moved and Vice Mayor Martin-Milius seconded the motion to renew the contract with Bill Wilson Center in an amount not to exceed $121,914 to provide youth workforce development services from October 1, 2015 through June 30, 2016.

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

1.F 15-0885 Adopt Ordinance Nos. 3060-15 Repealing and Reenacting Chapter 8.16 (Solid Waste Management And Recycling) of Title 8 (Health And Sanitation); 3061-15 Amending Certain Sections of Chapter 10.04 (General Provisions) of Title 10 (Vehicles And Traffic); and 3062-15 Amending Certain Sections of Title 12 (Water And Sewers) of the Sunnyvale Municipal Code.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Hendricks seconded the motion to adopt Ordinance Nos. 3060-15, 3061-15, and 3062-15.

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.G 15-0889 Adopt Ordinance No. 3059-15 Adding Chapter 19.76 (Short-Term Rental of Residential Property) to Title 19 (Zoning) of the Sunnyvale Municipal Code

Lorraine Heng spoke in opposition to the ordinance as introduced and requested it be amended to allow unhosted short term rentals.

Public Hearing closed at 7:35 p.m.

MOTION: Councilmember Davis moved and Vice Mayor Martin-Milius seconded the motion to adopt Ordinance No. 3059-15.

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.H 15-0923 Request for City Council Endorsement and Local Match Commitment for a Metropolitan Transportation Commission Grant Application from the City of Sunnyvale and Santa Clara Valley Transportation Authority for the Peery Park Rides Program

MOTION: Vice Mayor Martin-Milius moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Authorize the City Manager to issue a letter to MTC to endorse the proposed Peery Park Rides Program and to preliminarily commit up to $400,000 as the City's recommended local match for the program; direct staff to work with Peery Park property owners and businesses to participate in the program and contribute to the local match.

The motion carried by the following vote:

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

No: 0

Abstain: 2 - Councilmember Whittum
Councilmember Meyering

PUBLIC COMMENTS

Rick Smith, Ygrene, spoke regarding the services provided by the company and provided written materials.

David Wessel, Democratic Club of Sunnyvale and Santa Clara County Wage Theft Coalition, spoke regarding wage theft and provided written materials.

Michael Goldman spoke regarding public library bond issues and provided a PowerPoint presentation.

Deborah Marks spoke regarding the Civic Center Modernization Project.

Mark Pool, representing the Greenwood Manor Neighborhood, spoke regarding consideration of a single story overlay in the neighborhood and the fee associated with pursuing it.

PUBLIC HEARINGS/GENERAL BUSINESS

2 15-0857 Approve a License Agreement with the County of Santa Clara to Allow Use of Parcel A of the City's Onizuka Site for a Temporary County Cold Weather Shelter for the 2015-16 Winter Season, and Find that the Project is Categorically Exempt pursuant to CEQA Guideline Section 15304(e)

Community Development Director Hanson Hom provided the staff report.

Public Hearing opened at 8 p.m.

Marie Bernard, Executive Director of Sunnyvale Community Services, spoke in support of the plan.

Public Hearing closed at 8:01 p.m.

MOTION: Councilmember Davis moved and Councilmember Vice Mayor Martin-Milius seconded the motion to approve Alternatives 1 and 2: 1) Approve the License Agreement in substantially the same form as shown in Attachment 1 to the report; and 2) Find that the project is categorically exempt pursuant to CEQA Guideline Section 15304(e).

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

3 15-0247 Adopt the Official Plan Lines of Mathilda Avenue between El Camino Real and Washington Avenue as approved by Planning Commission Resolution 1-15; Introduce an Ordinance to Adopt Official Plan Lines; and Find that CEQA Review is Complete

Assistant City Engineer Jennifer Ng provided the staff report. Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 8:19 p.m.

Kevin Jackson, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of the ordinance and asked questions of staff regarding elements of the report that were not initially presented to the commission.

Dave Jones, Bicycle and Pedestrian Advisory Commission Chair, presented the recommendations of the commission and expressed concerns regardling elements of the report that were not initially presented to the commission.

Public Hearing closed at 8:30 p.m.

MOTION: Councilmember Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Find that the environmental impacts of the project were considered in the Addendum to the DSP Program EIR adopted on October 22, 2013 (Resolution No. 617-13) for amendments to the DSP; Adopt the Official Plan Lines of Mathilda Avenue between El Camino Real and Washington Avenue; and introduce an Ordinance to amend SMC Section 19.06.050 to incorporate the revised Official Plan Lines, and direct that the Plan Line map be filed with the County Recorder's Office.

FRIENDLY AMENDMENT: Councilmember Hendricks proposed a friendly amendment to take the plan line between All America and El Camino on Mathilda and moving it over three feet. Councilmember Larsson declined to accept the friendly amendment.

AMENDMENT: Councilmember Whittum moved Councilmember Hendricks' friendly amendment. Councilmember Meyering seconded the motion to amend.

The motion to amend failed by the following vote:

Yes: 3 - Councilmember Whittum
Councilmember Meyering
Councilmember Hendricks

No: 4 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Davis
Councilmember Larsson

City Clerk Kathleen Franco Simmons read the ordinance title.

The main 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

4 15-0564 Introduce an Ordinance Amending Chapter 9.41 (Massage Establishments and Massage Therapists) and Title 19 (Zoning) of the Sunnyvale Municipal Code; Adopt a Resolution Amending Related Fees, Rates and Charges; and Find CEQA Exemption per Guideline 15061(b)(3)

Department of Public Safety Management Analyst Elaine Ketell provided the staff report. Chief of Public Safety Frank Grgurina provided additional information.

Public Hearing opened at 9:35 p.m.

David Wessel, speaking for himself, provided information in opposition to some proposed provisions of the ordinance and provided a PowerPoint presentation.

Sally Lieber spoke regarding concerns about prostitution and human trafficking and expressed support for the ordinance.

Public Hearing closed at 9:46 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Davis seconded the motion to approve Alternatives 1, 2 and 3: 1) Introduce an Ordinance Repealing and Reenacting Sunnyvale Municipal Code Chapter 9.41 (Massage Establishments and Massage Therapists) of Title 9 (Public Peace Safety and Welfare) and amending Title 19 (Zoning), Sections 19.12.140 (Definitions "M"), 19.18.030 (Table Permitted, Conditionally Permitted Uses in Residential Districts), and 19.60.010 (Adult Businesses) of the Sunnyvale Municipal Code; 2) Adopt a Resolution Amending Resolution No. 704-15, the City's Fees, Rates and Charges Resolution, Pertaining to Adult Entertainment and Massage Establishments Licensing and Permitting Fees; and 3) Find that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

City Clerk Kathleen Franco Simmons read the ordinance title.

The 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 9:59 p.m.
Council reconvened at 10:14 p.m. with all Councilmembers present.

5 15-0776 Approve the Vision Statement, Success Criteria, and Needs Assessment for the Civic Center Modernization Project

Assistant City Manager Kent Steffens provided the staff report.

Public Hearing opened at 10:20 p.m.

Michael Goldman expressed concerns about the needs assessment and provided a PowerPoint presentation.

Margaret Lawson spoke in support of expanding the vision to think beautiful, sustainable and innovative.

Public Hearing closed at 10:30 p.m.

MOTION: Councilmember Davis moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Approve the final Vision Statement, Success Criteria, and Needs Assessment documents as presented in Attachments 2, 4 and 6 to the report.

FRIENDLY AMENDMENT: Mayor Griffith offered a friendly amendment to add to the list of success criteria under “increase usability of open space,” to direct staff to add language that supports preserving the function of the community gardens but not necessarily the exact form and let staff come up with the wording. Councilmember Davis accepted the friendly amendment.

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 15-0777 Approve Budget Modification No. 8 to Appropriate $25,000 to Fund Consultant Services Related to the Civic Center Modernization Project with Funding from the Future Infrastructure Projects Set Aside in the Infrastructure Fund

Assistant City Manager Kent Steffens provided the staff report.

Public Hearing opened at 10:48 p.m.

Michael Goldman spoke regarding modernization options that would save money and expressed concerns about selling City property.

Public Hearing closed at 10:52 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternatives 1 and 2: 1) Approve Budget Modification No. 8 to appropriate $25,000 to fund consultant services related to the Civic Center Modernization Project with funding from the Future Infrastructure Projects Set Aside in the Infrastructure Fund; and 2) Authorize the City Manager to amend the service agreement with Anderson Brule Architects, up to the new appropriation limit.

The motion carried by the following vote:

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

No: 2 - Councilmember Meyering
Councilmember Davis

7 15-0810 Appoint One City Councilmember to Serve as Member and Another to Serve as Alternate on the Valley Transportation

Authority State Route 85 Corridor Policy Advisory Board

Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 11 p.m.
No speakers.
Public Hearing closed at 11 p.m.

MOTION: Councilmember Larsson moved and Councilmember Davis seconded the motion to appoint Councilmember Hendricks to serve on the Valley Transportation Authority State Route 85 Corridor Policy Advisory Board.

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

MOTION: Councilmember Davis moved and Councilmember Larsson seconded the motion to appoint Vice Mayor Martin-Milius to serve as alternate on the Valley Transportation Authority State Route 85 Corridor Policy Advisory Board.

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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Davis spoke regarding changes in the relationship between Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

Councilmember Whittum reported his attendance at a meeting of the VTA Congestion Management Program Planning Committee, a VTA Board workshop

and announced an upcoming meeting of the El Camino Real Bus Rapid Transit Policy Advisory Board.

Vice Mayor Martin-Milius reported her attendance at a NOVA Board member selection meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

Mayor Griffith reported that beginning with the next meeting the speaker cards will have one public comments section called Oral Communications in place of Public Announcements.

-City Manager

City Manager Deanna Santana reported the City closed on the Charles Street properties.

At the request of Councilmember Hendricks, Chief Grgurina provided an update on the verbal noticing given to homeless persons camping in violation of the camping ordinance. Director of Public Works Manuel Pineda reported staff is working with a contractor to assist with the cleanup and storage.

INFORMATION ONLY REPORTS/ITEMS

15-0186	Tentative Council Meeting Agenda Calendar
15-0765	Information/Action Items
15-0739	Study Session Summaries of August 18, 2015: Item A: 15-0671 Transportation Initiatives, Proposed Ballot Measure, and Upcoming Update to the Transportation Impact Fee and Project Prioritization Item B: 15-0606 Update on Draft Land Use and Transportation Element and Consideration of Land Use Alternatives for Environmental Impact Report Item C: 15-0631 Peery Park Specific Plan - Consideration of Land Use Alternatives for the Environmental Impact Report and Community Benefits Program Item D: 15-0797 Transportation Impact Fees: (1) Review of Projects and Funding, (2) Discussion of an Updated Fee
15-0808	Board/Commission Meeting Minutes

ADJOURNMENT

Councilmember Davis held a moment of silence in honor of the memory of Alice Endter.

Mayor Griffith adjourned the meeting at 11:23 p.m.

City of Sunnyvale

Agenda Item

15-0871 **Agenda Date:** 10/13/2015

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
783	09/20/15 through 09/26/15	$4,838,794.64
784	09/27/15 through 10/03/15	$6,162,902.87

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: Jane Chambers, Interim Assistant City Manager
Approved by: Deanna J. Santana, City Manager

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

Attachment 1

City of Sunnyvale

List of All Claims and Bills Approved for Payment

LIST # 783

For Payments Dated 9/20/2015 through 9/26/2015

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
100273070	9/23/15	ABLE SEPTIC TANK SERVICE	AVW-15-117	Engineering Services	4,453.50	0.00	4,453.50	**$4,453.50**
100273071	9/23/15	AERIAL LIFT SERVICE CO	10139W	Facilities Maint & Repair - Labor	875.00	0.00	875.00	**$1,425.00**
			10140W	Facilities Maint & Repair - Labor	550.00	0.00	550.00	
100273072	9/23/15	ALPINE AWARDS INC	292348	General Supplies	144.53	0.00	144.53	**$144.53**
100273073	9/23/15	ARMADILLO WILLYS BAR-B-QUE	E17333-FINAL	Special Events	3,637.50	0.00	3,637.50	**$3,637.50**
100273074	9/23/15	BACKFLOW PREVENTION SPECIALISTS INC	4915	Water Backflow Valves	271.20	0.00	271.20	**$271.20**
100273075	9/23/15	BIGGS CARDOSA ASSOC INC	67656	Consultants	19,963.93	0.00	19,963.93	**$19,963.93**
100273076	9/23/15	BOETHING TREELAND FARMS INC	SI-1031496	Materials - Land Improve	340.37	0.00	340.37	**$340.37**
100273077	9/23/15	BOUND TREE MEDICAL LLC	81898334	Supplies, First Aid	1,552.88	0.00	1,552.88	**$4,780.18**
			81911559	Inventory Purchase	2,988.48	0.00	2,988.48	
			81912985	Inventory Purchase	238.82	0.00	238.82	
100273078	9/23/15	CDM SMITH	80526112/18	Engineering Services	2,172.00	0.00	2,172.00	**$2,172.00**
100273079	9/23/15	CALTRANS	COLLISONDATA	Books & Publications	23.93	0.00	23.93	**$23.93**
100273080	9/23/15	CAPTURE TECHNOLOGIES INC	32358	Computer Hardware	761.25	0.00	761.25	**$761.25**
100273081	9/23/15	CENTRAL LABOR COUNCIL PARTNERSHIP	AUG2015	DED Services/Training - Training	15,776.50	0.00	15,776.50	**$117,072.63**
			AUG2015	Contracts/Service Agreements	101,296.13	0.00	101,296.13	
100273082	9/23/15	CENTURY GRAPHICS	42451	Clothing, Uniforms & Access	870.27	0.00	870.27	**$1,786.38**
			42532	Clothing, Uniforms & Access	916.11	0.00	916.11	
100273083	9/23/15	CONTRACTOR COMPLIANCE & MONITORING INC	6197	Consultants	2,000.00	0.00	2,000.00	**$2,000.00**
100273084	9/23/15	CYBERSOURCE CORP	235959302425	Software As a Service	75.00	0.00	75.00	**$75.00**
100273085	9/23/15	D & M TRAFFIC SERVICES INC	44700	Inventory Purchase	221.85	0.00	221.85	**$221.85**
100273086	9/23/15	DAVID GREGORY GOODWIN	JULY15PURCHASE	DED Services/Training - Books	46.88	0.00	46.88	**$46.88**
100273087	9/23/15	DELL SOFTWARE INC	1000394468	Hardware Maintenance	2,164.00	0.00	2,164.00	**$2,164.00**
100273088	9/23/15	DORIS KRAMER	091015PURCHASE	DED Services/Training - Books	46.84	0.00	46.84	**$46.84**
100273089	9/23/15	DOWNEY BRAND LLP	486243	Legal Services	218.66	0.00	218.66	**$218.66**

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100273090	9/23/15	EMPIRE SAFETY & SUPPLY	0074824-IN	Inventory Purchase	678.60	0.00	678.60	**$678.60**
100273091	9/23/15	ESBRO	18450	Chemicals	1,301.94	0.00	1,301.94	**$1,301.94**
100273092	9/23/15	EWING IRRIGATION PRODUCTS INC	268699	Materials - Land Improve	241.77	0.00	241.77	**$241.77**
100273093	9/23/15	FRANK A BRAVO	1560	Advertising Services	500.00	0.00	500.00	**$500.00**
100273094	9/23/15	GARDENLAND POWER EQUIPMENT	308938	Misc Equip Maint & Repair - Materials	188.23	0.00	188.23	**$3,131.33**
			309556	Misc Equip Maint & Repair - Materials	60.92	0.00	60.92	
			310586	Misc Equip Maint & Repair - Materials	206.45	0.00	206.45	
			310586	Miscellaneous Equipment	566.75	0.00	566.75	
			311027	Misc Equip Maint & Repair - Labor	5.39	0.00	5.39	
			311027	Misc Equip Maint & Repair - Materials	217.99	0.00	217.99	
			311027	Hand Tools	519.81	0.00	519.81	
			311028	Misc Equip Maint & Repair - Materials	200.72	0.00	200.72	
			312722	Vehicles & Motorized Equip	1,142.24	0.00	1,142.24	
			312722	Hand Tools	22.83	0.00	22.83	
100273096	9/23/15	GHAYATHRI GNANASIVAM	7594	DED Services/Training - Books	200.97	0.00	200.97	**$200.97**
100273097	9/23/15	GOLDFARB LIPMAN ATTORNEYS	116730	Legal Services	106.00	0.00	106.00	**$106.00**
100273098	9/23/15	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1088760	Auto Maint & Repair - Labor	70.00	0.00	70.00	**$70.00**
100273099	9/23/15	GORILLA METALS	1807971REV	Materials - Land Improve	-67.89	0.00	-67.89	**$132.45**
			180971	Materials - Land Improve	67.89	0.00	67.89	
			181938	Services Maintain Land Improv	132.45	0.00	132.45	
100273100	9/23/15	GRANITE CONSTRUCTION CO	866764	Materials - Land Improve	2,780.08	0.00	2,780.08	**$10,681.11**
			867321	Materials - Land Improve	4,231.04	0.00	4,231.04	
			867485	Materials - Land Improve	456.75	0.00	456.75	
			868646	Materials - Land Improve	1,377.10	0.00	1,377.10	
			869094	Materials - Land Improve	1,836.14	0.00	1,836.14	
100273101	9/23/15	GROUND ZERO ANALYSIS INC	26068	Consultants	490.00	0.00	490.00	**$1,575.00**
			26069	Consultants	1,085.00	0.00	1,085.00	
100273102	9/23/15	HARRIS DESIGN	15.05.03	Consultants	6,415.73	0.00	6,415.73	**$6,415.73**
100273103	9/23/15	HYBRID COMMERCIAL PRINTING INC	25483	Printing & Related Services	1,499.93	0.00	1,499.93	**$1,499.93**
100273104	9/23/15	IBI GROUP	515001054	Engineering Services	12,446.00	0.00	12,446.00	**$12,446.00**

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100273105	9/23/15	ID EDGE INC	71452	Supplies, Office 1	1,990.50	0.00	1,990.50	**$1,990.50**
100273106	9/23/15	IMAGEX	202535	Printing & Related Services	1,084.78	0.00	1,084.78	**$1,084.78**
100273107	9/23/15	IMPERIAL SPRINKLER SUPPLY	2341280-01	Materials - Land Improve	618.97	0.00	618.97	**$1,936.58**
			2354853-00	Materials - Land Improve	484.70	0.00	484.70	
			2362175-00	Services Maintain Land Improv	296.01	0.00	296.01	
			2365053-00	Materials - Land Improve	216.24	0.00	216.24	
			2366352-00	Materials - Land Improve	320.66	0.00	320.66	
100273108	9/23/15	INFRASTRUCTURE ENGINEERING CORP	8442	Engineering Services	8,404.67	0.00	8,404.67	**$8,404.67**
100273109	9/23/15	INTERNATIONAL PAPER CO	P0092727-01	Recycling Services	82.50	0.00	82.50	**$82.50**
100273110	9/23/15	J & R SUPPLY INC	15469	Water/Wastewater Treat Equip	6,666.72	0.00	6,666.72	**$6,666.72**
100273111	9/23/15	JAVELCO EQUIPMENT SERVICE INC	49505	Misc Equip Maint & Repair - Labor	135.00	0.00	135.00	**$304.61**
			49505	Misc Equip Maint & Repair - Materials	169.61	0.00	169.61	
100273112	9/23/15	JETMULCH INC	3567-OL	Materials - Land Improve	2,740.50	0.00	2,740.50	**$3,523.50**
			3578-OL	Materials - Land Improve	783.00	0.00	783.00	
100273113	9/23/15	KELLY PAPER CO	7484986	General Supplies	593.78	0.00	593.78	**$1,260.75**
			7493013	General Supplies	256.44	0.00	256.44	
			7495896	General Supplies	410.53	0.00	410.53	
100273114	9/23/15	KOHLWEISS AUTO PARTS INC	01OL6693	Inventory Purchase	16.83	0.34	16.49	**$162.84**
			01OL7088	Inventory Purchase	149.34	2.99	146.35	
100273115	9/23/15	LAURA ANN BILLINGS	080515PURCHASE	DED Services/Training - Books	30.29	0.00	30.29	**$30.29**
100273116	9/23/15	LAWSON PRODUCTS INC	9303523107	Miscellaneous Equipment Parts & Supplies	3.52	0.00	3.52	**$3.52**
100273117	9/23/15	LEHR AUTO ELECTRIC	01 115668	Parts, Vehicles & Motor Equip	128.61	0.00	128.61	**$128.61**
100273118	9/23/15	LESLIES POOL SUPPLIES INC	175-283471	Chemicals	73.61	0.00	73.61	**$98.71**
			175-284222	Materials - Land Improve	25.10	0.00	25.10	
100273119	9/23/15	LYNGSO GARDEN MATERIALS INC	902783	Materials - Land Improve	2,437.09	0.00	2,437.09	**$2,437.09**
100273120	9/23/15	MACIAS GINI AND OCONNELL LLP	211693	Financial Services	5,049.00	0.00	5,049.00	**$5,049.00**
100273121	9/23/15	MANSFIELD OIL CO	767717	Inventory Purchase	14,950.96	0.00	14,950.96	**$14,950.96**
100273122	9/23/15	MARCIA LINWOOD	090215PURCHASE	DED Services/Training - Books	30.21	0.00	30.21	**$30.21**
100273123	9/23/15	MCMASTER CARR SUPPLY CO	37865380	Electrical Parts & Supplies	26.45	0.00	26.45	**$1,598.17**

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			38227369	Miscellaneous Equipment Parts & Supplies	73.86	0.00	73.86	
			38729667	Hand Tools	279.63	0.00	279.63	
			38859334	Miscellaneous Equipment Parts & Supplies	232.60	0.00	232.60	
			39063820	Miscellaneous Equipment Parts & Supplies	804.21	0.00	804.21	
			39098657	Miscellaneous Equipment Parts & Supplies	163.49	0.00	163.49	
			39115893	Miscellaneous Equipment Parts & Supplies	17.93	0.00	17.93	
100273124	9/23/15	MEDINAS CATERING	279	Employee Recognition Expenses	4,785.00	0.00	4,785.00	**$4,785.00**
100273125	9/23/15	MICHAEL BERNICK	AUG2015	Contracts/Service Agreements	4,250.00	0.00	4,250.00	**$4,250.00**
100273126	9/23/15	MIDWEST TAPE	93160692	Library Acquis, Audio/Visual	678.42	0.00	678.42	**$3,855.35**
			93172702	Library Acquis, Audio/Visual	554.45	0.00	554.45	
			93172704	Library Acquis, Audio/Visual	80.40	0.00	80.40	
			93178291	Library Acquis, Audio/Visual	1,488.52	0.00	1,488.52	
			93187877	Library Acquis, Audio/Visual	558.84	0.00	558.84	
			93187879	Library Acquis, Audio/Visual	163.09	0.00	163.09	
			93192630	Library Acquis, Audio/Visual	315.32	0.00	315.32	
			93192632	Library Acquis, Audio/Visual	16.31	0.00	16.31	
100273127	9/23/15	NAPA AUTO PARTS	131377	Parts, Vehicles & Motor Equip	15.69	0.00	15.69	**$187.49**
			191846	Parts, Vehicles & Motor Equip	-281.18	0.00	-281.18	
			192172	Parts, Vehicles & Motor Equip	-123.70	0.00	-123.70	
			193173	Parts, Vehicles & Motor Equip	-19.58	0.00	-19.58	
			193982	Parts, Vehicles & Motor Equip	-33.13	0.00	-33.13	
			195004	Parts, Vehicles & Motor Equip	110.61	0.00	110.61	
			195640	Parts, Vehicles & Motor Equip	114.36	0.00	114.36	
			195672	Parts, Vehicles & Motor Equip	20.88	0.00	20.88	
			195993	Parts, Vehicles & Motor Equip	4.16	0.00	4.16	
			196182	Parts, Vehicles & Motor Equip	7.57	0.00	7.57	
			196285	Parts, Vehicles & Motor Equip	13.71	0.00	13.71	
			197600	Parts, Vehicles & Motor Equip	358.10	0.00	358.10	
100273129	9/23/15	NATALIE GAUGHAN	090115PURCHASE	DED Services/Training - Books	59.97	0.00	59.97	**$59.97**
100273130	9/23/15	NATIONAL ACADEMY OF ATHLETICS	8310	Rec Instructors/Officials	4,664.10	0.00	4,664.10	**$4,664.10**

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100273131	9/23/15	P&R PAPER SUPPLY CO INC	30050042-00	Inventory Purchase	1,845.49	0.00	1,845.49	**$1,845.49**
100273132	9/23/15	PAYFLEX SYSTEMS USA INC	128934-720948	Insurances - Dependent Care Administration	635.00	0.00	635.00	**$635.00**
100273133	9/23/15	PACIFIC GAS & ELECTRIC CO	0007466043-2	Engineering Services	2,000.00	0.00	2,000.00	**$2,000.00**
100273134	9/23/15	PACIFIC TELEMANAGEMENT SERVICES	779259	Utilities - Telephone	75.00	0.00	75.00	**$75.00**
100273135	9/23/15	PINE CONE LUMBER CO INC	604179	Materials - Land Improve	79.61	0.00	79.61	**$251.15**
			604500	Materials - Land Improve	171.54	0.00	171.54	
100273136	9/23/15	PRINTMAIL PROS INC	150251	Mailing & Delivery Services	278.00	0.00	278.00	**$278.00**
100273137	9/23/15	RGW CONSTRUCTION INC	3545	Construction Services	54,389.22	0.00	54,389.22	**$54,389.22**
100273138	9/23/15	RAYVERN LIGHTING SUPPLY CO INC	35668-0	Inventory Purchase	951.35	0.00	951.35	**$2,456.12**
			35745-0	Inventory Purchase	1,504.77	0.00	1,504.77	
100273139	9/23/15	READYREFRESH BY NESTLE	15I0024199309	Miscellaneous Services	61.69	0.00	61.69	**$83.20**
			15I5740132005	Miscellaneous Services	21.51	0.00	21.51	
100273140	9/23/15	ROBERT A BOTHMAN INC	ORCHARDGRDN#05	Construction Services	267,670.43	0.00	267,670.43	**$267,670.43**
100273141	9/23/15	ROSS RECREATION EQUIPMENT CO INC	97527	Materials - Land Improve	1,171.25	0.00	1,171.25	**$1,171.25**
100273142	9/23/15	ROYAL COACH TOURS INC	5471	Travel Related Services	820.80	0.00	820.80	**$820.80**
100273143	9/23/15	SFO REPROGRAPHICS	24820	Printing & Related Services	32.63	0.00	32.63	**$85.92**
			24830	Printing & Related Services	53.29	0.00	53.29	
100273144	9/23/15	SNAIL NEIGHBORHOOD ASSN	080415NATLNITE	Community Services Grant - Neighborhood Grants	1,000.00	0.00	1,000.00	**$1,000.00**
100273145	9/23/15	SAFEWAY INC	431833-090115	Food Products	46.71	0.00	46.71	**$333.71**
			431833-090115	General Supplies	34.29	0.00	34.29	
			725978-091715	Inventory Purchase	31.80	0.00	31.80	
			805063-091015	Food Products	70.88	0.00	70.88	
			806591-090915	Special Events	150.03	0.00	150.03	
100273146	9/23/15	SANDERSON SAFETY SUPPLY CO	8085466-02	Inventory Purchase	107.66	0.00	107.66	**$359.52**
			8085514-03	Inventory Purchase	69.32	0.64	68.68	
			8085610-01	Inventory Purchase	184.88	1.70	183.18	
100273147	9/23/15	SHAPE INC	120815	Electrical Parts & Supplies	7,558.13	0.00	7,558.13	**$7,558.13**
100273148	9/23/15	SILICON VALLEY AUTOBODY INC	19505	Auto Maint & Repair - Labor	1,838.00	0.00	1,838.00	**$4,825.11**
			19505	Auto Maint & Repair - Materials	2,987.11	0.00	2,987.11	

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100273149	9/23/15	STEVE MASON CONCRETE CONSTRUCTION INC	3045	Services Maintain Land Improv	4,500.00	0.00	4,500.00	**$4,500.00**
100273150	9/23/15	STOP PROCESSING CENTER	15856	Financial Services	32.30	0.00	32.30	**$32.30**
100273151	9/23/15	SUMMIT UNIFORMS	24402	Clothing, Uniforms & Access	230.55	0.00	230.55	**$20,785.53**
			24403	Clothing, Uniforms & Access	84.83	0.00	84.83	
			24410	Clothing, Uniforms & Access	100.05	0.00	100.05	
			24411	Clothing, Uniforms & Access	96.79	0.00	96.79	
			24413	Clothing, Uniforms & Access	146.81	0.00	146.81	
			24414	Clothing, Uniforms & Access	241.43	0.00	241.43	
			24415	Clothing, Uniforms & Access	197.93	0.00	197.93	
			24416	Clothing, Uniforms & Access	415.43	0.00	415.43	
			24417	Clothing, Uniforms & Access	1,859.63	0.00	1,859.63	
			24420	Clothing, Uniforms & Access	26.10	0.00	26.10	
			24422	Clothing, Uniforms & Access	1,596.45	0.00	1,596.45	
			24424	Clothing, Uniforms & Access	314.29	0.00	314.29	
			24428	Clothing, Uniforms & Access	197.93	0.00	197.93	
			24430	Clothing, Uniforms & Access	452.40	0.00	452.40	
			24432	Clothing, Uniforms & Access	1,506.19	0.00	1,506.19	
			24435	Clothing, Uniforms & Access	183.79	0.00	183.79	
			24436	Clothing, Uniforms & Access	802.58	0.00	802.58	
			24437	Clothing, Uniforms & Access	772.13	0.00	772.13	
			24438	Clothing, Uniforms & Access	183.79	0.00	183.79	
			24541	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24587	Clothing, Uniforms & Access	322.99	0.00	322.99	
			24644	Clothing, Uniforms & Access	527.44	0.00	527.44	
			24645	Clothing, Uniforms & Access	527.44	0.00	527.44	
			24649	Clothing, Uniforms & Access	419.78	0.00	419.78	
			24654	Clothing, Uniforms & Access	419.78	0.00	419.78	
			24655	Clothing, Uniforms & Access	13.05	0.00	13.05	
			24656	Clothing, Uniforms & Access	109.84	0.00	109.84	
			24657	Clothing, Uniforms & Access	109.84	0.00	109.84	

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			24664	Clothing, Uniforms & Access	432.83	0.00	432.83	
			24665	Clothing, Uniforms & Access	449.14	0.00	449.14	
			24667	Clothing, Uniforms & Access	556.80	0.00	556.80	
			24669	Clothing, Uniforms & Access	432.83	0.00	432.83	
			24670	Clothing, Uniforms & Access	430.65	0.00	430.65	
			24671	Clothing, Uniforms & Access	126.15	0.00	126.15	
			24674	Clothing, Uniforms & Access	430.65	0.00	430.65	
			24755	Clothing, Uniforms & Access	257.74	0.00	257.74	
			24757	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24770	Clothing, Uniforms & Access	207.71	0.00	207.71	
			24771	Clothing, Uniforms & Access	523.09	0.00	523.09	
			24783	Clothing, Uniforms & Access	100.05	0.00	100.05	
			24784	Clothing, Uniforms & Access	324.08	0.00	324.08	
			24785	Clothing, Uniforms & Access	639.45	0.00	639.45	
			24787	Clothing, Uniforms & Access	0.00	0.00	0.00	
			24792	Clothing, Uniforms & Access	639.45	0.00	639.45	
			24793	Clothing, Uniforms & Access	539.40	0.00	539.40	
			24794	Clothing, Uniforms & Access	623.14	0.00	623.14	
			24798	Clothing, Uniforms & Access	69.60	0.00	69.60	
			24800	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24801	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24802	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24803	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24804	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24807	Clothing, Uniforms & Access	30.45	0.00	30.45	
			24812	Clothing, Uniforms & Access	69.60	0.00	69.60	
			24814	Clothing, Uniforms & Access	69.60	0.00	69.60	
			24817	Clothing, Uniforms & Access	-826.50	0.00	-826.50	
			24819	Clothing, Uniforms & Access	628.58	0.00	628.58	
			24872	Clothing, Uniforms & Access	207.71	0.00	207.71	
			24906	Clothing, Uniforms & Access	272.96	0.00	272.96	

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			24923	Clothing, Uniforms & Access	511.13	0.00	511.13	
			24925	Clothing, Uniforms & Access	91.35	0.00	91.35	
			24926	Clothing, Uniforms & Access	42.41	0.00	42.41	
			24927	Clothing, Uniforms & Access	9.79	0.00	9.79	
			24928	Clothing, Uniforms & Access	26.10	0.00	26.10	
			24929	Clothing, Uniforms & Access	303.41	0.00	303.41	
			24930	Clothing, Uniforms & Access	303.41	0.00	303.41	
			24931	Clothing, Uniforms & Access	75.04	0.00	75.04	
			24932	Clothing, Uniforms & Access	23.93	0.00	23.93	
			24934	Clothing, Uniforms & Access	78.30	0.00	78.30	
			25001	Clothing, Uniforms & Access	58.73	0.00	58.73	
100273173	9/23/15	SUNNYVALE FORD	451472	Parts, Vehicles & Motor Equip	78.07	0.00	78.07	**$651.62**
			451562	Parts, Vehicles & Motor Equip	66.34	0.00	66.34	
			451568	Parts, Vehicles & Motor Equip	11.04	0.00	11.04	
			451608	Parts, Vehicles & Motor Equip	117.86	0.00	117.86	
			451610	Parts, Vehicles & Motor Equip	69.51	0.00	69.51	
			451683	Parts, Vehicles & Motor Equip	51.85	0.00	51.85	
			451686	Parts, Vehicles & Motor Equip	256.95	0.00	256.95	
100273174	9/23/15	SUNNYVALE TOWING INC	294831	Vehicle Towing Services	40.00	0.00	40.00	**$40.00**
100273175	9/23/15	SUNNYVALE WINDUSTRIAL CO INC	647438 00	Materials - Land Improve	164.84	0.00	164.84	**$967.56**
			648430 00	Materials - Land Improve	267.66	0.00	267.66	
			648483 00	Miscellaneous Equipment Parts & Supplies	132.44	0.00	132.44	
			648483 01	Miscellaneous Equipment Parts & Supplies	8.01	0.00	8.01	
			648513 00	Miscellaneous Equipment Parts & Supplies	27.54	0.00	27.54	
			648791 01	Misc Equip Maint & Repair - Materials	89.67	0.00	89.67	
			648884 01	Miscellaneous Equipment Parts & Supplies	32.83	0.00	32.83	
			648957 01	Miscellaneous Equipment Parts & Supplies	244.57	0.00	244.57	
100273176	9/23/15	SUPPLYWORKS	1690139-01	Inventory Purchase	93.44	0.93	92.51	**$446.72**
			1691132-00	Inventory Purchase	-228.46	0.00	-228.46	
			1696441-00	Inventory Purchase	588.56	5.89	582.67	
100273177	9/23/15	TJKM	0044565	Consultants	240.00	0.00	240.00	**$450.00**

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			0044566	Engineering Services	210.00	0.00	210.00	
100273178	9/23/15	TARGET SPECIALTY PRODUCTS INC	PI0316937	Materials - Land Improve	2,213.01	0.00	2,213.01	**$2,213.01**
100273179	9/23/15	THE PRINTING WORKS	INV-1071	Cost of Merchandise Sold	2,789.55	0.00	2,789.55	**$2,789.55**
100273180	9/23/15	TURF & INDUSTRIAL EQUIPMENT CO	IV12854	Miscellaneous Equipment Parts & Supplies	32.63	0.00	32.63	**$32.63**
100273181	9/23/15	US SECURITY ASSOC INC	181711	Professional Services	450.00	0.00	450.00	**$650.00**
			181719	Professional Services	200.00	0.00	200.00	
100273182	9/23/15	UNITED PARCEL SERVICE	0000966608365	Mailing & Delivery Services	380.55	0.00	380.55	**$380.55**
100273183	9/23/15	UNITED SITE SERVICES INC	114-3241673	Services Maintain Land Improv	199.78	0.00	199.78	**$199.78**
100273184	9/23/15	UNIVERSITY OF CALIFORNIA SANTA CRUZ	56838	DED Services/Training - Training	4,653.00	0.00	4,653.00	**$10,053.00**
			56840	DED Services/Training - Training	5,400.00	0.00	5,400.00	
100273185	9/23/15	VWR INTERNATIONAL LLC	8042374741	General Supplies	33.84	0.00	33.84	**$33.84**
100273186	9/23/15	VALI COOPER & ASSOC INC	150030A00101	Engineering Services	10,961.23	0.00	10,961.23	**$10,961.23**
100273187	9/23/15	VERIZON WIRELESS	9752003654	Utilities - Mobile Phones - City Mobile Phones	167.24	0.00	167.24	**$167.24**
100273188	9/23/15	VERIZON WIRELESS	9750944398	Utilities - Mobile Phones - City Mobile Phones	3,149.89	0.00	3,149.89	**$3,149.89**
100273190	9/23/15	VERIZON WIRELESS	9750944397	Utilities - Mobile Phones - City Mobile Phones	3,501.16	0.00	3,501.16	**$3,501.16**
100273192	9/23/15	VERIZON WIRELESS	9750944399	Utilities - Mobile Phones - City Mobile Phones	2,513.11	0.00	2,513.11	**$2,513.11**
100273195	9/23/15	VERIZON WIRELESS	9000011083	Communication Equipment	13.12	0.00	13.12	**$39.36**
			9000011084	Communication Equipment	13.12	0.00	13.12	
			9000011150	Communication Equipment	13.12	0.00	13.12	
100273196	9/23/15	VLACH REPAIR SERVICE	13172	Comm Equip Maintain & Repair - Labor 1	100.00	0.00	100.00	**$142.75**
			13172	Comm Equip Maintain & Repair - Materials 2	42.75	0.00	42.75	
100273197	9/23/15	W A KRAUSS & CO INC	201509	Professional Services	233.75	0.00	233.75	**$233.75**
100273198	9/23/15	W-TRANS	16753	Engineering Services	20,997.17	0.00	20,997.17	**$20,997.17**
100273199	9/23/15	WILO USA LLC	203040623	Water/Wastewater Treat Equip	6,376.61	0.00	6,376.61	**$6,376.61**
100273200	9/23/15	WELLS FARGO FINANCIAL LEASING	5002457665	Equipment Rental/Lease	171.71	0.00	171.71	**$171.71**
100273201	9/23/15	YOUNG CHEFS ACADEMY	SUMMER2015	Rec Instructors/Officials	10,395.00	0.00	10,395.00	**$10,395.00**
100273202	9/23/15	WAITER.COM INC	F0914584138	Food Products	79.34	0.00	79.34	**$163.06**

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			F0915584949	Food Products	83.72	0.00	83.72	
100273203	9/23/15	ANNE MARIE BONNEAU	1162	Recruitment Travel Expenses	300.00	0.00	300.00	**$300.00**
100273204	9/23/15	EMRAH GURES	396CHARLES	Real Property Purchase	66,139.00	0.00	66,139.00	**$66,139.00**
100273205	9/23/15	GRAINGER	9806749496	Miscellaneous Equipment Parts & Supplies	-216.96	0.00	-216.96	**$12,882.09**
			9807226304	Parts, Vehicles & Motor Equip	58.04	0.00	58.04	
			9807402566	Water Meter Boxes, Vaults, and Lids	11.68	0.00	11.68	
			9807465365	Bldg Maint Matls & Supplies	8.13	0.00	8.13	
			9807465373	Bldg Maint Matls & Supplies	8.13	0.00	8.13	
			9808337019	Bldg Maint Matls & Supplies	167.21	0.00	167.21	
			9808337027	Bldg Maint Matls & Supplies	36.70	0.00	36.70	
			9808337035	General Supplies	1,136.64	0.00	1,136.64	
			9808487715	Electrical Parts & Supplies	901.92	0.00	901.92	
			9808487723	Materials - Land Improve	1,785.16	0.00	1,785.16	
			9808564653	Hand Tools	33.14	0.00	33.14	
			9808597778	Miscellaneous Equipment	63.86	0.00	63.86	
			9808790464	Miscellaneous Equipment	668.10	0.00	668.10	
			9809327589	Bldg Maint Matls & Supplies	7.96	0.00	7.96	
			9809526040	Bldg Maint Matls & Supplies	24.64	0.00	24.64	
			9809526057	Bldg Maint Matls & Supplies	27.99	0.00	27.99	
			9809533434	Miscellaneous Equipment	133.07	0.00	133.07	
			9809533442	Miscellaneous Equipment Parts & Supplies	51.35	0.00	51.35	
			9809533459	Miscellaneous Equipment Parts & Supplies	130.37	0.00	130.37	
			9810471160	Miscellaneous Equipment	243.12	0.00	243.12	
			9810868233	Hand Tools	149.43	0.00	149.43	
			9810991175	Supplies, Safety	20.60	0.00	20.60	
			9811040014	Hand Tools	56.60	0.00	56.60	
			9811040022	Electrical Parts & Supplies	157.44	0.00	157.44	
			9811443945	Miscellaneous Equipment Parts & Supplies	-303.20	0.00	-303.20	
			9811803189	Hand Tools	-339.90	0.00	-339.90	
			9811803197	Miscellaneous Equipment Parts & Supplies	-168.25	0.00	-168.25	
			9811937094	Miscellaneous Equipment Parts & Supplies	-121.14	0.00	-121.14	

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			9812531425	Bldg Maint Matls & Supplies	315.21	0.00	315.21	
			9812815315	Bldg Maint Matls & Supplies	262.21	0.00	262.21	
			9813269090	Bldg Maint Matls & Supplies	24.14	0.00	24.14	
			9814296878	Supplies, Safety	1,141.89	0.00	1,141.89	
			9814725074	Bldg Maint Matls & Supplies	40.88	0.00	40.88	
			9814725082	Bldg Maint Matls & Supplies	-28.98	0.00	-28.98	
			9814867546	Bldg Maint Matls & Supplies	84.96	0.00	84.96	
			9814867553	Bldg Maint Matls & Supplies	20.61	0.00	20.61	
			9816702402	Electrical Parts & Supplies	45.89	0.00	45.89	
			9816702410	Electrical Parts & Supplies	327.93	0.00	327.93	
			9816702428	Electrical Parts & Supplies	171.82	0.00	171.82	
			9816765680	Bldg Maint Matls & Supplies	50.37	0.00	50.37	
			9818211980	Bldg Maint Matls & Supplies	8.18	0.00	8.18	
			9818406531	Bldg Maint Matls & Supplies	5.03	0.00	5.03	
			9818959026	Bldg Maint Matls & Supplies	11.16	0.00	11.16	
			9819027195	Hand Tools	40.58	0.00	40.58	
			9819217440	Hand Tools	326.42	0.00	326.42	
			9819217457	Supplies, Safety	272.97	0.00	272.97	
			9820090323	Miscellaneous Equipment Parts & Supplies	17.63	0.00	17.63	
			9820305721	Chemicals	118.11	0.00	118.11	
			9820426717	Clothing, Uniforms & Access	192.49	0.00	192.49	
			9820522051	Bldg Maint Matls & Supplies	78.38	0.00	78.38	
			9820615210	Bldg Maint Matls & Supplies	54.79	0.00	54.79	
			9821289981	Hand Tools	993.00	0.00	993.00	
			9821576684	Bldg Maint Matls & Supplies	58.46	0.00	58.46	
			9821847994	Bldg Maint Matls & Supplies	14.11	0.00	14.11	
			9822609559	Supplies, Safety	26.40	0.00	26.40	
			9822609567	Materials - Land Improve	13.55	0.00	13.55	
			9823568721	Bldg Maint Matls & Supplies	4.98	0.00	4.98	
			9823881165	Bldg Maint Matls & Supplies	88.44	0.00	88.44	
			9824846605	Parts, Vehicles & Motor Equip	27.51	0.00	27.51	

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			9825609341	Supplies, Safety	1,116.21	0.00	1,116.21	
			9826811656	Bldg Maint Matls & Supplies	167.59	0.00	167.59	
			9826812712	General Supplies	102.54	0.00	102.54	
			9827816811	Supplies, First Aid	32.89	0.00	32.89	
			9827960296	Electrical Parts & Supplies	370.71	0.00	370.71	
			9827960304	Bldg Maint Matls & Supplies	34.94	0.00	34.94	
			9828162058	Parts, Vehicles & Motor Equip	241.16	0.00	241.16	
			9828969411	Bldg Maint Matls & Supplies	5.41	0.00	5.41	
			9828969429	Bldg Maint Matls & Supplies	23.93	0.00	23.93	
			9828969437	Bldg Maint Matls & Supplies	148.97	0.00	148.97	
			9828969445	Bldg Maint Matls & Supplies	3.33	0.00	3.33	
			9829056572	Miscellaneous Equipment Parts & Supplies	46.89	0.00	46.89	
			9829056580	Bldg Maint Matls & Supplies	2.55	0.00	2.55	
			9829056598	Bldg Maint Matls & Supplies	343.15	0.00	343.15	
			9829849844	Supplies, Safety	38.72	0.00	38.72	
			9830074614	Supplies, Safety	82.74	0.00	82.74	
			9830074622	Hand Tools	159.43	0.00	159.43	
			9830400793	Miscellaneous Equipment Parts & Supplies	221.94	0.00	221.94	
			9830792132	Supplies, Safety	58.86	0.00	58.86	
			9830792140	Supplies, Safety	120.45	0.00	120.45	
			9831358552	Water Meters	18.73	0.00	18.73	
100273212	9/23/15	PACIFIC GAS & ELECTRIC CO	05225890200815	Utilities - Gas	253.17	0.00	253.17	**$244,514.69**
			05225892760815	Utilities - Electric	3,913.04	0.00	3,913.04	
			06075133000815	Utilities - Electric	12.22	0.00	12.22	
			11059220090815	Utilities - Electric	6,200.31	0.00	6,200.31	
			11059220250815	Utilities - Gas	753.40	0.00	753.40	
			11059220400815	Utilities - Gas	94.94	0.00	94.94	
			11059220450815	Utilities - Gas	378.80	0.00	378.80	
			11059220500815	Utilities - Gas	19.94	0.00	19.94	
			11059220550815	Utilities - Electric	1,053.12	0.00	1,053.12	
			11059220600815	Utilities - Gas	2,051.36	0.00	2,051.36	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			11059220750815	Utilities - Gas	145.81	0.00	145.81	
			11059220810815	Utilities - Electric	355.34	0.00	355.34	
			11059220900815	Utilities - Gas	50.46	0.00	50.46	
			11059221020815	Utilities - Electric	421.31	0.00	421.31	
			11059221050815	Utilities - Gas	40.94	0.00	40.94	
			11059221060815	Utilities - Electric	987.93	0.00	987.93	
			11059221080815	Utilities - Electric	1,063.07	0.00	1,063.07	
			11059221150815	Utilities - Gas	55.66	0.00	55.66	
			11059221180815	Utilities - Electric	12,860.05	0.00	12,860.05	
			11059221250815	Utilities - Gas	59.68	0.00	59.68	
			11059221350815	Utilities - Gas	32.91	0.00	32.91	
			11059221400815	Utilities - Gas	476.64	0.00	476.64	
			11059221600815	Utilities - Gas	47.50	0.00	47.50	
			11059221700815	Utilities - Gas	42.20	0.00	42.20	
			11059221730815	Utilities - Electric	2,481.87	0.00	2,481.87	
			11059221850815	Utilities - Gas	8.12	0.00	8.12	
			11059221930815	Utilities - Electric	17,108.89	0.00	17,108.89	
			11059221980815	Utilities - Electric	1,013.95	0.00	1,013.95	
			11059222630815	Utilities - Electric	2,355.73	0.00	2,355.73	
			11059222720815	Utilities - Electric	1,232.10	0.00	1,232.10	
			11059224060815	Utilities - Electric	16,882.43	0.00	16,882.43	
			11059224270815	Utilities - Electric	9.86	0.00	9.86	
			11059225290815	Utilities - Electric	992.30	0.00	992.30	
			11059225650815	Utilities - Gas	1,170.33	0.00	1,170.33	
			11059226380815	Utilities - Electric	9,460.16	0.00	9,460.16	
			11059227030815	Utilities - Electric	941.69	0.00	941.69	
			11059227230815	Utilities - Electric	9,704.42	0.00	9,704.42	
			11059227790815	Utilities - Electric	121.95	0.00	121.95	
			11059228050815	Utilities - Electric	11,280.21	0.00	11,280.21	
			11059228580815	Utilities - Electric	18,373.55	0.00	18,373.55	
			12847684120815	Utilities - Electric	10.94	0.00	10.94	

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			14823837850815	Utilities - Electric	59.01	0.00	59.01	
			18068041900815	Utilities - Electric	99.26	0.00	99.26	
			19867842520815	Utilities - Electric	48.54	0.00	48.54	
			22868920920815	Utilities - Electric	112.94	0.00	112.94	
			32725920070815	Utilities - Electric	15.25	0.00	15.25	
			32725920350815	Utilities - Gas	7.84	0.00	7.84	
			32725920630815	Utilities - Electric	198.35	0.00	198.35	
			32725921320815	Utilities - Electric	163.99	0.00	163.99	
			32725921480815	Utilities - Electric	184.92	0.00	184.92	
			32725921490815	Utilities - Electric	11.83	0.00	11.83	
			32725921600815	Utilities - Gas	9.23	0.00	9.23	
			32725921800815	Utilities - Electric	20.03	0.00	20.03	
			32725921980815	Utilities - Electric	945.94	0.00	945.94	
			32725922050815	Utilities - Electric	34.61	0.00	34.61	
			32725922090815	Utilities - Electric	2,187.76	0.00	2,187.76	
			32725922410815	Utilities - Electric	1,115.70	0.00	1,115.70	
			32725922520815	Utilities - Electric	444.42	0.00	444.42	
			32725923330815	Utilities - Gas	22.09	0.00	22.09	
			32725923350815	Utilities - Electric	153.00	0.00	153.00	
			32725923400815	Utilities - Electric	25.47	0.00	25.47	
			32725923710815	Utilities - Electric	12.53	0.00	12.53	
			32725923770815	Utilities - Electric	282.91	0.00	282.91	
			32725924170815	Utilities - Electric	135.97	0.00	135.97	
			32725924970815	Utilities - Electric	15.60	0.00	15.60	
			32725925000815	Utilities - Electric	442.56	0.00	442.56	
			32725925230815	Utilities - Electric	272.18	0.00	272.18	
			32725925370815	Utilities - Electric	222.18	0.00	222.18	
			32725925630815	Utilities - Electric	828.29	0.00	828.29	
			32725925890815	Utilities - Electric	1,095.72	0.00	1,095.72	
			32725925920815	Utilities - Electric	375.83	0.00	375.83	
			32725926210815	Utilities - Electric	244.67	0.00	244.67	

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			32725926440815	Utilities - Electric	1,232.40	0.00	1,232.40	
			32725926470815	Utilities - Electric	1,076.69	0.00	1,076.69	
			32725926950815	Utilities - Electric	34.49	0.00	34.49	
			32725927040815	Utilities - Electric	12.63	0.00	12.63	
			32725927340815	Utilities - Electric	501.26	0.00	501.26	
			32725927360815	Utilities - Gas	22.27	0.00	22.27	
			32725927380815	Utilities - Electric	122.31	0.00	122.31	
			32725927400815	Utilities - Electric	89.02	0.00	89.02	
			32725927510815	Utilities - Electric	604.10	0.00	604.10	
			32725928250815	Utilities - Electric	19.65	0.00	19.65	
			32725928590815	Utilities - Electric	322.28	0.00	322.28	
			32725929220815	Utilities - Electric	464.70	0.00	464.70	
			32725929280815	Utilities - Electric	40.77	0.00	40.77	
			32725929750815	Utilities - Electric	128.97	0.00	128.97	
			38257235830815	Utilities - Electric	10.05	0.00	10.05	
			39509111000815	Utilities - Electric	55.67	0.00	55.67	
			43142590150815	Utilities - Gas	7.85	0.00	7.85	
			43142590250815	Utilities - Gas	314.99	0.00	314.99	
			43142590300815	Utilities - Gas	28.64	0.00	28.64	
			43142597200815	Utilities - Electric	1,229.65	0.00	1,229.65	
			43142597640815	Utilities - Electric	1,899.40	0.00	1,899.40	
			48131400740815	Utilities - Electric	10.69	0.00	10.69	
			52896844240815	Utilities - Gas	216.15	0.00	216.15	
			52896847890815	Utilities - Electric	1,417.28	0.00	1,417.28	
			56892570120815	Utilities - Electric	15.02	0.00	15.02	
			56892570470815	Utilities - Electric	12.19	0.00	12.19	
			56892570610815	Utilities - Electric	14.15	0.00	14.15	
			56892570850815	Utilities - Electric	9.53	0.00	9.53	
			56892571500815	Utilities - Electric	11.46	0.00	11.46	
			56892572230815	Utilities - Electric	9.86	0.00	9.86	
			56892573210815	Utilities - Electric	12.62	0.00	12.62	

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			56892573280815	Utilities - Electric	9.86	0.00	9.86	
			56892573340815	Utilities - Electric	11.83	0.00	11.83	
			56892573450815	Utilities - Electric	9.86	0.00	9.86	
			56892574540815	Utilities - Electric	12.28	0.00	12.28	
			56892574610815	Utilities - Electric	12.63	0.00	12.63	
			56892574690815	Utilities - Electric	12.36	0.00	12.36	
			56892574720815	Utilities - Electric	12.19	0.00	12.19	
			56892574930815	Utilities - Electric	12.09	0.00	12.09	
			56892575240815	Utilities - Electric	12.22	0.00	12.22	
			56892575250815	Utilities - Electric	12.62	0.00	12.62	
			56892575560815	Utilities - Electric	12.67	0.00	12.67	
			56892575840815	Utilities - Electric	14.35	0.00	14.35	
			56892576280815	Utilities - Electric	12.36	0.00	12.36	
			56892576480815	Utilities - Electric	13.11	0.00	13.11	
			56892576590815	Utilities - Electric	9.86	0.00	9.86	
			56892576690815	Utilities - Electric	12.47	0.00	12.47	
			56892577220815	Utilities - Electric	12.23	0.00	12.23	
			56892577390815	Utilities - Electric	12.80	0.00	12.80	
			56892578180815	Utilities - Electric	10.39	0.00	10.39	
			56892578670815	Utilities - Electric	12.08	0.00	12.08	
			56892578890815	Utilities - Electric	12.15	0.00	12.15	
			56892579010815	Utilities - Electric	9.86	0.00	9.86	
			56892579640815	Utilities - Electric	12.33	0.00	12.33	
			56892579810815	Utilities - Electric	12.23	0.00	12.23	
			60225900040815	Utilities - Electric	49,966.71	0.00	49,966.71	
			60225900080815	Utilities - Electric	8,197.21	0.00	8,197.21	
			60225900140815	Utilities - Electric	38.06	0.00	38.06	
			60225900150815	Utilities - Electric	25.95	0.00	25.95	
			60225900160815	Utilities - Electric	14.07	0.00	14.07	
			60225900170815	Utilities - Electric	10.94	0.00	10.94	
			60225900220815	Utilities - Electric	805.19	0.00	805.19	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			60225900260815	Utilities - Electric	42.10	0.00	42.10	
			60225900450815	Utilities - Electric	265.60	0.00	265.60	
			60225900550815	Utilities - Electric	686.12	0.00	686.12	
			60225900760815	Utilities - Electric	812.86	0.00	812.86	
			60225901000815	Utilities - Electric	9.53	0.00	9.53	
			60225901010815	Utilities - Electric	86.69	0.00	86.69	
			60225901100815	Utilities - Gas	51.27	0.00	51.27	
			60225901310815	Utilities - Electric	13.70	0.00	13.70	
			60225901980815	Utilities - Electric	75.28	0.00	75.28	
			60225902290815	Utilities - Electric	27.36	0.00	27.36	
			60225902530815	Utilities - Electric	3,068.49	0.00	3,068.49	
			60225902640815	Utilities - Electric	50.05	0.00	50.05	
			60225902900815	Utilities - Electric	340.04	0.00	340.04	
			60225902950815	Utilities - Electric	22.52	0.00	22.52	
			60225903550815	Utilities - Electric	292.24	0.00	292.24	
			60225904170815	Utilities - Electric	12.63	0.00	12.63	
			60225904240815	Utilities - Electric	12.28	0.00	12.28	
			60225904580815	Utilities - Electric	96.43	0.00	96.43	
			60225905100815	Utilities - Electric	4.57	0.00	4.57	
			60225905410815	Utilities - Electric	29.46	0.00	29.46	
			60225905570815	Utilities - Electric	96.24	0.00	96.24	
			60225905580815	Utilities - Electric	12.51	0.00	12.51	
			60225905590815	Utilities - Electric	12.51	0.00	12.51	
			60225905600815	Utilities - Electric	6,756.67	0.00	6,756.67	
			60225906090815	Utilities - Electric	8,869.20	0.00	8,869.20	
			60225906210815	Utilities - Electric	4.57	0.00	4.57	
			60225906510815	Utilities - Electric	2,460.56	0.00	2,460.56	
			60225906590815	Utilities - Electric	638.69	0.00	638.69	
			60225906600815	Utilities - Electric	84.84	0.00	84.84	
			60225906780815	Utilities - Electric	4,323.42	0.00	4,323.42	
			60225907690815	Utilities - Electric	198.40	0.00	198.40	

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			60225907730815	Utilities - Electric	29.67	0.00	29.67	
			60225908170815	Utilities - Electric	26.38	0.00	26.38	
			60225908580815	Utilities - Electric	78.02	0.00	78.02	
			60225908610815	Utilities - Electric	32.90	0.00	32.90	
			60225908940815	Utilities - Electric	56.54	0.00	56.54	
			60225909050815	Utilities - Electric	13.97	0.00	13.97	
			60225909410815	Utilities - Electric	102.45	0.00	102.45	
			60225909720815	Utilities - Electric	12.11	0.00	12.11	
			60225909830815	Utilities - Electric	94.11	0.00	94.11	
			61266000050815	Utilities - Gas	220.89	0.00	220.89	
			66172622090815	Utilities - Electric	26.02	0.00	26.02	
			81008625370815	Utilities - Electric	125.81	0.00	125.81	
			91475900450815	Utilities - Gas	19.07	0.00	19.07	
			91475903190815	Utilities - Electric	112.07	0.00	112.07	
			91475904100815	Utilities - Electric	907.40	0.00	907.40	
			91475904310815	Utilities - Electric	414.05	0.00	414.05	
			91475907050815	Utilities - Electric	216.00	0.00	216.00	
			91475907470815	Utilities - Electric	902.49	0.00	902.49	
			91475908690815	Utilities - Electric	934.91	0.00	934.91	
			91475909640815	Utilities - Electric	945.05	0.00	945.05	
			91475909790815	Utilities - Electric	1,249.00	0.00	1,249.00	
			SVVT1362020715	Utilities - Electric	4,940.33	0.00	4,940.33	
100273227	9/23/15	PALO ALTO MEDICAL FOUNDATION	2330	Pre-Employment Testing	125.00	0.00	125.00	**$5,007.04**
			2331	Pre-Employment Testing	179.52	0.00	179.52	
			2332	Pre-Employment Testing	27.00	0.00	27.00	
			2333	Pre-Employment Testing	79.00	0.00	79.00	
			2334	Pre-Employment Testing	14.00	0.00	14.00	
			2335	Pre-Employment Testing	77.00	0.00	77.00	
			2336	Pre-Employment Testing	14.00	0.00	14.00	
			2337	Pre-Employment Testing	88.00	0.00	88.00	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			2338	Pre-Employment Testing	75.00	0.00	75.00	
			2339	Pre-Employment Testing	125.00	0.00	125.00	
			2340	Pre-Employment Testing	75.00	0.00	75.00	
			2341	Pre-Employment Testing	125.00	0.00	125.00	
			2342	Pre-Employment Testing	45.00	0.00	45.00	
			2343	Pre-Employment Testing	45.00	0.00	45.00	
			2344	Pre-Employment Testing	57.00	0.00	57.00	
			2345	Pre-Employment Testing	75.00	0.00	75.00	
			2346	Pre-Employment Testing	125.00	0.00	125.00	
			2347	Pre-Employment Testing	75.00	0.00	75.00	
			2348	Pre-Employment Testing	125.00	0.00	125.00	
			2349	Pre-Employment Testing	57.00	0.00	57.00	
			2350	Medical Services	125.00	0.00	125.00	
			2351	Pre-Employment Testing	75.00	0.00	75.00	
			2352	Pre-Employment Testing	125.00	0.00	125.00	
			2353	Pre-Employment Testing	75.00	0.00	75.00	
			2354	Pre-Employment Testing	125.00	0.00	125.00	
			2355	Pre-Employment Testing	57.00	0.00	57.00	
			2356	Pre-Employment Testing	75.00	0.00	75.00	
			2357	Pre-Employment Testing	125.00	0.00	125.00	
			2358	Pre-Employment Testing	30.00	0.00	30.00	
			2359	Pre-Employment Testing	75.00	0.00	75.00	
			2360	Pre-Employment Testing	125.00	0.00	125.00	
			2361	Pre-Employment Testing	57.00	0.00	57.00	
			2366	Pre-Employment Testing	125.00	0.00	125.00	
			2367	Pre-Employment Testing	82.00	0.00	82.00	
			2368	Pre-Employment Testing	44.00	0.00	44.00	
			2369	Pre-Employment Testing	79.00	0.00	79.00	
			2371	Pre-Employment Testing	77.00	0.00	77.00	
			2372	Pre-Employment Testing	125.00	0.00	125.00	
			2373	Pre-Employment Testing	179.52	0.00	179.52	

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			2374	Pre-Employment Testing	75.00	0.00	75.00	
			2375	Pre-Employment Testing	125.00	0.00	125.00	
			2376	Pre-Employment Testing	57.00	0.00	57.00	
			2377	Pre-Employment Testing	75.00	0.00	75.00	
			2378	Pre-Employment Testing	125.00	0.00	125.00	
			2379	Pre-Employment Testing	30.00	0.00	30.00	
			2380	Pre-Employment Testing	75.00	0.00	75.00	
			2381	Pre-Employment Testing	95.00	0.00	95.00	
			2382	Pre-Employment Testing	30.00	0.00	30.00	
			2383	Pre-Employment Testing	75.00	0.00	75.00	
			2384	Pre-Employment Testing	125.00	0.00	125.00	
			2385	Pre-Employment Testing	75.00	0.00	75.00	
			2386	Pre-Employment Testing	125.00	0.00	125.00	
			2387	Pre-Employment Testing	75.00	0.00	75.00	
			2388	Pre-Employment Testing	125.00	0.00	125.00	
			2389	Pre-Employment Testing	30.00	0.00	30.00	
			2390	Pre-Employment Testing	57.00	0.00	57.00	
			2391	Pre-Employment Testing	75.00	0.00	75.00	
			2392	Pre-Employment Testing	95.00	0.00	95.00	
			2393	Pre-Employment Testing	75.00	0.00	75.00	
100273232	9/23/15	SWRCB FEES	EA 0715-1340	Taxes & Licenses - Misc	5,975.00	0.00	5,975.00	**$5,975.00**
100273233	9/23/15	SANTA CLARA COUNTY SUPERIOR COURT	715TR368942	Deposits Payable - Warrants	208.00	0.00	208.00	**$208.00**
100273234	9/23/15	IRON CONSTRUCTION INC	BL046861-0915	Business License Tax	224.93	0.00	224.93	**$224.93**
100273235	9/23/15	MARIO MARCELINO	286334	Refund Recreation Fees	350.00	0.00	350.00	**$350.00**
100273236	9/23/15	SAVE SUNNYVALE PARKS & SCHOOLS INC	CK#1030	Deposits Payable - Miscellaneous	200.00	0.00	200.00	**$200.00**
100273237	9/25/15	3M	UM30357	Library Periodicals/Databases	6,188.03	0.00	6,188.03	**$6,188.03**
100273238	9/25/15	AT&T	09/17-10/16/15	Utilities - Mobile Phones - City Mobile Phones	266.81	0.00	266.81	**$266.81**
100273239	9/25/15	AMERICAN LEAK DETECTION	1548A	Misc Equip Maint & Repair - Labor	445.00	0.00	445.00	**$445.00**
100273240	9/25/15	AZTEC CONSULTANTS	ANAEROBC123 #19	Construction Services	98,613.91	0.00	98,613.91	**$98,613.91**

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100273241	9/25/15	BAKER & TAYLOR	4011336977	Library Acquisitions, Books	1,222.29	0.00	1,222.29	**$1,276.38**
			4011336977	Library Materials Preprocessing	54.09	0.00	54.09	
100273242	9/25/15	CALIFORNIA DEPARTMENT OF TRANSPORTATION	16001553	Utilities - Electric	648.56	0.00	648.56	**$807.83**
			16001555	Utilities - Electric	159.27	0.00	159.27	
100273243	9/25/15	CALIFORNIA DEPT OF GENERAL SERVICES	1408049	Utilities - Gas	15,229.81	0.00	15,229.81	**$15,229.81**
100273244	9/25/15	CALTEST ANALYTICAL LABORATORY	548495	Water Lab Services	623.10	0.00	623.10	**$679.80**
			548738	Water Lab Services	56.70	0.00	56.70	
100273245	9/25/15	CENTURY GRAPHICS	42705	Clothing, Uniforms & Access	312.68	0.00	312.68	**$312.68**
100273246	9/25/15	CITY OF SAN JOSE - WORK2FUTURE	JUL15-AUG15	Contracts/Service Agreements	11,006.48	0.00	11,006.48	**$11,006.48**
100273247	9/25/15	CITY OF SANTA CLARA MUNICIPAL UTILITIES	SEPT2015	Utilities - Electric	519.38	0.00	519.38	**$519.38**
100273248	9/25/15	CONTRACTOR COMPLIANCE & MONITORING INC	6113	Consultants	300.00	0.00	300.00	**$300.00**
100273249	9/25/15	CORIX WATER PRODUCTS (US) INC	17513025638	Inventory Purchase	297.43	2.97	294.46	**$294.46**
100273250	9/25/15	COUNTY LEGAL & NOTARY SERVICE	7039006	Contracts/Service Agreements	55.00	0.00	55.00	**$145.00**
			7039170	Contracts/Service Agreements	45.00	0.00	45.00	
			7039172	Contracts/Service Agreements	45.00	0.00	45.00	
100273251	9/25/15	D W NICHOLSON CORP	4777	Misc Equip Maint & Repair - Labor	23,637.13	0.00	23,637.13	**$23,637.13**
100273252	9/25/15	DAPPER TIRE CO INC	42367123	Inventory Purchase	299.59	0.00	299.59	**$299.59**
100273253	9/25/15	DAVID J POWERS & ASSOC INC	10188	Environmental Services	2,148.43	0.00	2,148.43	**$2,148.43**
100273254	9/25/15	DORIS PLYMIRE-ZANKICH	14-15-041	Liability Claims Paid	365.00	0.00	365.00	**$365.00**
100273255	9/25/15	ERT INC	RF1509-20	Occupational Health and Safety Services	975.00	0.00	975.00	**$975.00**
100273256	9/25/15	ERLER & KALINOWSKI INC	43	Consultants	8,976.66	0.00	8,976.66	**$8,976.66**
100273257	9/25/15	FAST FABRICATORS LLC	INV003980	Chemicals	242.24	0.00	242.24	**$242.24**
100273258	9/25/15	FISHER SCIENTIFIC CO LLC	7531247	General Supplies	218.46	0.00	218.46	**$899.29**
			8193170	General Supplies	680.83	0.00	680.83	
100273259	9/25/15	FUN SERVICE	DEP101715	General Supplies	400.00	0.00	400.00	**$400.00**
100273260	9/25/15	GEORGE HILLS CO INC	INV1009581	Liability Claims Adjustor	6,576.60	0.00	6,576.60	**$6,576.60**
100273261	9/25/15	GEXPRO	S110768426.001	Computer Software	27,779.15	0.00	27,779.15	**$27,779.15**
100273262	9/25/15	HDR ENGINEERING INC	00229982-B	Consultants	24,873.51	0.00	24,873.51	**$24,873.51**
100273263	9/25/15	INTERSTATE SALES	11353	Materials - Land Improve	265.89	0.00	265.89	**$265.89**

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100273264	9/25/15	JMB CONSTRUCTION INC	STRMSYSTRSH #R	Construction Project Contract Retainage	74,084.30	0.00	74,084.30	**$74,084.30**
100273265	9/25/15	JANA SOKALE ENVIRONMENTAL PLANNING	15	Engineering Services	1,850.00	0.00	1,850.00	**$1,850.00**
100273266	9/25/15	KAISER PERMANENTE NORTHERN CALIFORNIA	18740472-6094	Liability Claims Paid	239.20	0.00	239.20	**$239.20**
100273267	9/25/15	KENNEDY JENKS CONSULTANTS	95319	Engineering Services	10,604.90	0.00	10,604.90	**$10,604.90**
100273268	9/25/15	KIMLEY HORN & ASSOC INC	097318013-0715	Consultants	24,740.00	0.00	24,740.00	**$24,740.00**
100273269	9/25/15	KING BUSINESS SERVICES	2015-022	Investigation Expense	1,166.00	0.00	1,166.00	**$1,166.00**
100273270	9/25/15	L N CURTIS & SONS INC	1359894-00	Clothing, Uniforms & Access	12,929.95	0.00	12,929.95	**$13,639.00**
			1361305-00	Clothing, Uniforms & Access	369.75	0.00	369.75	
			1366611-01	Clothing, Uniforms & Access	339.30	0.00	339.30	
100273271	9/25/15	LC ACTION POLICE SUPPLY	336197	General Supplies	119.66	0.00	119.66	**$119.66**
100273272	9/25/15	LEARNINGTECH.ORG	2015_4757	Professional Services	2,700.00	0.00	2,700.00	**$2,700.00**
100273273	9/25/15	LOZANO SUNNYVALE CAR WASH	015	Auto Maint & Repair - Labor	1,291.50	0.00	1,291.50	**$1,291.50**
100273274	9/25/15	MIDWEST TAPE	93160692REV	Library Acquis, Audio/Visual	-678.42	0.00	-678.42	**$1,620.59**
			93160902	Library Acquis, Audio/Visual	678.42	0.00	678.42	
			93178293	Library Acquis, Audio/Visual	974.99	0.00	974.99	
			93230733	Library Technology Services	645.60	0.00	645.60	
100273275	9/25/15	MUNICIPAL MAINTENANCE EQUIPMENT INC	0102928-IN	Miscellaneous Equipment	449.04	0.00	449.04	**$449.04**
100273276	9/25/15	MYERS TIRE SUPPLY CO	51708343	Parts, Vehicles & Motor Equip	67.54	0.00	67.54	**$67.54**
100273277	9/25/15	NORTH STATE ENVIRONMENTAL	047014	HazMat Disposal - Hazardous Waste Disposal	2,132.26	0.00	2,132.26	**$2,132.26**
100273278	9/25/15	ON ASSIGNMENT LAB SUPPORT	LAB550104386	Salaries - Contract Personnel	675.00	0.00	675.00	**$675.00**
100273279	9/25/15	OVERDRIVE INC	0910-131549230	Library Periodicals/Databases	501.22	0.00	501.22	**$501.22**
100273280	9/25/15	OVERLAND PACIFIC AND CUTLER INC	1508198	Consultants	2,843.75	0.00	2,843.75	**$2,843.75**
100273281	9/25/15	P&R PAPER SUPPLY CO INC	30050603-00	Inventory Purchase	2,095.89	0.00	2,095.89	**$2,095.89**
100273282	9/25/15	PATSONS MEDIA GROUP	174959	Printing & Related Services	575.00	0.00	575.00	**$3,788.56**
			174967	Printing & Related Services	429.56	0.00	429.56	
			174968	Printing & Related Services	1,783.50	0.00	1,783.50	
			174969	Printing & Related Services	168.56	0.00	168.56	

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			174984	Printing & Related Services	831.94	0.00	831.94	
100273283	9/25/15	PETER HAZEL	1	Professional Services	5,000.00	0.00	5,000.00	**$5,000.00**
100273284	9/25/15	PETERSON POWER SYSTEMS INC	PC240028577	Miscellaneous Equipment Parts & Supplies	6,264.65	0.00	6,264.65	**$6,264.65**
100273285	9/25/15	REED & GRAHAM INC	843646	Materials - Land Improve	1,377.09	0.00	1,377.09	**$6,499.83**
			843770	Materials - Land Improve	857.89	0.00	857.89	
			843952	Materials - Land Improve	2,117.90	0.00	2,117.90	
			844071	Materials - Land Improve	2,146.95	0.00	2,146.95	
100273286	9/25/15	ROYAL BRASS INC	773484-001	Construction Services	337.60	3.38	334.22	**$650.71**
			773960-001	Parts, Vehicles & Motor Equip	158.95	0.00	158.95	
			773962-001	Parts, Vehicles & Motor Equip	123.65	0.00	123.65	
			773963-001	Parts, Vehicles & Motor Equip	33.89	0.00	33.89	
100273287	9/25/15	SC FUELS	2865180	Inventory Purchase	21,355.63	0.00	21,355.63	**$21,355.63**
100273288	9/25/15	SAFETY KLEEN SYSTEMS INC	67048994	Chemicals	292.61	0.00	292.61	**$372.61**
			67932302	Auto Maint & Repair - Labor	80.00	0.00	80.00	
100273289	9/25/15	SAFEWAY INC	430859-091915	Food Products	21.26	0.00	21.26	**$147.99**
			723989-091115	Food Products	7.98	0.00	7.98	
			807274-091615	Employee Recognition Expenses	8.99	0.00	8.99	
			808920-092115	General Supplies	109.76	0.00	109.76	
100273290	9/25/15	SAN FRANCISCO BAY BIRD OBSERVATORY	854	Water Lab Services	1,569.00	0.00	1,569.00	**$1,569.00**
100273291	9/25/15	SANTA CLARA VALLEY HEALTH & HOSPITAL SYS	H5552058601	Medical Services	1,984.00	0.00	1,984.00	**$1,984.00**
100273292	9/25/15	SHAPE PRODUCTS	4000910	Chemicals	521.57	0.00	521.57	**$521.57**
100273293	9/25/15	SHRED-IT USA LLC	8120342584	Records Related Services	90.00	0.00	90.00	**$90.00**
100273294	9/25/15	SIERRA CHEMICAL CO	SLS10025423	Chemicals	4,006.56	0.00	4,006.56	**$4,006.56**
100273295	9/25/15	SILICON VALLEY COMMUNITY NEWSPAPERS	0005555705	Advertising Services	299.50	0.00	299.50	**$898.50**
			5547621-081415	Advertising Services	299.50	0.00	299.50	
			5547621-082115	Advertising Services	299.50	0.00	299.50	
100273296	9/25/15	SILICON VALLEY TOW	76302	General Supplies	2,330.00	0.00	2,330.00	**$2,330.00**
100273297	9/25/15	SPARTAN TOOL LLC	498736	Miscellaneous Equipment	363.44	0.00	363.44	**$363.44**
100273298	9/25/15	STEVENS CREEK QUARRY INC	607574	General Supplies	682.28	0.00	682.28	**$2,157.64**
			611906	General Supplies	1,475.36	0.00	1,475.36	

List of All Claims and Bills Approved for Payment

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Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
100273299	9/25/15	T-MOBILE USA INC	9239200345	Investigation Expense	100.00	0.00	100.00	**$150.00**
			9239200346	Investigation Expense	50.00	0.00	50.00	
100273300	9/25/15	USA BLUEBOOK	741479	Miscellaneous Equipment Parts & Supplies	1,832.76	0.00	1,832.76	**$2,839.27**
			742454	Hand Tools	1,006.51	0.00	1,006.51	
100273301	9/25/15	UNITED RENTALS	130916551-001	Equipment Rental/Lease	3,292.24	0.00	3,292.24	**$3,311.00**
			130916551-002	Equipment Rental/Lease	18.76	0.00	18.76	
100273302	9/25/15	VWR INTERNATIONAL LLC	8042374742	General Supplies	9.09	0.00	9.09	**$148.99**
			8042406890	General Supplies	139.90	0.00	139.90	
100273303	9/25/15	VALLEY OIL CO	30916	Fuel, Oil & Lubricants	124.30	0.00	124.30	**$124.30**
100273304	9/25/15	VIASYN	25430	Utilities - Electric	2,750.00	0.00	2,750.00	**$2,750.00**
100273305	9/25/15	WECK LABORATORIES INC	W5H1450-COSV	Water Lab Services	446.68	0.00	446.68	**$446.68**
100273306	9/25/15	WECO INDUSTRIES LLC	0034667-IN	Miscellaneous Equipment	1,194.54	0.00	1,194.54	**$160.56**
			0034667-N REV	Miscellaneous Equipment	-1,194.54	0.00	-1,194.54	
			0034894-IN	Equipment Rental/Lease	160.56	0.00	160.56	
100273307	9/25/15	WESTERN CONTRACT INTERIORS	20324RP	Furniture	31,795.77	0.00	31,795.77	**$31,795.77**
100273308	9/25/15	ZEP MANUFACTURING CO	9001853511	Materials - Land Improve	3,362.66	0.00	3,362.66	**$5,043.99**
			9001871234	Chemicals	1,681.33	0.00	1,681.33	
100273309	9/25/15	ALBERT J SCOTT	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	80.12	0.00	80.12	**$80.12**
100273310	9/25/15	ANN DURKES	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	0.86	0.00	0.86	**$0.86**
100273311	9/25/15	CNOA	EPIDENDIO1015	Training and Conferences	45.00	0.00	45.00	**$45.00**
100273312	9/25/15	CHARLES J SCHWABE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	31.28	0.00	31.28	**$31.28**
100273313	9/25/15	CHARLES S EANEFF JR	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	**$828.28**
100273314	9/25/15	DEAN CHU	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	850.09	0.00	850.09	**$850.09**
100273315	9/25/15	DEAN S RUSSELL	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,382.09	0.00	1,382.09	**$1,382.09**
100273316	9/25/15	GAIL SWEGLES	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	138.38	0.00	138.38	**$138.38**
100273317	9/25/15	KLAUS DAEHNE						**$681.52**

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	681.52	0.00	681.52	
100273318	9/25/15	LISA G ROSENBLUM	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	0.47	0.00	0.47	**$0.47**
100273319	9/25/15	MARK ROGGE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	206.99	0.00	206.99	**$206.99**
100273320	9/25/15	MARSHA POLLAK	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
100273321	9/25/15	PACIFIC GAS & ELECTRIC CO	11059228290815	Utilities - Electric	82.30	0.00	82.30	**$8,717.36**
			11059229930815	Utilities - Electric	90.53	0.00	90.53	
			35642590100815	Utilities - Electric	73.18	0.00	73.18	
			35642590150815	Utilities - Electric	61.65	0.00	61.65	
			35642590250815	Utilities - Electric	142.61	0.00	142.61	
			35642590300815	Utilities - Electric	85.80	0.00	85.80	
			35642590350815	Utilities - Electric	66.51	0.00	66.51	
			35642590400815	Utilities - Electric	88.72	0.00	88.72	
			35642590450815	Utilities - Electric	72.01	0.00	72.01	
			35642590500815	Utilities - Electric	60.82	0.00	60.82	
			35642590650815	Utilities - Electric	64.95	0.00	64.95	
			35642590700815	Utilities - Electric	57.68	0.00	57.68	
			35642590750815	Utilities - Electric	85.97	0.00	85.97	
			35642590800815	Utilities - Electric	85.61	0.00	85.61	
			35642590850815	Utilities - Electric	57.03	0.00	57.03	
			35642590950815	Utilities - Electric	17.09	0.00	17.09	
			35642591000815	Utilities - Electric	115.05	0.00	115.05	
			35642591050815	Utilities - Electric	64.09	0.00	64.09	
			35642591100815	Utilities - Electric	60.13	0.00	60.13	
			35642591150815	Utilities - Electric	73.91	0.00	73.91	
			35642591250815	Utilities - Electric	89.22	0.00	89.22	
			35642591300815	Utilities - Electric	44.98	0.00	44.98	
			35642591350815	Utilities - Electric	110.23	0.00	110.23	
			35642591400815	Utilities - Electric	74.76	0.00	74.76	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			35642591450815	Utilities - Electric	63.06	0.00	63.06	
			35642591500815	Utilities - Electric	47.56	0.00	47.56	
			35642591550815	Utilities - Electric	52.21	0.00	52.21	
			35642591600815	Utilities - Electric	62.03	0.00	62.03	
			35642591650815	Utilities - Electric	83.71	0.00	83.71	
			35642591700815	Utilities - Electric	78.86	0.00	78.86	
			35642591750815	Utilities - Electric	73.35	0.00	73.35	
			35642591800815	Utilities - Electric	60.26	0.00	60.26	
			35642591850815	Utilities - Electric	60.26	0.00	60.26	
			35642591900815	Utilities - Electric	58.89	0.00	58.89	
			35642591950815	Utilities - Electric	68.07	0.00	68.07	
			35642592000815	Utilities - Electric	84.20	0.00	84.20	
			35642592050815	Utilities - Electric	83.50	0.00	83.50	
			35642592100815	Utilities - Electric	68.70	0.00	68.70	
			35642592150815	Utilities - Electric	72.20	0.00	72.20	
			35642592200815	Utilities - Electric	80.75	0.00	80.75	
			35642592250815	Utilities - Electric	29.45	0.00	29.45	
			35642592300815	Utilities - Electric	58.08	0.00	58.08	
			35642592350815	Utilities - Electric	10.18	0.00	10.18	
			35642592400815	Utilities - Electric	100.73	0.00	100.73	
			35642592450815	Utilities - Electric	53.73	0.00	53.73	
			35642592500815	Utilities - Electric	62.83	0.00	62.83	
			35642592550815	Utilities - Electric	77.11	0.00	77.11	
			35642592600815	Utilities - Electric	77.97	0.00	77.97	
			35642592650815	Utilities - Electric	101.89	0.00	101.89	
			35642592700815	Utilities - Electric	75.22	0.00	75.22	
			35642592750815	Utilities - Electric	54.56	0.00	54.56	
			35642592800815	Utilities - Electric	113.08	0.00	113.08	
			35642592850815	Utilities - Electric	64.37	0.00	64.37	
			35642592900815	Utilities - Electric	61.96	0.00	61.96	
			35642592950815	Utilities - Electric	74.78	0.00	74.78	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			35642593000815	Utilities - Electric	71.09	0.00	71.09	
			35642593050815	Utilities - Electric	94.83	0.00	94.83	
			35642593100815	Utilities - Electric	72.29	0.00	72.29	
			35642593200815	Utilities - Electric	77.28	0.00	77.28	
			35642593250815	Utilities - Electric	13.96	0.00	13.96	
			35642593300815	Utilities - Electric	83.16	0.00	83.16	
			35642593350815	Utilities - Electric	70.74	0.00	70.74	
			35642593400815	Utilities - Electric	84.85	0.00	84.85	
			35642593450815	Utilities - Electric	70.76	0.00	70.76	
			35642593500815	Utilities - Electric	84.00	0.00	84.00	
			35642593550815	Utilities - Electric	66.79	0.00	66.79	
			35642593600815	Utilities - Electric	92.25	0.00	92.25	
			35642593650815	Utilities - Electric	88.30	0.00	88.30	
			35642593700815	Utilities - Electric	84.34	0.00	84.34	
			35642593750815	Utilities - Electric	51.14	0.00	51.14	
			35642593800815	Utilities - Electric	59.75	0.00	59.75	
			35642593850815	Utilities - Electric	9.86	0.00	9.86	
			35642593900815	Utilities - Electric	56.48	0.00	56.48	
			35642593950815	Utilities - Electric	55.79	0.00	55.79	
			35642594000815	Utilities - Electric	66.64	0.00	66.64	
			35642594050815	Utilities - Electric	39.79	0.00	39.79	
			35642594100815	Utilities - Electric	40.99	0.00	40.99	
			35642594150815	Utilities - Electric	61.12	0.00	61.12	
			35642594250815	Utilities - Electric	93.64	0.00	93.64	
			35642594300815	Utilities - Electric	65.60	0.00	65.60	
			35642594350815	Utilities - Electric	71.80	0.00	71.80	
			35642594400815	Utilities - Electric	49.94	0.00	49.94	
			35642594450815	Utilities - Electric	66.98	0.00	66.98	
			35642594500815	Utilities - Electric	42.20	0.00	42.20	
			35642594550815	Utilities - Electric	84.18	0.00	84.18	
			35642594600815	Utilities - Electric	80.39	0.00	80.39	

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For Payments Dated 9/20/2015 through 9/26/2015

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			35642594650815	Utilities - Electric	86.58	0.00	86.58	
			35642594700815	Utilities - Electric	81.76	0.00	81.76	
			35642594750815	Utilities - Electric	62.68	0.00	62.68	
			35642594800815	Utilities - Electric	80.22	0.00	80.22	
			35642594850815	Utilities - Electric	60.25	0.00	60.25	
			35642594900815	Utilities - Electric	64.54	0.00	64.54	
			35642594950815	Utilities - Electric	83.11	0.00	83.11	
			35642595000815	Utilities - Electric	71.59	0.00	71.59	
			35642595050815	Utilities - Electric	69.53	0.00	69.53	
			35642595100815	Utilities - Electric	66.62	0.00	66.62	
			35642595150815	Utilities - Electric	63.17	0.00	63.17	
			35642595200815	Utilities - Electric	79.17	0.00	79.17	
			35642595250815	Utilities - Electric	56.86	0.00	56.86	
			35642595300815	Utilities - Electric	61.68	0.00	61.68	
			35642595350815	Utilities - Electric	59.88	0.00	59.88	
			35642595400815	Utilities - Electric	61.77	0.00	61.77	
			35642595450815	Utilities - Electric	106.29	0.00	106.29	
			35642595500815	Utilities - Electric	46.05	0.00	46.05	
			35642595550815	Utilities - Electric	56.48	0.00	56.48	
			35642595600815	Utilities - Electric	55.14	0.00	55.14	
			35642595650815	Utilities - Electric	54.98	0.00	54.98	
			35642595700815	Utilities - Electric	66.64	0.00	66.64	
			35642595750815	Utilities - Electric	71.28	0.00	71.28	
			35642595800815	Utilities - Electric	61.32	0.00	61.32	
			35642595850815	Utilities - Electric	110.59	0.00	110.59	
			35642595900815	Utilities - Electric	59.61	0.00	59.61	
			35642595950815	Utilities - Electric	113.63	0.00	113.63	
			35642596000815	Utilities - Electric	90.50	0.00	90.50	
			35642596050815	Utilities - Electric	73.34	0.00	73.34	
			35642596100815	Utilities - Electric	66.14	0.00	66.14	
			35642596150815	Utilities - Electric	55.66	0.00	55.66	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			35642596200815	Utilities - Electric	70.29	0.00	70.29	
			35642596250815	Utilities - Electric	55.83	0.00	55.83	
			35642596300815	Utilities - Electric	66.31	0.00	66.31	
			35642596350815	Utilities - Electric	48.47	0.00	48.47	
			35642596400815	Utilities - Electric	61.47	0.00	61.47	
			35642596450815	Utilities - Electric	96.12	0.00	96.12	
			35642596500815	Utilities - Electric	56.31	0.00	56.31	
			35642598240815	Utilities - Electric	9.86	0.00	9.86	
			74408230820815	Utilities - Electric	66.33	0.00	66.33	
100273331	9/25/15	ROBERT A WALKER	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	**$1,693.18**
100273332	9/25/15	SAN MATEO CTY ENVIRONMENTAL HEALTH SVCS	10/27-29/2015	Training and Conferences	270.00	0.00	270.00	**$270.00**
100273333	9/25/15	SANTA CLARA COUNTY CLERK-RECORDER	WEEDREMVAL	Miscellaneous Services	50.00	0.00	50.00	**$50.00**
100273334	9/25/15	UNITED STATES POSTAL SERVICE	P#584-092315	Postage	5,500.00	0.00	5,500.00	**$5,500.00**
100273335	9/25/15	MADELINE SOTELO	288116	Refund Recreation Fees	79.00	0.00	79.00	**$79.00**
100273336	9/25/15	MARY SNOW	287641	Refund Recreation Fees	144.00	0.00	144.00	**$144.00**
100273337	9/25/15	MICHAEL WEISS	287644	Refund Recreation Fees	102.00	0.00	102.00	**$102.00**
100273338	9/25/15	NATALIA MANGUM	288120	Refund Recreation Fees	74.00	0.00	74.00	**$74.00**
100273339	9/25/15	YAHUI SHI	287914	Refund Recreation Fees	79.00	0.00	79.00	**$79.00**
100273340	9/25/15	YUFEN CHEN	287642	Refund Recreation Fees	110.00	0.00	110.00	**$110.00**
950002420	9/22/15	PUBLIC EMPLOYEES RETIREMENT SYSTEM	950002420	Retirement Benefits - Deferred Comp - City Portion	1,308.82	0.00	1,308.82	**$1,152,845.35**
			950002420	Retirement Benefits - Misc Tier 1 & 2 Employer Required Cont.	458,865.95	0.00	458,865.95	
			950002420	Retirement Benefits - Misc Tier 1&2 Employer Paid Member Cont.	75,071.77	0.00	75,071.77	
			950002420	Retirement Benefits - Misc PEPRA Employer Required Cont.	72,917.51	0.00	72,917.51	
			950002420	Retirement Benefits - Safety Tier 1&2 Employer Required Cont.	426,646.69	0.00	426,646.69	
			950002420	Retirement Benefits - Safety Tier 1&2 Emplyr Paid Member Cont	94,825.64	0.00	94,825.64	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			950002420	Retirement Benefits - Safety PEPRA Employer Required Cont.	23,208.97	0.00	23,208.97	
950100536	9/21/15	SANTA CLARA VALLEY WATER DISTRICT	TI001936	Water for Resale	664,021.82	0.00	664,021.82	**$664,021.82**
950100537	9/22/15	WELLS FARGO BANK	09212015	Purchasing Card Statement	131,129.91	0.00	131,129.91	**$131,129.91**
950100538	9/24/15	STATE BOARD OF EQUAL DIRECT DEPOSIT	21484887056	Use Tax Payable	8,264.22	0.00	8,264.22	**$8,264.22**
950100539	9/23/15	SPECIALTY SOLID WASTE & RECYCLING INC	AUG2015	Franchise - Specialty Garbage	-154,151.96	0.00	-154,151.96	**$1,329,529.61**
			AUG2015	Refuse Serv Fees - Specialty	-149,661.85	0.00	-149,661.85	
			AUG2015	Pymt to Franch Garb Collector	1,633,343.42	0.00	1,633,343.42	
		Grand Total Payment Amount						**$4,838,794.64**

City of Sunnyvale

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Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
2106552	9/29/15	AIMEE FOSBENNER	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	206.99	0.00	206.99	**$206.99**
2106553	9/29/15	ALEX MICHAELIS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106554	9/29/15	ANNABEL YURUTUCU	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	421.96	0.00	421.96	**$421.96**
2106555	9/29/15	BYRON K PIPKIN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	920.12	0.00	920.12	**$920.12**
2106556	9/29/15	CATHY E MERRILL	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	206.99	0.00	206.99	**$206.99**
2106557	9/29/15	CATHY HAYNES	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,100.30	0.00	1,100.30	**$1,100.30**
2106558	9/29/15	CHERYL BUNNELL	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	**$707.02**
2106559	9/29/15	CHRIS CARRION	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	**$707.02**
2106560	9/29/15	CORYN CAMPBELL	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	**$369.62**
2106561	9/29/15	DAN HAMMONS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,135.86	0.00	1,135.86	**$1,135.86**
2106562	9/29/15	DAVID A LEWIS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	**$828.28**
2106563	9/29/15	DAVID KAHN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	977.43	0.00	977.43	**$977.43**
2106564	9/29/15	DAVID L NIETO	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	421.96	0.00	421.96	**$421.96**
2106565	9/29/15	DAVID L VERBRUGGE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	**$1,693.18**
2106566	9/29/15	DAVID LEWIS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	271.17	0.00	271.17	**$271.17**
2106567	9/29/15	DAVID M GOTT	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	**$369.62**
2106568	9/29/15	DEE SCHABOT	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,135.86	0.00	1,135.86	**$1,135.86**

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2106569	9/29/15	DON JOHNSON	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	585.28	0.00	585.28	**$585.28**
2106570	9/29/15	DONALD R OLSEN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106571	9/29/15	DONNA A SCOTT	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106572	9/29/15	DOUGLAS MELLO	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	**$559.62**
2106573	9/29/15	ENCARNACION HERNANDEZ	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	271.17	0.00	271.17	**$271.17**
2106574	9/29/15	ERWIN YOUNG	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,157.24	0.00	1,157.24	**$1,157.24**
2106575	9/29/15	ESTRELLA AGRAVIADOR KAWCZYNSKI	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	592.45	0.00	592.45	**$592.45**
2106576	9/29/15	EUGENE J WADDELL	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	**$559.62**
2106577	9/29/15	FRANK CURTIS BLACK	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	475.44	0.00	475.44	**$475.44**
2106578	9/29/15	FRANK P BELLUCCI	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106579	9/29/15	GABRIEL A SILVA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106580	9/29/15	GARY K CARLS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	318.43	0.00	318.43	**$318.43**
2106581	9/29/15	GARY LUEBBERS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	**$369.62**
2106582	9/29/15	GLENN FORTIN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	**$570.12**
2106583	9/29/15	GREGORY E KEVIN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	**$570.12**
2106584	9/29/15	HIRA L RAINA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	318.43	0.00	318.43	**$318.43**
2106585	9/29/15	IRWIN I BAKIN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106586	9/29/15	JAMES A BRICE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**

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2106587	9/29/15	JAMES BOUZIANE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	723.60	0.00	723.60	**$723.60**
2106588	9/29/15	JAMES R RAND	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106589	9/29/15	JAMES WEBB JR	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	716.75	0.00	716.75	**$716.75**
2106590	9/29/15	JEROME P AMMERMAN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	**$707.02**
2106591	9/29/15	JERRY D BAKER	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106592	9/29/15	JERRY RONDEAU	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106593	9/29/15	JOHN ADDEO	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106594	9/29/15	JOHN DEBATTISTA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	707.02	0.00	707.02	**$707.02**
2106595	9/29/15	JOHN HOWE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	421.96	0.00	421.96	**$421.96**
2106596	9/29/15	JOHN S WITTHAUS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	**$1,693.18**
2106597	9/29/15	KAREN D WILLES	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	398.09	0.00	398.09	**$398.09**
2106598	9/29/15	KAREN L DAVIS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	53.20	0.00	53.20	**$53.20**
2106599	9/29/15	KAREN WOBLESKY	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	**$828.28**
2106600	9/29/15	KATHERINE B CHAPPELEAR	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106601	9/29/15	KATHRYN BERRY	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,135.86	0.00	1,135.86	**$1,135.86**
2106602	9/29/15	KELLY FITZGERALD	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	**$570.12**
2106603	9/29/15	KELLY MENEHAN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	53.20	0.00	53.20	**$53.20**
2106604	9/29/15	KENNETH C HOWELL	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**

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2106605	9/29/15	LELAND W VANDIVER	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106606	9/29/15	MARIO R NAPPI	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106607	9/29/15	MARK G PETERSEN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,293.33	0.00	1,293.33	**$1,293.33**
2106608	9/29/15	MARK STIVERS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	920.12	0.00	920.12	**$920.12**
2106609	9/29/15	MARVIN A ROSE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	**$1,693.18**
2106610	9/29/15	MICHAEL A CHAN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,693.18	0.00	1,693.18	**$1,693.18**
2106611	9/29/15	MICHAEL CURRAN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	**$559.62**
2106612	9/29/15	MICHAEL N JONES	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106613	9/29/15	MYRIAM CASTANEDA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	887.01	0.00	887.01	**$887.01**
2106614	9/29/15	NANCY BOLGARD STEWARD	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	**$828.28**
2106615	9/29/15	NANCY F JACKSON	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106616	9/29/15	OSCAR J BARBA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106617	9/29/15	PATRICIA E CASTILLO	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106618	9/29/15	RAE BARBARA WALDMAN	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106619	9/29/15	RAYMOND C WILLIAMSON	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	369.62	0.00	369.62	**$369.62**
2106620	9/29/15	RICHARD C GURNEY	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	828.28	0.00	828.28	**$828.28**
2106621	9/29/15	ROBERT PATERNOSTER	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	293.99	0.00	293.99	**$293.99**
2106622	9/29/15	ROMOLA GEORGIA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**

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2106623	9/29/15	RONALD DALBA	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	**$570.12**
2106624	9/29/15	SIMON C LEMUS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	1,293.33	0.00	1,293.33	**$1,293.33**
2106625	9/29/15	SONJA GUPTE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106626	9/29/15	STEVEN D PIGOTT	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	945.74	0.00	945.74	**$945.74**
2106627	9/29/15	TAMMY PARKHURST	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	723.60	0.00	723.60	**$723.60**
2106628	9/29/15	THEODORE R BRESLER	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106629	9/29/15	THERESE BALBO	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	834.64	0.00	834.64	**$834.64**
2106630	9/29/15	THOMAS A BAISLEY	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106631	9/29/15	TIM CARLYLE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	**$570.12**
2106632	9/29/15	TIM JOHNSON	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	570.12	0.00	570.12	**$570.12**
2106633	9/29/15	TONY J PEREZ	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	559.62	0.00	559.62	**$559.62**
2106634	9/29/15	WILLIAM BIELINSKI	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	585.28	0.00	585.28	**$585.28**
2106635	9/29/15	WILLIAM F POWERS	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	15.64	0.00	15.64	**$15.64**
2106636	9/29/15	WILLIAM L DISQUE	OCTOBER 2015	Insurances - Retiree Medical - Retiree Reimbursement	372.42	0.00	372.42	**$372.42**
100273342	9/30/15	AMS.NET INC	144040	Communication Equipment	1,820.00	0.00	1,820.00	**$6,620.00**
			144041	Communication Equipment	4,200.00	0.00	4,200.00	
			INVOICE-000553	Communication Equipment	600.00	0.00	600.00	
100273343	9/30/15	ADVANCED CHEMICAL TRANSPORT INC	84928	HazMat Disposal - Hazardous Waste Disposal	365.97	0.00	365.97	**$365.97**
100273344	9/30/15	AIR COOLED ENGINES INC	76966	Auto Maint & Repair - Labor	313.50	0.00	313.50	**$876.63**
			76966	Auto Maint & Repair - Materials	563.13	0.00	563.13	

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100273345	9/30/15	ALCAL SPECIALTY CONTRACTING INC	ROOFIRE1346#01	Construction Services	3,990.00	0.00	3,990.00	**$3,990.00**
100273346	9/30/15	BADGER METER INC	1059027	Inventory Purchase	5,109.60	0.00	5,109.60	**$5,109.60**
100273347	9/30/15	BANK OF SACRAMENTO	ANAEROBC123#19	Construction Project Contract Retainage	5,190.20	0.00	5,190.20	**$5,190.20**
100273348	9/30/15	BAY AREA POLYGRAPH	614	Investigation Expense	400.00	0.00	400.00	**$400.00**
100273349	9/30/15	BAY-VALLEY PEST CONTROL INC	0194568	Services Maintain Land Improv	58.00	0.00	58.00	**$1,966.00**
			0194927	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0194928	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0194929	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0194930	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0194931	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0194932	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0194938	Facilities Maint & Repair - Labor	64.00	0.00	64.00	
			0194939	Facilities Maint & Repair - Labor	32.00	0.00	32.00	
			0194940	Facilities Maint & Repair - Labor	56.00	0.00	56.00	
			0194942	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0194943	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194944	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0194945	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194947	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194948	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0194949	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194950	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0194951	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194952	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0194953	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194954	Facilities Maint & Repair - Labor	86.00	0.00	86.00	
			0194976	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0194979	Facilities Maint & Repair - Labor	58.00	0.00	58.00	
			0194989	Facilities Maint & Repair - Labor	120.00	0.00	120.00	

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			0196696	Facilities Maint & Repair - Labor	92.00	0.00	92.00	
			0196697	Facilities Maint & Repair - Labor	92.00	0.00	92.00	
100273352	9/30/15	BIG VALLEY FORD	T5686	Vehicles & Motorized Equip	141,994.50	0.00	141,994.50	**$141,994.50**
100273353	9/30/15	BOB MURRAY & ASSOC	6409	Professional Services	4,206.32	0.00	4,206.32	**$4,206.32**
100273354	9/30/15	BRUCE BARTON PUMP SERVICE INC	0085907-IN	Bldg Maint Matls & Supplies	2,062.25	0.00	2,062.25	**$4,074.24**
			0085936-IN	Bldg Maint Matls & Supplies	2,011.99	0.00	2,011.99	
100273355	9/30/15	CALCON SYSTEMS INC	36377	Contracts/Service Agreements	470.19	0.00	470.19	**$470.19**
100273356	9/30/15	CALIFORNIA BUILDING OFFICIALS	9753	Training and Conferences	185.00	0.00	185.00	**$185.00**
100273357	9/30/15	COAST PERSONNEL SERVICES INC	240639	Contracts/Service Agreements	628.68	0.00	628.68	**$6,937.84**
			240640	Contracts/Service Agreements	399.36	0.00	399.36	
			240641	Contracts/Service Agreements	749.58	0.00	749.58	
			240642	Contracts/Service Agreements	1,716.78	0.00	1,716.78	
			240699	Contracts/Service Agreements	870.48	0.00	870.48	
			240700	Contracts/Service Agreements	832.00	0.00	832.00	
			240701	Contracts/Service Agreements	967.20	0.00	967.20	
			240702	Contracts/Service Agreements	773.76	0.00	773.76	
100273359	9/30/15	CUNNINGHAM ELECTRIC INC	8129	Facilities Maint & Repair - Labor	315.00	0.00	315.00	**$315.00**
100273360	9/30/15	DANCE FORCE LLC	1092	Rec Instructors/Officials	900.60	0.00	900.60	**$900.60**
100273361	9/30/15	DEL GAVIO GROUP	7543	Facilities Maint & Repair - Labor	4,158.33	0.00	4,158.33	**$4,926.23**
			7596	Facilities Maint & Repair - Labor	672.90	0.00	672.90	
			7616	Facilities Maint & Repair - Labor	95.00	0.00	95.00	
100273362	9/30/15	DEPARTMENT OF JUSTICE	120120	Pre-Employment Testing	672.00	0.00	672.00	**$672.00**
100273363	9/30/15	DERONE ENTERPRISES	50915	General Supplies	394.45	0.00	394.45	**$394.45**
100273364	9/30/15	DETAIL PLUS	29328	Auto Maint & Repair - Labor	100.00	0.00	100.00	**$100.00**
100273365	9/30/15	EBSCO SUBSCRIPTION SERVICES	0008873	Library Periodicals/Databases	-11.00	0.00	-11.00	**$2.20**
			0052241	Library Periodicals/Databases	13.20	0.00	13.20	
100273366	9/30/15	EMPIRE SAFETY & SUPPLY	0075058-IN	Inventory Purchase	318.07	0.00	318.07	**$318.07**
100273367	9/30/15	FEDERAL EXPRESS CORP	5-164-55064	Mailing & Delivery Services	41.56	0.00	41.56	**$41.56**
100273368	9/30/15	FOSTER BROS SECURITY SYSTEMS INC	272666	Bldg Maint Matls & Supplies	197.49	0.00	197.49	**$197.49**
100273369	9/30/15	GOLDEN GATE TRUCK CENTER	F005671174:01	Parts, Vehicles & Motor Equip	245.96	0.00	245.96	**$245.96**

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100273370	9/30/15	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1088775	Parts, Vehicles & Motor Equip	65.65	0.00	65.65	**$924.68**
			189-1088843	Auto Maint & Repair - Labor	105.00	0.00	105.00	
			189-1088843	Auto Maint & Repair - Materials	18.49	0.00	18.49	
			189-1088844	Auto Maint & Repair - Labor	47.48	0.00	47.48	
			189-1088869	Inventory Purchase	688.06	0.00	688.06	
100273371	9/30/15	GRAINGER	9843725715	Inventory Purchase	205.97	0.00	205.97	**$620.20**
			9843858672	Inventory Purchase	414.23	0.00	414.23	
100273372	9/30/15	GRANITE CONSTRUCTION CO	869734	Materials - Land Improve	521.46	0.00	521.46	**$1,541.54**
			872470	Materials - Land Improve	313.64	0.00	313.64	
			872741	Materials - Land Improve	462.84	0.00	462.84	
			873415	Materials - Land Improve	243.60	0.00	243.60	
100273373	9/30/15	GRANITEROCK CO	912847	Materials - Land Improve	26,648.80	0.00	26,648.80	**$28,464.24**
			914064	Materials - Land Improve	1,833.14	0.00	1,833.14	
			914702	Materials - Land Improve	1,755.65	0.00	1,755.65	
			914777	Materials - Land Improve	-1,773.35	0.00	-1,773.35	
100273374	9/30/15	HANSON ASSOC	1522	Consultants	1,087.50	0.00	1,087.50	**$1,087.50**
100273375	9/30/15	INSERV CO INC	54227	Facilities Maint & Repair - Labor	1,436.59	0.00	1,436.59	**$1,436.59**
100273376	9/30/15	JOHANSING IRON WORKS INC	7221	Misc Equip Maint & Repair - Labor	8,460.00	0.00	8,460.00	**$17,290.50**
			7221	Misc Equip Maint & Repair - Materials	8,830.50	0.00	8,830.50	
100273377	9/30/15	KELLY MOORE PAINT CO INC	820-271746	Bldg Maint Matls & Supplies	185.41	0.00	185.41	**$291.18**
			820-272052	Bldg Maint Matls & Supplies	41.09	0.00	41.09	
			820-272053	Bldg Maint Matls & Supplies	43.21	0.00	43.21	
			820-272338	Bldg Maint Matls & Supplies	21.47	0.00	21.47	
100273378	9/30/15	KOHLWEISS AUTO PARTS INC	01OL4225	Parts, Vehicles & Motor Equip	96.82	0.00	96.82	**$1,154.85**
			01OL4399	Parts, Vehicles & Motor Equip	8.03	0.00	8.03	
			01OL9679	Inventory Purchase	1,010.37	20.21	990.16	
			01OL9892	Inventory Purchase	50.30	1.01	49.29	
			01OM0080	Inventory Purchase	10.77	0.22	10.55	
100273379	9/30/15	L N CURTIS & SONS INC	1360870-00	General Supplies	3,117.33	0.00	3,117.33	**$4,893.14**
			1364129-01	Clothing, Uniforms & Access	868.91	0.00	868.91	
			1366893-01	Inventory Purchase	520.36	0.00	520.36	

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			1370608-00	Inventory Purchase	386.54	0.00	386.54	
100273380	9/30/15	LED TRAIL	17446	Bldg Maint Matls & Supplies	74.45	0.00	74.45	**$74.45**
100273381	9/30/15	MAINTENANCE CONNECTION INC	32661	Software Licensing & Support	21,202.80	0.00	21,202.80	**$21,202.80**
100273382	9/30/15	MALLORY SAFETY & SUPPLY LLC	3977687	Inventory Purchase	250.13	0.00	250.13	**$156.60**
			3978765	Inventory Purchase	-250.13	0.00	-250.13	
			3982072	Inventory Purchase	156.60	0.00	156.60	
100273383	9/30/15	MARY MANSIR	052215PURCHASE	Miscellaneous Equipment Parts & Supplies	100.00	0.00	100.00	**$100.00**
100273384	9/30/15	MCMASTER CARR SUPPLY CO	39474229	Miscellaneous Equipment Parts & Supplies	128.97	0.00	128.97	**$304.56**
			39494159	Miscellaneous Equipment Parts & Supplies	175.59	0.00	175.59	
100273385	9/30/15	MICHAEL BAKER INTL INC	916130	Professional Services	9,573.60	0.00	9,573.60	**$9,573.60**
100273386	9/30/15	MUNICIPAL MAINTENANCE EQUIPMENT INC	0104089-IN	Parts, Vehicles & Motor Equip	412.38	0.00	412.38	**$412.38**
100273387	9/30/15	NAPA AUTO PARTS	198223	Parts, Vehicles & Motor Equip	240.45	0.00	240.45	**$537.78**
			198369	Parts, Vehicles & Motor Equip	5.85	0.00	5.85	
			198387	Parts, Vehicles & Motor Equip	50.80	0.00	50.80	
			198608	Parts, Vehicles & Motor Equip	124.50	0.00	124.50	
			198627	Parts, Vehicles & Motor Equip	13.41	0.00	13.41	
			198905	Parts, Vehicles & Motor Equip	77.37	0.00	77.37	
			199174	Parts, Vehicles & Motor Equip	10.45	0.00	10.45	
			199516	Parts, Vehicles & Motor Equip	14.95	0.00	14.95	
100273388	9/30/15	OMEGA ENGRAVING	025441	Clothing, Uniforms & Access	12.50	0.00	12.50	**$12.50**
100273389	9/30/15	OUTFIT YOUR LOGO	154097	Advertising Services	87.92	0.00	87.92	**$1,149.52**
			154097	Special Events	500.00	0.00	500.00	
			154851	Advertising Services	561.60	0.00	561.60	
100273390	9/30/15	P&R PAPER SUPPLY CO INC	30050817-00	Inventory Purchase	209.85	0.00	209.85	**$209.85**
100273391	9/30/15	PACIFIC COAST TRANE CONTROLS	S76087	Bldg Maint Matls & Supplies	1,382.00	0.00	1,382.00	**$1,382.00**
100273392	9/30/15	PACIFIC JANITORIAL SUPPLY CO	30032626	Inventory Purchase	158.23	0.00	158.23	**$158.23**
100273393	9/30/15	PETERSON TRUCKS	421904P	Parts, Vehicles & Motor Equip	121.02	0.00	121.02	**$121.02**
100273394	9/30/15	PRIORITY 1 PUBLIC SAFETY EQUIPMENT	5257	Auto Maint & Repair - Labor	520.00	0.00	520.00	**$520.00**
100273395	9/30/15	RANGE SERVANT AMERICA INC	72875	Misc Equip Maint & Repair - Materials	976.56	0.00	976.56	**$1,079.87**
			72976	Misc Equip Maint & Repair - Materials	103.31	0.00	103.31	

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100273396	9/30/15	RAYVERN LIGHTING SUPPLY CO INC	35668-1	Inventory Purchase	255.52	0.00	255.52	**$255.52**
100273397	9/30/15	ROBERT A BOTHMAN INC	ORCHARDGRDN#06	Construction Services	14,250.00	0.00	14,250.00	**$14,250.00**
100273398	9/30/15	SCS ENGINEERS	0261711	Engineering Services	405.00	0.00	405.00	**$405.00**
100273399	9/30/15	SCS FIELD SERVICES INC	0262014	Engineering Services	2,836.60	0.00	2,836.60	**$2,836.60**
100273400	9/30/15	SFO REPROGRAPHICS	25015	Printing & Related Services	222.94	0.00	222.94	**$222.94**
100273401	9/30/15	SAFEWAY INC	432695-092215	Food Products	56.85	0.00	56.85	**$176.73**
			727906-092215	Food Products	89.05	0.00	89.05	
			803049-092115	City Wellness Program	30.83	0.00	30.83	
100273402	9/30/15	SAN JOSE BMW	4242725	Auto Maint & Repair - Labor	55.00	0.00	55.00	**$55.00**
100273403	9/30/15	SANDERSON SAFETY SUPPLY CO	8085570-02	Inventory Purchase	371.93	3.42	368.51	**$421.36**
			8085652-01	Inventory Purchase	53.34	0.49	52.85	
100273404	9/30/15	SCHAAF & WHEELER	26227	Engineering Services	915.00	0.00	915.00	**$915.00**
100273405	9/30/15	SILICON VALLEY AUTOBODY INC	195791	Auto Maint & Repair - Labor	420.00	0.00	420.00	**$658.99**
			195791	Auto Maint & Repair - Materials	238.99	0.00	238.99	
100273406	9/30/15	SMART & FINAL INC	169825-091815	Food Products	270.60	0.00	270.60	**$489.19**
			172716-092215	Food Products	43.43	0.00	43.43	
			172716-092215	General Supplies	49.67	0.00	49.67	
			173724-092415	General Supplies	125.49	0.00	125.49	
100273407	9/30/15	SOUTH BAY REGIONAL PUBLIC SAFETY	216064	Training and Conferences	3,400.00	0.00	3,400.00	**$3,400.00**
100273408	9/30/15	SPARTAN TOOL LLC	498605	Inventory Purchase	838.69	0.00	838.69	**$838.69**
100273409	9/30/15	SUNNYVALE DOWNTOWN ASSN	092815 CK REQ	Miscellaneous Reimbursement	-486.97	0.00	-486.97	**-$486.97**
100273410	9/30/15	SUNNYVALE FORD	451367	Parts, Vehicles & Motor Equip	719.28	0.00	719.28	**$742.64**
			451426	Parts, Vehicles & Motor Equip	652.92	0.00	652.92	
			451560	Parts, Vehicles & Motor Equip	52.33	0.00	52.33	
			452324	Parts, Vehicles & Motor Equip	37.39	0.00	37.39	
			CM451367	Parts, Vehicles & Motor Equip	-28.21	0.00	-28.21	
			CM451367*1	Parts, Vehicles & Motor Equip	-691.07	0.00	-691.07	
100273411	9/30/15	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DENTAL1015	Insurances - Dental	28,110.00	0.00	28,110.00	**$28,110.00**
100273412	9/30/15	SUNNYVALE TOWING INC	287479	Vehicle Towing Services	200.00	0.00	200.00	**$240.00**
			294840	Vehicle Towing Services	40.00	0.00	40.00	

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100273413	9/30/15	SUNNYVALE WINDUSTRIAL CO INC	649060 01	Miscellaneous Equipment Parts & Supplies	162.70	0.00	162.70	**$375.35**
			649352 00	Miscellaneous Equipment Parts & Supplies	26.93	0.00	26.93	
			649353 00	Miscellaneous Equipment Parts & Supplies	73.44	0.00	73.44	
			649547 00	Miscellaneous Equipment Parts & Supplies	87.94	0.00	87.94	
			649550 00	Miscellaneous Equipment Parts & Supplies	24.34	0.00	24.34	
100273414	9/30/15	SUSTAINABLE SILICON VALLEY	1445	Membership Fees	1,000.00	0.00	1,000.00	**$1,000.00**
100273415	9/30/15	SYSTEM SPEC INC	44921	Misc Equip Maint & Repair - Labor	8,765.60	0.00	8,765.60	**$19,363.70**
			44921	Misc Equip Maint & Repair - Materials	10,598.10	0.00	10,598.10	
100273416	9/30/15	THE HARTFORD	B#83BSBGK8272	Insurances - Fidelity	2,750.00	0.00	2,750.00	**$2,750.00**
100273417	9/30/15	THOMAS RODRIGUES	041715PURCHASE	Miscellaneous Equipment Parts & Supplies	100.00	0.00	100.00	**$100.00**
100273418	9/30/15	TOGOS EATERY	092315CATERING	Food Products	150.00	0.00	150.00	**$300.00**
			092415CATERING	Food Products	150.00	0.00	150.00	
100273419	9/30/15	TRUEPOINT SOLUTIONS LLC	15-509	Professional Services	12,203.73	0.00	12,203.73	**$12,203.73**
100273420	9/30/15	VWR INTERNATIONAL LLC	8042371063	General Supplies	33.84	0.00	33.84	**$863.92**
			8042434027	General Supplies	104.38	0.00	104.38	
			8042436689	General Supplies	156.57	0.00	156.57	
			8042448233	General Supplies	418.73	0.00	418.73	
			8042459239	General Supplies	150.40	0.00	150.40	
100273421	9/30/15	WEST VALLEY STAFFING GROUP	143199	Professional Services	3,742.80	0.00	3,742.80	**$31,755.87**
			143724	Professional Services	3,939.90	0.00	3,939.90	
			144224	Professional Services	4,736.09	0.00	4,736.09	
			145248	Professional Services	2,758.00	0.00	2,758.00	
			145754	Professional Services	3,947.40	0.00	3,947.40	
			146251	Professional Services	2,631.60	0.00	2,631.60	
			146752	Professional Services	2,236.86	0.00	2,236.86	
			147385	Professional Services	2,894.76	0.00	2,894.76	
			147897	Professional Services	2,236.86	0.00	2,236.86	
			148392	Professional Services	2,631.60	0.00	2,631.60	

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100273423	9/30/15	WITMER TYSON IMPORTS INC	T11132	Canine Program Expenditures	645.00	0.00	645.00	**$645.00**
100273424	9/30/15	ABC TREE FARM LLC	2015-003	General Supplies	50.00	0.00	50.00	**$50.00**
100273425	9/30/15	OFFICEMAX CONTRACT INC	22126009012015	Supplies, Office 1	-78.98	0.00	-78.98	**$14,623.66**
			53498909012015	Supplies, Office 1	212.07	0.00	212.07	
			57424409082015	Supplies, Office 1	16.68	0.00	16.68	
			58089409022015	Supplies, Office 1	77.51	0.00	77.51	
			59167509042015	Supplies, Office 1	7.13	0.00	7.13	
			59810309022015	Supplies, Office 1	11.39	0.00	11.39	
			60181409012015	Supplies, Office 1	144.41	0.00	144.41	
			60717209012015	Supplies, Office 1	431.31	0.00	431.31	
			60734109012015	Supplies, Office 1	1,103.63	0.00	1,103.63	
			61613109012015	Supplies, Office 1	173.51	0.00	173.51	
			61622509022015	Supplies, Office 1	27.32	0.00	27.32	
			61686309112015	Supplies, Office 1	254.48	0.00	254.48	
			61787209022015	Supplies, Office 1	542.37	0.00	542.37	
			62499709022015	Supplies, Office 1	456.82	0.00	456.82	
			62539609022015	Supplies, Office 1	53.03	0.00	53.03	
			62734909022015	Supplies, Office 1	40.61	0.00	40.61	
			63782209032015	Supplies, Office 1	76.87	0.00	76.87	
			63790909032015	Supplies, Office 1	44.81	0.00	44.81	
			64025209032015	Supplies, Office 1	234.81	0.00	234.81	
			64066609032015	Supplies, Office 1	122.74	0.00	122.74	
			64133509032015	Supplies, Office 1	37.07	0.00	37.07	
			64145609032015	Supplies, Office 1	28.21	0.00	28.21	
			64164709032015	Supplies, Office 1	154.12	0.00	154.12	
			64167909032015	Supplies, Office 1	217.07	0.00	217.07	
			64309109032015	Supplies, Office 1	226.88	0.00	226.88	
			64404009082015	Supplies, Office 1	30.54	0.00	30.54	
			64731109032015	Supplies, Office 1	220.81	0.00	220.81	
			64873009032015	Supplies, Office 1	103.06	0.00	103.06	
			64894709082015	Supplies, Office 1	23.27	0.00	23.27	

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			65154009042015	Supplies, Office 1	406.92	0.00	406.92	
			65392509042015	Supplies, Office 1	213.03	0.00	213.03	
			65420109042015	Supplies, Office 1	40.43	0.00	40.43	
			65503909042015	Supplies, Office 1	207.82	0.00	207.82	
			65517809042015	Supplies, Office 1	10.30	0.00	10.30	
			65568209042015	Supplies, Office 1	48.92	0.00	48.92	
			65569709042015	Supplies, Office 1	74.15	0.00	74.15	
			65575709042015	Supplies, Office 1	11.51	0.00	11.51	
			65606909042015	Supplies, Office 1	58.00	0.00	58.00	
			65634709042015	Supplies, Office 1	32.74	0.00	32.74	
			66154109042015	Supplies, Office 1	69.72	0.00	69.72	
			67425309082015	Supplies, Office 1	31.43	0.00	31.43	
			67431009102015	Supplies, Office 1	11.37	0.00	11.37	
			67603809082015	Supplies, Office 1	30.18	0.00	30.18	
			67666409082015	Supplies, Office 1	141.06	0.00	141.06	
			67762209082015	Supplies, Office 1	430.96	0.00	430.96	
			68584609092015	Supplies, Office 1	41.63	0.00	41.63	
			68665909092015	Supplies, Office 1	110.71	0.00	110.71	
			68701509092015	Supplies, Office 1	106.04	0.00	106.04	
			69168109092015	Supplies, Office 1	330.21	0.00	330.21	
			69175209092015	Supplies, Office 1	310.73	0.00	310.73	
			69196309102015	Supplies, Office 1	0.75	0.00	0.75	
			69257909092015	Supplies, Office 1	82.79	0.00	82.79	
			69599709092015	Supplies, Office 1	256.88	0.00	256.88	
			70417609102015	Supplies, Office 1	152.93	0.00	152.93	
			70423509102015	Supplies, Office 1	6.95	0.00	6.95	
			71103609102015	Supplies, Office 1	15.65	0.00	15.65	
			71928809112015	Supplies, Office 1	56.90	0.00	56.90	
			71932309112015	Supplies, Office 1	16.75	0.00	16.75	
			71969109022015	Supplies, Office 1	28.49	0.00	28.49	
			72062709112015	Supplies, Office 1	55.81	0.00	55.81	

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			72313209112015	Supplies, Office 1	80.45	0.00	80.45	
			72321909112015	Supplies, Office 1	6.95	0.00	6.95	
			72436309112015	Supplies, Office 1	380.61	0.00	380.61	
			72450509112015	Supplies, Office 1	153.91	0.00	153.91	
			72766109112015	Supplies, Office 1	84.46	0.00	84.46	
			72926509142015	Supplies, Office 1	671.07	0.00	671.07	
			73125709142015	Inventory Purchase	3,739.26	0.00	3,739.26	
			74014909032015	Supplies, Office 1	130.98	0.00	130.98	
			74052109142015	Supplies, Office 1	408.96	0.00	408.96	
			74052809142015	Supplies, Office 1	113.21	0.00	113.21	
			74071609142015	Supplies, Office 1	3.55	0.00	3.55	
			74072609142015	Supplies, Office 1	9.25	0.00	9.25	
			74217809142015	Supplies, Office 1	190.99	0.00	190.99	
			74226709142015	Supplies, Office 1	36.26	0.00	36.26	
			74291309142015	Supplies, Office 1	30.66	0.00	30.66	
			74628609032015	Supplies, Office 1	11.45	0.00	11.45	
			75562309042015	Supplies, Office 1	161.91	0.00	161.91	
			84387709102015	Supplies, Office 1	24.42	0.00	24.42	
100273432	9/30/15	OLD REPUBLIC TITLE CO	0616639005-IB	Customer Loans Disbursed	35,300.00	0.00	35,300.00	**$35,300.00**
100273433	9/30/15	ADVANCED CONSTRUCTION SOUTHWEST	BL069800 15-16	Business License Tax	227.60	0.00	227.60	**$227.60**
100273434	9/30/15	CELEBRATE FESTIVAL INC	170283-49000	Refund Utility Account Credit	101.05	0.00	101.05	**$101.05**
100273435	9/30/15	HOEM & ASSOCIATES INC	BL069766 15-16	Business License Tax	193.43	0.00	193.43	**$193.43**
100273436	9/30/15	HP LEGACY/HEWLETT PACKARD	167181-75184	Refund Utility Account Credit	2,032.60	0.00	2,032.60	**$2,032.60**
100273437	9/30/15	JOEL CHADIM	BL069891 15-16	Business License Tax	16.98	0.00	16.98	**$16.98**
100273438	9/30/15	KATHRYN GOHEEN	180585-12808	Refund Utility Account Credit	158.85	0.00	158.85	**$158.85**
100273439	9/30/15	SUNNYVALE WELDING	BL010309-2016	Business License Tax	58.58	0.00	58.58	**$58.58**
100273440	9/30/15	TERADYNE INC	172831-57906	Refund Utility Account Credit	376.56	0.00	376.56	**$376.56**
100273441	9/30/15	VAN NGUYEN	178377-52064	Refund Utility Account Credit	460.55	0.00	460.55	**$460.55**
100273446	10/2/15	AT&T	000007061512	Utilities - Telephone	37.12	0.00	37.12	**$3,094.94**
			000007061909	Utilities - Telephone	2,861.36	0.00	2,861.36	

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			2190449205	Software As a Service	196.46	0.00	196.46	
100273447	10/2/15	ACCLAMATION INSURANCE MANAGEMENT	107807	Workers' Compensation - Administration	12,500.00	0.00	12,500.00	**$37,083.33**
			107823	Workers' Compensation - Administration	24,583.33	0.00	24,583.33	
100273448	10/2/15	AD CLUB	275121	Advertising Services	335.00	0.00	335.00	**$335.00**
100273449	10/2/15	AEGIS ITS INC	15203	Services Maintain Land Improv	3,063.36	0.00	3,063.36	**$83,031.60**
			15209	Services Maintain Land Improv	28,874.00	0.00	28,874.00	
			15217	Services Maintain Land Improv	3,499.00	0.00	3,499.00	
			15254	Services Maintain Land Improv	33,698.10	0.00	33,698.10	
			15258	Services Maintain Land Improv	10,899.37	0.00	10,899.37	
			15263	Services Maintain Land Improv	2,997.77	0.00	2,997.77	
100273450	10/2/15	ALAMEDA CTY INFORMATION TECHNOLOGY DEPT	112-1508060	Software As a Service	1,521.73	0.00	1,521.73	**$1,521.73**
100273451	10/2/15	APPLEONE EMPLOYMENT SERVICES	01-3768907	Contracts/Service Agreements	6,691.29	0.00	6,691.29	**$20,063.36**
			01-3782568	Contracts/Service Agreements	5,774.48	0.00	5,774.48	
			01-3786367	Contracts/Service Agreements	7,597.59	0.00	7,597.59	
100273454	10/2/15	AUTOSCRIBE CORP	145153	Financial Services	1,030.56	0.00	1,030.56	**$1,030.56**
100273455	10/2/15	BKF ENGINEERS	15080419	Engineering Services	634.25	0.00	634.25	**$2,488.00**
			15090168	Consultants	2,488.00	0.00	2,488.00	
			1580419REV	Engineering Services	-634.25	0.00	-634.25	
100273456	10/2/15	BSK ASSOCIATES	A518406	General Supplies	760.00	0.00	760.00	**$760.00**
100273457	10/2/15	BACKFLOW PREVENTION SPECIALISTS INC	4928	Water Backflow Valves	1,265.28	0.00	1,265.28	**$3,074.21**
			4932	Water Backflow Valves	1,808.93	0.00	1,808.93	
100273458	10/2/15	BAY AREA BACKHOES INC	35989	Construction Services	2,995.00	0.00	2,995.00	**$2,995.00**
100273459	10/2/15	BAY AREA NEWS GROUP DIGITAL FIRST MEDIA	0005552619	Advertising Services	148.00	0.00	148.00	**$148.00**
100273460	10/2/15	BAY AREA POLYGRAPH	624	Investigation Expense	550.00	0.00	550.00	**$550.00**
100273461	10/2/15	BOUND TREE MEDICAL LLC	70216871	Inventory Purchase	-349.57	0.00	-349.57	**$78.92**
			81912984	Inventory Purchase	384.80	0.00	384.80	
			81921518	Inventory Purchase	43.69	0.00	43.69	
100273462	10/2/15	BRAND MECHANICS INC	SUN/001	Consultants	2,500.00	0.00	2,500.00	**$2,500.00**
100273463	10/2/15	BROWNELLS INC	11538840.01	General Supplies	19.99	0.00	19.99	**$1,115.82**
			11612303.00	General Supplies	1,095.83	0.00	1,095.83	

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100273464	10/2/15	BROWNING FERRIS INDUSTRIES OF CA INC	4278-100001367	Recycling Services	10,445.48	0.00	10,445.48	**$29,815.12**
			4278-100001446	Recycling Services	8,734.28	0.00	8,734.28	
			4278-100001560	Recycling Services	10,635.36	0.00	10,635.36	
100273465	10/2/15	CPS EXECUTIVE SEARCH	SOP40180	Personnel Testing Services	1,440.45	0.00	1,440.45	**$1,440.45**
100273466	10/2/15	CSAC EXCESS INSURANCE AUTHORITY	16400962	Insurances - Employee Assistance Program	13,643.52	0.00	13,643.52	**$13,643.52**
100273467	10/2/15	CSAC EXCESS INSURANCE AUTHORITY	605	Insurances - Life/AD&D Insurance	18,404.24	0.00	18,404.24	**$41,227.14**
			605	Insurances - Long Term Disability	22,822.90	0.00	22,822.90	
100273468	10/2/15	CSG CONSULTANTS INC	030584	Miscellaneous Services	8,575.00	0.00	8,575.00	**$14,767.50**
			030819	Miscellaneous Services	6,192.50	0.00	6,192.50	
100273469	10/2/15	CALIFORNIA CAREER DEVELOPMENT ASSN	NOV/6/2015	Special Events	85.00	0.00	85.00	**$85.00**
100273470	10/2/15	CALIFORNIA PRODUCT STEWARDSHIP COUNCIL	0010-SV	General Supplies	384.00	0.00	384.00	**$2,558.16**
			0011-SV	General Supplies	2,174.16	0.00	2,174.16	
100273471	10/2/15	CALLANDER ASSOC	15045-1	Architectural and Design Services	2,169.10	0.00	2,169.10	**$2,169.10**
100273472	10/2/15	CAROLLO ENGINEERS	0142301	Professional Services	427,744.05	0.00	427,744.05	**$427,744.05**
100273473	10/2/15	CENTURY GRAPHICS	42642	Clothing, Uniforms & Access	182.70	0.00	182.70	**$304.50**
			42743	Clothing, Uniforms & Access	121.80	0.00	121.80	
100273474	10/2/15	CHANG TAI DO KARATE & FITNESS	052015	Rec Instructors/Officials	3,523.08	0.00	3,523.08	**$3,523.08**
100273475	10/2/15	CLINICAL HEALTH APPRAISALS	92215	City Wellness Program	1,365.00	0.00	1,365.00	**$1,365.00**
100273476	10/2/15	CU SOLUTIONS INC	0432	Miscellaneous Services	750.00	0.00	750.00	**$4,325.00**
			0433	Miscellaneous Services	375.00	0.00	375.00	
			0436	Miscellaneous Services	3,200.00	0.00	3,200.00	
100273477	10/2/15	DAVID JENKINS & ASSOC INC	46	Consultants	3,300.00	0.00	3,300.00	**$3,300.00**
100273478	10/2/15	DELTA DENTAL INSURANCE CO	BE001328492	Insurances - Dental	1,642.30	0.00	1,642.30	**$1,642.30**
100273479	10/2/15	DEPARTMENT OF MOTOR VEHICLES	LIC#572875Z	Vehicles & Motorized Equip	8,634.00	0.00	8,634.00	**$8,634.00**
100273480	10/2/15	EOA INC	SU43-0715	Consultants	9,924.04	0.00	9,924.04	**$9,924.04**
100273482	10/2/15	EKSTER & ASSOC	9.5.2015	Consultants	1,600.00	0.00	1,600.00	**$1,600.00**
100273483	10/2/15	EMPIRE SAFETY & SUPPLY	0074985-IN	Inventory Purchase	72.17	0.00	72.17	**$161.63**
			0075202-IN	Inventory Purchase	89.46	0.00	89.46	
100273484	10/2/15	EQUIFAX INFORMATION SERVICES LLC	9218614	Financial Services	1.98	0.00	1.98	**$28.96**
			9318928	Investigation Expense	25.00	0.00	25.00	

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			9318943	Financial Services	1.98	0.00	1.98	
100273485	10/2/15	FAST FABRICATORS LLC	INV002111	Construction Services	5,524.34	0.00	5,524.34	**$5,524.34**
100273486	10/2/15	FAST RESPONSE ON-SITE TESTING INC	12209	Occupational Health and Safety Services	230.00	0.00	230.00	**$230.00**
100273487	10/2/15	FEDERAL EXPRESS CORP	5-156-25281	Postage	107.27	0.00	107.27	**$224.06**
			5-156-71049	Mailing & Delivery Services	103.36	0.00	103.36	
			5-163-39546	Mailing & Delivery Services	8.29	0.00	8.29	
			5-164-06076	Mailing & Delivery Services	5.14	0.00	5.14	
100273488	10/2/15	FIRST PLACE INC	83230	Customized Products	222.90	0.00	222.90	**$222.90**
100273489	10/2/15	FISHER SCIENTIFIC CO LLC	8453857	General Supplies	64.37	0.00	64.37	**$708.66**
			8602125	General Supplies	644.29	0.00	644.29	
100273490	10/2/15	FOLGERGRAPHICS INC	107764R-1	Postage	2,912.00	0.00	2,912.00	**$2,912.00**
100273491	10/2/15	FREMONT UNION HIGH SCHOOL DISTRICT	16-79	Professional Services	2,494.05	0.00	2,494.05	**$2,494.05**
100273492	10/2/15	GALE ASSOC INC	1508386	Engineering Services	270.00	0.00	270.00	**$270.00**
100273493	10/2/15	GALE/CENGAGE LEARNING	56138849	Library Acquisitions, Books	273.10	0.00	273.10	**$273.10**
100273494	10/2/15	GARDENLAND POWER EQUIPMENT	313641	Parts, Vehicles & Motor Equip	139.30	0.00	139.30	**$326.44**
			317182	Parts, Vehicles & Motor Equip	187.14	0.00	187.14	
100273495	10/2/15	GEOSYNTEC CONSULTANTS INC	16150937	Consultants	765.84	0.00	765.84	**$1,321.55**
			16151209	Consultants	1,321.55	0.00	1,321.55	
			1650937REV	Consultants	-765.84	0.00	-765.84	
100273496	10/2/15	GRAYBAR ELECTRIC CO INC	980858499	Comm Equip Maintain & Repair - Materials 2	258.07	0.00	258.07	**$82.61**
			981122964	Comm Equip Maintain & Repair - Materials 2	-175.46	0.00	-175.46	
			981122964-RE	Comm Equip Maintain & Repair - Materials 2	-175.46	0.00	-175.46	
			981122964REV	Comm Equip Maintain & Repair - Materials 2	175.46	0.00	175.46	
100273497	10/2/15	HANSON ASSOC	1521	Consultants	8,072.00	0.00	8,072.00	**$8,072.00**
100273500	10/2/15	HUGHES ASSOC INC	INV-1567743	Miscellaneous Services	12,361.31	0.00	12,361.31	**$12,361.31**
100273501	10/2/15	ICMA MEMBERSHIP RENEWALS	247286-2015/16	Membership Fees	1,400.00	0.00	1,400.00	**$1,400.00**
100273502	10/2/15	IDEXX DISTRIBUTION GROUP	292655288	General Supplies	282.48	0.00	282.48	**$282.48**
100273503	10/2/15	ITRON INC						**$10,411.20**

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			387687	Inventory Purchase	10,411.20	0.00	10,411.20	
100273504	10/2/15	IMAGEX	202910	Printing & Related Services	1,162.73	0.00	1,162.73	**$1,162.73**
100273505	10/2/15	INFORMATION SERVICES DEPT	ISD-37239	Software As a Service	1,783.20	0.00	1,783.20	**$1,783.20**
100273506	10/2/15	INFRASTRUCTURE ENGINEERING CORP	8487	Engineering Services	5,295.00	0.00	5,295.00	**$5,295.00**
100273507	10/2/15	KELLY MOORE PAINT CO INC	820-273007	Bldg Maint Matls & Supplies	76.71	0.00	76.71	**$76.71**
100273508	10/2/15	KELLY PAPER CO	7509281	General Supplies	435.55	0.00	435.55	**$435.55**
100273509	10/2/15	KENNEDY JENKS CONSULTANTS	95773	HazMat Disposal - Hazardous Waste Disposal	1,392.40	0.00	1,392.40	**$1,392.40**
100273510	10/2/15	KING CRANE SERVICE	88140	Misc Equip Maint & Repair - Labor	941.00	0.00	941.00	**$941.00**
100273511	10/2/15	KONECRANES INC	LIV01049682	Facilities Maint & Repair - Labor	1,565.00	0.00	1,565.00	**$1,565.00**
100273512	10/2/15	L N CURTIS & SONS INC	1364129-00	Clothing, Uniforms & Access	1,226.70	0.00	1,226.70	**$2,668.47**
			1366893-02	Inventory Purchase	447.13	0.00	447.13	
			1369846-00	Inventory Purchase	861.42	0.00	861.42	
			1370823-00	General Supplies	133.22	0.00	133.22	
100273513	10/2/15	LEAN ENERGY US	201620	Professional Services	4,089.72	0.00	4,089.72	**$4,089.72**
100273514	10/2/15	LED TRAIL	17564	Bldg Maint Matls & Supplies	82.05	0.00	82.05	**$82.05**
100273515	10/2/15	LAW ENFORCEMENT PSYCHOLOGICAL SERV INC	1509035	Investigation Expense	1,250.00	0.00	1,250.00	**$1,250.00**
100273516	10/2/15	LEIGHTON STONE CORP	1111277	Miscellaneous Equipment Parts & Supplies	1,096.60	0.00	1,096.60	**$1,096.60**
100273517	10/2/15	LOMBARDO DIAMOND CORE DRILLING CO INC	05834	Misc Equip Maint & Repair - Labor	840.00	0.00	840.00	**$1,353.50**
			05992	Misc Equip Maint & Repair - Labor	513.50	0.00	513.50	
100273518	10/2/15	MARIA BENEVENTO-COLLINS	357735-5784218	Miscellaneous Equipment Parts & Supplies	100.00	0.00	100.00	**$100.00**
100273519	10/2/15	MCMASTER CARR SUPPLY CO	39572297	General Supplies	13.65	0.00	13.65	**$99.31**
			39610486	Miscellaneous Equipment Parts & Supplies	31.53	0.00	31.53	
			39629957	Miscellaneous Equipment Parts & Supplies	54.13	0.00	54.13	
100273520	10/2/15	MIDWEST TAPE	93253812	Library Technology Services	793.63	0.00	793.63	**$793.63**
100273521	10/2/15	MORRISONS SCHOOL SUPPLY	37215-0	General Supplies	27.15	0.00	27.15	**$27.15**
100273522	10/2/15	NET TRANSCRIPTS INC	0004046-IN	Investigation Expense	156.01	0.00	156.01	**$156.01**
100273523	10/2/15	OLDCASTLE PRECAST INC	500009563	Construction Services	75.00	0.00	75.00	**$750.00**
			500009563	Misc Equip Maint & Repair - Labor	675.00	0.00	675.00	
100273524	10/2/15	OMEGA ENGRAVING	025442	Supplies, Office 1	35.25	0.00	35.25	**$35.25**
100273525	10/2/15	OPTO 22	433059	Electrical Parts & Supplies	137.95	0.00	137.95	**$137.95**

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100273526	10/2/15	OVERDRIVE INC	0910-000107280	Library Periodicals/Databases	168.00	0.00	168.00	**$168.00**
100273528	10/2/15	PMC	44126	Professional Services	4,708.75	0.00	4,708.75	**$8,812.75**
			44155	Professional Services	4,104.00	0.00	4,104.00	
100273529	10/2/15	PACIFIC JANITORIAL SUPPLY CO	30032604	Inventory Purchase	401.61	0.00	401.61	**$401.61**
100273530	10/2/15	PACIFIC WEST SECURITY INC	1004362	Alarm Services	79.00	0.00	79.00	**$907.00**
			1004459	Facilities Maint & Repair - Labor	116.00	0.00	116.00	
			1004460	Facilities Maint & Repair - Labor	199.00	0.00	199.00	
			1004461	Facilities Maint & Repair - Labor	121.00	0.00	121.00	
			1004462	Facilities Maint & Repair - Labor	167.00	0.00	167.00	
			1004463	Facilities Maint & Repair - Labor	92.00	0.00	92.00	
			1004488	Alarm Services	133.00	0.00	133.00	
100273531	10/2/15	PAN PACIFIC SUPPLY CO INC	29590837	Miscellaneous Equipment Parts & Supplies	1,723.41	0.00	1,723.41	**$1,723.41**
100273532	10/2/15	PENINSULA BATTERY INC	113511	Inventory Purchase	313.20	0.00	313.20	**$437.70**
			113564	Inventory Purchase	124.50	0.00	124.50	
100273533	10/2/15	PETERSON POWER SYSTEMS INC	PC240028640	Miscellaneous Equipment	6,512.31	0.00	6,512.31	**$7,965.02**
			PC240028643	Miscellaneous Equipment Parts & Supplies	816.90	0.00	816.90	
			PC240028660	Miscellaneous Equipment Parts & Supplies	625.31	0.00	625.31	
			PC240028661	Mailing & Delivery Services	10.50	0.00	10.50	
100273535	10/2/15	PREFERRED BENEFIT INSURANCE ADMIN INC	EIA15364	Insurances - Dental	58,366.90	0.00	58,366.90	**$69,821.30**
			EIA15364	Insurances - Vision	11,454.40	0.00	11,454.40	
100273536	10/2/15	PRIORITY 1 PUBLIC SAFETY EQUIPMENT	5269	Auto Maint & Repair - Labor	328.53	0.00	328.53	**$328.53**
100273537	10/2/15	READYREFRESH BY NESTLE	15I0023249071	General Supplies	20.44	0.00	20.44	**$222.31**
			15I0023360647	General Supplies	6.51	0.00	6.51	
			15I5727863010	General Supplies	50.94	0.00	50.94	
			15I5740142004	General Supplies	63.28	0.00	63.28	
			15I5740153001	General Supplies	68.11	0.00	68.11	
			15I5740154009	General Supplies	4.34	0.00	4.34	
			15I5740156004	General Supplies	8.69	0.00	8.69	
100273538	10/2/15	SAFEWAY INC	439897-091715	General Supplies	188.25	0.00	188.25	**$432.26**
			439897-091715	Special Events	25.11	0.00	25.11	
			804590-092415	Special Events	54.97	0.00	54.97	

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			805276-092515	Food Products	19.22	0.00	19.22	
			807107-091015	Special Events	34.50	0.00	34.50	
			807471-093015	General Supplies	110.21	0.00	110.21	
100273539	10/2/15	SAN JOSE BOILER WORKS	INV-20391	Bldg Maint Matls & Supplies	181.29	0.00	181.29	**$181.29**
100273540	10/2/15	SANTA CLARA VLY TRANSPORTATION AUTHORITY	1800018702	Engineering Services	32,700.18	0.00	32,700.18	**$32,700.18**
100273541	10/2/15	SHRED-IT USA LLC	8120343547	Records Related Services	140.00	0.00	140.00	**$140.00**
100273542	10/2/15	SIERRA CHEMICAL CO	SLS10026291	Chemicals	4,674.32	0.00	4,674.32	**$4,674.32**
100273543	10/2/15	SIGLER WHOLESALE DISTRIBUTORS	INVSAJ15009395	Bldg Maint Matls & Supplies	18.62	0.00	18.62	**$18.62**
100273544	10/2/15	SIGN WIZ	11515	Special Events	118.37	0.00	118.37	**$118.37**
100273545	10/2/15	SILICON VALLEY COMMUNITY NEWSPAPERS	0005539944	Advertising Services	77.00	0.00	77.00	**$77.00**
100273546	10/2/15	SMART & FINAL INC	164945-091115	Special Events	94.77	0.00	94.77	**$126.43**
			177177-092915	General Supplies	8.69	0.00	8.69	
			177180-092915	Food Products	2.99	0.00	2.99	
			177181-092915	Food Products	19.98	0.00	19.98	
100273547	10/2/15	STATCOMM INC	104594	Facilities Maint & Repair - Labor	172.50	0.00	172.50	**$580.31**
			104594	Facilities Maint & Repair - Materials	407.81	0.00	407.81	
100273548	10/2/15	STEVENS CREEK QUARRY INC	612792	General Supplies	390.03	0.00	390.03	**$390.03**
100273549	10/2/15	STUDIO EM GRAPHIC DESIGN	15842	Graphics Services	3,915.00	0.00	3,915.00	**$5,220.00**
			15860	Graphics Services	1,305.00	0.00	1,305.00	
100273550	10/2/15	SUNNYVALE BUILDING MAINTENANCE	98271	Professional Services	7,421.00	0.00	7,421.00	**$26,371.52**
			98272	Professional Services	18,950.52	0.00	18,950.52	
100273551	10/2/15	SUNNYVALE FORD	452828	Inventory Purchase	209.89	0.00	209.89	**$209.89**
100273552	10/2/15	SUPERIOR AUTOMATIC SPRINKLER CO INC	33108	Facilities Maint & Repair - Labor	870.00	0.00	870.00	**$870.00**
100273553	10/2/15	SUREPATH FINANCIAL SOLUTIONS	063014-325	Professional Services	175.00	0.00	175.00	**$175.00**
100273554	10/2/15	TALBOTS STEAM CLEANING	893	Professional Services	495.00	0.00	495.00	**$495.00**
100273555	10/2/15	TELSTAR INSTRUMENTS INC	83025	Miscellaneous Equipment Parts & Supplies	7,060.54	0.00	7,060.54	**$15,370.69**
			83106	Miscellaneous Equipment Parts & Supplies	8,310.15	0.00	8,310.15	
100273557	10/2/15	UNIVAR USA INC	SJ706072	Chemicals	2,961.90	0.00	2,961.90	**$7,088.04**
			SJ708103	Chemicals	4,126.14	0.00	4,126.14	

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100273558	10/2/15	V & A CONSULTING ENGINEERS	15516	Consultants	3,911.00	0.00	3,911.00	**$3,911.00**
100273559	10/2/15	W G FRITZ CONSTRUCTION INC	3520	Facilities Maint & Repair - Labor	2,040.00	0.00	2,040.00	**$2,040.00**
100273560	10/2/15	WHCI PLUMBING SUPPLY	S2046556.001	Bldg Maint Matls & Supplies	529.94	0.00	529.94	**$872.64**
			S2048091.00	Bldg Maint Matls & Supplies	342.70	0.00	342.70	
100273561	10/2/15	WALTS CYCLE	384	General Supplies	14.12	0.00	14.12	**$14.12**
100273562	10/2/15	YAMAHA MOTOR CORP USA	560924	Equipment Rental/Lease	5,200.62	0.00	5,200.62	**$5,200.62**
100273563	10/2/15	YORKE ENGINEERING LLC	9877	Professional Services	2,668.25	0.00	2,668.25	**$4,215.25**
			9938	Professional Services	1,547.00	0.00	1,547.00	
100273564	10/2/15	LYNDA.COM INC	INV03495021	Training and Conferences	5,440.80	0.00	5,440.80	**$5,440.80**
100273565	10/2/15	WAITER.COM INC	F0921597358	Food Products	82.04	0.00	82.04	**$82.04**
100273566	10/2/15	COUNTY OF SAN MATEO	NOV/04/2015	Training and Conferences	350.00	0.00	350.00	**$350.00**
100273567	10/2/15	G&K SERVICES	1083715843	Laundry & Cleaning Services	18.15	0.00	18.15	**$2,351.12**
			1083715844	Laundry & Cleaning Services	6.30	0.00	6.30	
			1083715845	Laundry & Cleaning Services	41.40	0.00	41.40	
			1083715846	Laundry & Cleaning Services	10.28	0.00	10.28	
			1083715847	Laundry & Cleaning Services	59.52	0.00	59.52	
			1083715850	Laundry & Cleaning Services	293.95	0.00	293.95	
			1083715851	Laundry & Cleaning Services	170.60	0.00	170.60	
			1083717790	Laundry & Cleaning Services	18.15	0.00	18.15	
			1083717791	Laundry & Cleaning Services	6.30	0.00	6.30	
			1083717792	Laundry & Cleaning Services	41.40	0.00	41.40	
			1083717793	Laundry & Cleaning Services	10.28	0.00	10.28	
			1083717794	Laundry & Cleaning Services	59.52	0.00	59.52	
			1083717797	Laundry & Cleaning Services	293.95	0.00	293.95	
			1083717798	Laundry & Cleaning Services	170.60	0.00	170.60	
			1083719751	Laundry & Cleaning Services	18.15	0.00	18.15	
			1083719752	Laundry & Cleaning Services	6.30	0.00	6.30	
			1083719753	Laundry & Cleaning Services	41.40	0.00	41.40	
			1083719754	Laundry & Cleaning Services	10.28	0.00	10.28	
			1083719755	Laundry & Cleaning Services	59.52	0.00	59.52	
			1083719758	Laundry & Cleaning Services	293.95	0.00	293.95	

List of All Claims and Bills Approved for Payment

For Payments Dated 9/27/2015 through 10/3/2015

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			1083719759	Laundry & Cleaning Services	170.60	0.00	170.60	
			1083721692	Laundry & Cleaning Services	18.15	0.00	18.15	
			1083721693	Laundry & Cleaning Services	6.30	0.00	6.30	
			1083721694	Laundry & Cleaning Services	41.40	0.00	41.40	
			1083721695	Laundry & Cleaning Services	10.28	0.00	10.28	
			1083721696	Laundry & Cleaning Services	59.52	0.00	59.52	
			1083721699	Laundry & Cleaning Services	293.95	0.00	293.95	
			1083721700	Laundry & Cleaning Services	170.60	0.00	170.60	
			1083906711	Laundry & Cleaning Services	-49.68	0.00	-49.68	
100273571	10/2/15	TRIDENT PROFESSIONALS	120915-121115	Training and Conferences	500.00	0.00	500.00	**$500.00**
100273572	10/2/15	ADVANTIS MEDICAL SYSTEMS	132827-74088	Refund Utility Account Credit	85.61	0.00	85.61	**$85.61**
100273573	10/2/15	BRACKET COMPUTING INC	BL065633-2016	Business License Tax	761.54	0.00	761.54	**$761.54**
100273574	10/2/15	IBELIEVEINSWORDFISH INC	BL069871-2015	Business License Tax	56.71	0.00	56.71	**$56.71**
100273575	10/2/15	SEQUENT SOFTWARE INC	178699-58992	Refund Utility Account Credit	136.27	0.00	136.27	**$136.27**
400000500	10/1/15	ACCLAMATION INSURANCE MANAGEMENT	092915PREFUNDI	Workers' Compensation - Claims	112,543.48	0.00	112,543.48	**$112,543.48**
950900955	9/29/15	US BANK TRUST NA	98PARKNG1015	Miscellaneous Payment	1,017,862.93	0.00	1,017,862.93	**$1,017,862.93**
950900957	9/30/15	JPMORGAN CHASE BANK N.A.	14SLDWST1015	Bond Principal	2,365,300.00	0.00	2,365,300.00	**$2,410,615.66**
			14SLDWST1015	Bond Interest	45,315.66	0.00	45,315.66	
950900963	9/30/15	US BANK		Insurances - OPEB Trust Contribution	1,105,000.00	0.00	1,105,000.00	**$1,105,000.00**
		Grand Total Payment Amount						**$6,162,902.87**

City of Sunnyvale

Agenda Item

15-0858 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
Approve Budget Modification No. 7 to Appropriate FY 2015/16 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Grant Funds Totaling $11,432 for Law Enforcement Equipment

GRANT SUMMARY
City staff applied for, and on August 31, 2015 the City was awarded, grant funds in the amount of $11,432 to the Department of Public Safety (DPS) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (OJP/BJA) via the Justice Assistance Grant (JAG) Program for the purchase of front line law enforcement equipment. The Grant Award documents are attached to this report (Attachment 1, Grant Award).

The Department of Justice has awarded annual JAG grants to Sunnyvale DPS since 1996. FY2015/16 is the fifth consecutive year in which JAG monies will be used to purchase equipment for frontline policing. In prior years, JAG funding was used to supplement personnel costs in the Traffic Unit. Realignment within DPS necessitated the requested change in use from personnel to equipment. OJP/BJA approved the change as a condition of accepting the grant funds.

The following equipment has been approved for purchase with grant funds (Attachment 2, Budget Narrative):

Item #1: Three Sage Guns
Three Sage Guns are being purchased for use by patrol officers and SWAT team members as an addition to three similar tactical weapons that are already in use. A Sage weapon is a "less lethal" weapon firing a 37mm "baton" generally at distances around 10-20 yards. It is designed to be used on extremities such as arms or legs, similar to a hand held wooden baton, and is effective in suppressing events or incidents where the use of lethal force is not an appropriate response. The model requested is the Over/Under Launcher, which is perfectly suited for use in patrol cars and SWAT operations. It is compact, it is more accurate and it delivers the round at peak efficiency. It can also be carried in the vehicle loaded and locked and ready to go with no preparation down time. The addition of three Sage Guns will expand the department's capability for responding to riots and other events where officers face non-lethal combatants who are not complying with orders/directions.

Item #2: One K-9 Bite Suit
DPS currently employs four canine patrol officers who participate in ongoing in-house training, and monthly and quarterly training at the county level. The bite suit currently used for training is 10-15 years old and has had its arms replaced more than once. Purchase of the new bite suit will allow canine handlers to train without concern for injury resulting from failure of the training equipment.

Item #3: Five (5) First responder vests
The Crisis Negotiation Team (CNT) is currently in need of equipment designed to carry necessary

safety equipment in an ergonomically appropriate manner. Officers operating in the CNT environment are often faced with long operational periods in which they are required to carry negotiating and safety equipment on their person for extended periods of time. The load bearing first responder vests will enable them to carry all necessary equipment in a balanced and functional manner, thus allowing operators to work at maximum efficiency while sustaining operations over protracted time intervals.

Item #4: One (1) Master Crime Scene Barrier Kit
Acquisition of this kit will provide patrol with a means to maintain the privacy of families and victims who are injured or deceased, and will allow officers to secure and block off any scene, reducing the incidence of visual infringement by the public and media.

The Bureau of Special Operations, Division of Strategic Services will be responsible for management of the grant.

Granting Agency
U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (OJP/BJA)

EXISTING POLICY
Council Policy 7.1.5 Grants, Donations, Contributions and Sponsorships:
The City Manager may accept or reject donations, contributions and sponsorships, both solicited and unsolicited, of money, equipment and in-kind contributions to City Departments or the City in general up to $100,000, so long as they do not require a local match or obligate the City to ongoing expenses not already planned in the City's Resource Allocation Plan. Donated funds will be expended for the specific purpose as agreed upon with the donor or for general purposes, as onetime supplements to the department's operating budget. Donations of equipment will be considered based on program outcomes, department goals and needs, maintenance costs and replacement costs. The donor must be informed in writing if the equipment is not to be replaced.

The City Manager may apply for grants of any dollar amount, but shall notify the Council when grants are being pursued pursuant to Council Policy 7.1.1 (Fiscal -Long Range Goals and Financial Policies), B.4. (Grants and Intergovernmental Assistance). The City Manager may accept and appropriate grant funds up to $100,000 that do not require a local match or obligate the City to any ongoing expenses, through an administrative budget modification. Any grants of $100,000 or more, or that require a local match or obligate the City to ongoing expenses, shall require Council approval of a budget modification before funds can be expended by staff. The budget modification shall include the use to which the grant will be placed; the objectives or goals of the City that will be achieved through use of the grant; the local match required, if any, plus the source of the local match; any increased cost to be locally funded upon termination of the grant; and the ability of the City to administer the grant.

This grant does not meet all of the criteria to be administratively appropriated by the City Manager. Purchased equipment may require a future addition to the equipment replacement schedule, which would require a City Council decision at a later time. A budget modification is being requested to accept and appropriate this grant award. Grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (OJP/BJA) have external reporting requirements and fall under the federal single audit guidelines.

ENVIRONMENTAL REVIEW

This activity does not require environmental review because it can be seen with certainty that there is no possibility that it may have a significant effect on the environment. CEQA Guidelines Section 15061(b)(3).

FISCAL IMPACT

Expenditures for this equipment are reimbursable up to a cumulative total of the $11,432 appropriation. This equipment is supplemental to similar equipment currently in use. The equipment will be included in the City's Public Safety Equipment Replacement Schedule, and will impact the General Fund when due for replacement. Staff will seek grant funding to offset replacement costs.

Required Local Match
None

Funding Source
Grant Funds and General Fund resources.

Increased Cost to City Upon Grant Termination
Increased costs will occur when equipment is replaced. Staff will pursue grant funding to offset the cost.

Budget Modification No. 7 has been prepared to appropriate FY2015/16 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds in the amount of $11,432 for the purchase of frontline law enforcement equipment to a new project, FY 2015/16 JAG Grant.

Budget Modification No. 7
FY 2015/16

	Current	Increase/ (Decrease)	Revised
General Fund			
Revenues			
FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Grant	$0	$ 11,432	$ 11,432
Expenditures			
New Project: FY2015/16 JAG Grant	$0	$ 11,432	$ 11,432

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 Budget Modification No. 7 to appropriate Department of Justice, Office of Justice Programs FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Grant funds in the amount of $11,432 to a new project, FY2015/16 JAG Grant.

Prepared by: Elaine Ketell, Management Analyst
Reviewed by: Frank J. Grgurina, Director, Department of Public Safety
Reviewed by: Grace K. Leung, Director, Department of Finance
Reviewed by: Jane Chambers, Interim Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Grant Award
2. 2015 JAG Budget Narrative

ATTACHMENT 1

Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 31, 2015

Ms. Deanna J. Santana
City of Sunnyvale
456 W. Olive Avenue
P.O. Box 3707
Sunnyvale, CA 94088-3707

Dear Ms. Santana:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation in the amount of $11,432 for City of Sunnyvale.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Patrick Fines, Program Manager at (202) 353-0587; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Denise O'Donnell
Director

Enclosures

OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

Department of Justice

810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690
TTY: (202) 307-2027
E-mail: askOCR@usdoj.gov
Website: www.ojp.usdoj.gov/ocr

August 31, 2015

Ms. Deanna J. Santana
City of Sunnyvale
456 W. Olive Avenue
P.O. Box 3707
Sunnyvale, CA 94088-3707

Dear Ms. Santana:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions.
Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than $25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of $25,000 or more, but less than $500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for $500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

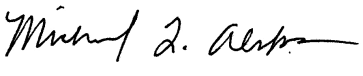
If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

City of Sunnyvale
456 W. Olive Avenue P.O. Box 3707
Sunnyvale, CA 94088-3707

4. AWARD NUMBER: 2015-DJ-BX-0152

5. PROJECT PERIOD: FROM 10/01/2014 TO 09/30/2016

BUDGET PERIOD: FROM 10/01/2014 TO 09/30/2016

6. AWARD DATE 08/31/2015

7. ACTION
Initial

2a. GRANTEE IRS/VENDOR NO.
946000497

8. SUPPLEMENT NUMBER
00

2b. GRANTEE DUNS NO.
047897863

9. PREVIOUS AWARD AMOUNT $ 0

3. PROJECT TITLE
FY 15 JAG: Local

10. AMOUNT OF THIS AWARD $ 11,432

11. TOTAL AWARD $ 11,432

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY15(BJA - JAG) 42 USC 3750, et seq.

14 . CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)

16.738 - Edward Byrne Memorial Justice Assistance Grant Program

15. METHOD OF PAYMENT

GPRS

[redacted] AGENCY APPROVAL [redacted]

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Denise O'Donnell

Director

17. SIGNATURE OF APPROVING OFFICIAL

Denise O'Donnell

[redacted] GRANTEE ACCEPTANCE [redacted]

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Deanna J. Santana
City Manager

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

[redacted] AGENCY USE ONLY [redacted]

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT
X	B	DJ	80	00	00		11432

21. PDJUGT0605

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

   The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

   If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

   Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

   For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at http://ojp.gov/funding/Part200UniformRequirements.htm.

   In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").

3. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights is a violation of the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.

4. The recipient understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

5. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.

6. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: oig.hotline@usdoj.gov hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at www.usdoj.gov/oig

SPECIAL CONDITIONS

7. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of)such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award --

a. it represents that --

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

8. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

SPECIAL CONDITIONS

10. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at http://www.ojp.gov/funding/sam.htm (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

11. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

12. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

13. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm.

14. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

15. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

16. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

17. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).

18. The recipient must collect, maintain, and provide to OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

SPECIAL CONDITIONS

19. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

20. Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

21. The recipient understands and agrees that it has a responsibility to monitor its subrecipients' compliance with applicable federal civil rights laws. The recipient agrees to submit written Methods of Administration (MOA) for ensuring subrecipients' compliance to the OJP's Office for Civil Rights at CivilRightsMOA@usdoj.gov within 90 days of receiving the grant award, and to make supporting documentation available for review upon request by OJP or any other authorized persons. The required elements of the MOA are set forth at http://www.ojp.usdoj.gov/funding/other_requirements.htm, under the heading, "Civil Rights Compliance Specific to State Administering Agencies."

22. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

23. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

24. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.

SPECIAL CONDITIONS

25. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.

26. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

27. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

28. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.

29. The grantee agrees that within 120 days of award acceptance, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the grant recipient. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

30. The recipient agrees to participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.

31. All procurement (contract) transactions under this award must be conducted in a manner that is consistent with applicable Federal and State law, and with Federal procurement standards specified in regulations governing Federal awards to non-Federal entities. Procurement (contract) transactions should be competitively awarded unless circumstances preclude competition. Noncompetitive (e.g., sole source) procurements by the award recipient in excess of the Simplified Acquisition Threshold (currently $150,000) set out in the Federal Acquisition Regulation must receive prior approval from the awarding agency, and must otherwise comply with rules governing such procurements found in the current edition of the OJP Financial Guide.

SPECIAL CONDITIONS

32. Approval of this award does not indicate approval of any consultant rate in excess of $650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.

33. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (https://grants.ojp.usdoj.gov). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.

34. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

35. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. The recipient agrees to submit a signed certification that that all law enforcement agencies receiving vests purchased with JAG funds have a written "mandatory wear" policy in effect. Fiscal agents and state agencies must keep signed certifications on file for any subrecipients planning to utilize JAG funds for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any JAG funding can be used by the agency for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty.

37. Ballistic-resistant and stab-resistant body armor purchased with JAG funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (http://nij.gov). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm.

38. JAG funds may be used to purchase vests for an agency, but they may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.

39. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the grant funds in the trust fund (including any interest earned) during the period of the grant and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to the Office of Justice Programs at the time of closeout.

SPECIAL CONDITIONS

40. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

    The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:
    a. New construction;
    b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
    c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
    d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
    e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

    The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at http://www.ojp.usdoj.gov/BJA/resource/nepa.html, for programs relating to methamphetamine laboratory operations.

    Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

41. BJA strongly encourages the recipient to submit annual (or more frequent) JAG success stories. To submit a success story, sign in to your My BJA account at https://www.bja.gov/Login.aspx to access the Success Story Submission form. If you do not yet have a My BJA account, please register at https://www.bja.gov/profile.aspx. Once you register, one of the available areas on your My BJA page will be "My Success Stories". Within this box, you will see an option to add a Success Story. Once reviewed and approved by BJA, all success stories will appear on the new BJA Success Story web page at https://www.bja.gov/SuccessStoryList.aspx.

42. Recipient understands and agrees that award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure list may be accessed here: https://www.bja.gov/funding/JAGControlledPurchaseList.pdf.

43. Recipient understands and agrees that award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions may be accessed here: https://www.bja.gov/funding/JAGControlledPurchaseList.pdf

SPECIAL CONDITIONS

44. Recipient understands and agrees that the purchase or acquisition of any item on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, with award funds by an agency will trigger a requirement that the agency collect and retain (for at least 3 years) certain information about the use of 1) any federally-acquired Controlled Equipment in the agency's inventory, and 2) any other controlled equipment in the same category as the federally-acquired controlled equipment in the agency's inventory, regardless of source; and make that information available to BJA upon request. Details about what information must be collected and retained may be accessed here: https://www.whitehouse.gov/sites/default/files/docs/le_equipment_wg_final_report_final.pdf

45. Recipient understands and agrees that, notwithstanding 2 CFR § 200.313, no equipment listed on the Controlled Expenditure List that is purchased under this award may be transferred or sold to a third party, except as described below:

    a. Agencies may transfer or sell any controlled equipment, except riot helmets and riot shields, to a Law Enforcement Agency (LEA) after obtaining prior written approval from BJA. As a condition of that approval, the acquiring LEA will be required to submit information and certifications to BJA as if it was requesting approval to use award fund for the initial purchase of items on the Controlled Expenditure List.
    b. Agencies may not transfer or sell any riot helmets or riot shields purchased under this award.
    c. Agencies may not transfer or sell any Controlled Equipment purchased under this award to non-LEAs, with the exception of fixed wing aircraft, rotary wing aircraft, and command and control vehicles. Before any such transfer or sale is finalized, the agency must obtain prior written approval from BJA. All law enforcement-related and other sensitive or potentially dangerous components, and all law enforcement insignias and identifying markings must be removed prior to transfer or sale.

    Recipient further understands and agrees to notify BJA prior to the disposal of any items on the Controlled Expenditure List purchased under this award, and to abide by any applicable laws and regulations in such disposal.

46. Recipient understands and agrees that failure to comply with conditions related to Prohibited or Controlled Expenditures may result in a prohibition from further Controlled Expenditure approval under this or other federal awards.

47. Recipient understands that the initial period of availability of funds for this award is two years. Recipient further understands that any requests for additional time for performance of this award, up to two additional years, will be granted automatically, pursuant to 42 U.S.C. § 3751(f) and in accordance with current fiscal year solicitation. Requests for additional time beyond a four year grant period will be subject to the discretion of the Director of the Bureau of Justice Assistance.

48. Recipient may not obligate, expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received and approved the required application attachment(s) and has issued a Grant Adjustment Notice (GAN) releasing this special condition.

49. Recipient may not expend, or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Budget Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.

50. Recipient may not obligate, expend or draw-down funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and issued a Grant Adjustment Notice (GAN) approving the recipient's request to utilize grant funds to purchase or acquire items that are listed on the Controlled Expenditure List. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions may be accessed here: https://www.bja.gov/funding/JAGControlledPurchaseList.pdf

Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for City of Sunnyvale

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:
a. New construction;
b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see http://www.ojp.usdoj.gov/BJA/resource/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER
2015-DJ-BX-0152

This project is supported under FY15(BJA - JAG) 42 USC 3750, et seq.

1. STAFF CONTACT (Name & telephone number)

Patrick Fines
(202) 353-0587

2. PROJECT DIRECTOR (Name, address & telephone number)

Nancy Thome
Sr. Management Analyst
PO Box 3707
Sunnyvale, CA 94088-3707
(408) 730-7162

3a. TITLE OF THE PROGRAM

BJA FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation

3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)

4. TITLE OF PROJECT

FY 15 JAG: Local

5. NAME & ADDRESS OF GRANTEE

City of Sunnyvale
456 W. Olive Avenue P.O. Box 3707
Sunnyvale, CA 94088-3707

6. NAME & ADRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2014 TO: 09/30/2016

8. BUDGET PERIOD

FROM: 10/01/2014 TO: 09/30/2016

9. AMOUNT OF AWARD

$ 11,432

10. DATE OF AWARD

08/31/2015

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).

The 2015 Justice Assistance Grant (JAG) will be used to purchase front-line law enforcement related equipment. Safety and capability will be enhanced through the purchase of safety vests, sage guns, crime scene kits, and K-9 bite suits. NCA/NCF

ATTACHMENT 2

FY2015/16 JAG ALLOCATION	
FOR: SUNNYVALE DEPARTMENT OF PUBLIC SAFETY SUNNYVALE, CALIFORNIA	**PROGRAM AND BUDGET WORKSHEET AND NARRATIVE**
	PROGRAM NARRATIVE (ATTACHMENT 1)

The Sunnyvale Department of Public Safety proposes to purchase necessary equipment for front-line law enforcement utilizing the allocation of $11,432 in FY2015/16 Justice Assistance Grant (JAG) funding. The Department's law enforcement capabilities will be enhanced by using the supplies and equipment listed below. Ongoing budgetary constraints have made it necessary to acquire grant funding for the purchase of this vital equipment.

Item #1: Three (3) Sage Guns @ $1,795 each.....$5,385.00

To more adequately serve frontline operational needs, three (3) additional Sage Guns are needed to expand and enhance the Department of Public Safety's law enforcement response capabilities. The model requested is the Over/Under Launcher which is perfectly suited for use by patrol officers and SWAT Team members.

Item #2: One (1) K-9 Bite Suit $1,500.00

The Department of Public Safety currently employs four (4) canine patrol officers who participate in ongoing in-house training and monthly/quarterly training at the county level. The bite suit currently being used for training is 10-15 years old and has already had its arms replaced more than once. The purchase of a new bite suit would allow canine handlers to train without concern for injury resulting from failure of the training equipment.

Item #3: Five (5) First responder vests @ $194.40 each.....$972.00

The Crisis Negotiation Team (CNT) is currently in need of equipment designed to allow each operator to carry

necessary safety equipment in an ergonomically appropriate manner. Officers operating in the CNT environment are often faced with long operational periods in which they are required to carry negotiating and safety equipment on their person for extended periods of time. The load bearing first responder vests will enable them to carry all necessary equipment in a balanced and functional manner, thus allowing operators to work at maximum efficiency while sustaining operations over protracted time intervals.

Item #4: One (1) Master Crime Scene Barrier Kit..... $2,299.00

An SRN 1000 Privacy Barrier System includes 4 screens, 3 tripods, 1 Mobile travel bag, 3 weighted bags and 2 Caution Beacons barriers. Acquisition of this kit would provide patrol with a means for maintaining the privacy of families and victims who are injured or deceased, and would allow officers to secure and block off any scene, reducing the incidence of visual infringement by the public and media.

Performance metrics associated with the equipment purchased will be in the form of performance evaluations conducted by department personnel. The evaluations will answer the following questions:

a) Does the equipment improve or enhance readiness in the field or in training exercises?
b) Does the equipment create any efficiencies in terms of response time or capability?
c) Is officer training a prerequisite for using this equipment? If so, how much training per officer is required?
d) Did use of this equipment present any unexpected challenges? If so, how could those challenges be overcome in the future?
e) Was there any feedback from the public or media regarding deployment of this equipment?

City of Sunnyvale

Agenda Item

15-0863 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
Award of Contract for Waste Reduction Behavior Change Strategies (F15-95)

REPORT IN BRIEF
Approval is requested to award a contract in the amount of $199,945 to Action Research of Oceanside for consultant services to implement a comprehensive program which increases awareness and changes behaviors to reduce waste, litter, energy use and Greenhouse Gas (GHG) emissions for the Environmental Services Department (ESD). Approval is also requested for a 5% contract contingency in the amount of $10,000.

EXISTING POLICY
Consistent with the provisions of Chapter 2.08 of the Sunnyvale Municipal Code, consultant services contracts are awarded pursuant to a Request for Proposals (RFP) process, unless otherwise exempt from the competitive bidding.

ENVIRONMENTAL REVIEW
The award of a contract for professional services to develop and implement a program for modifying waste reduction behavior is not a project within the meaning of the California Environmental Quality Act (CEQA) because it concerns administrative and organizational activities and does not itself directly impact the physical environment. (CEQA Guideline Section 15378(b).)

BACKGROUND AND DISCUSSION
Since 2008, the City has taken a number of actions to comprehensively encourage residents, businesses and agencies to reduce waste, litter, energy use and GHG emissions. These include, but are not limited to the adoption of a Zero Waste Policy (2008), Waste Characterization Study (2012), Zero Waste Strategic Plan (ZWSP) in 2013, and a Climate Action Plan (CAP) in 2014 to reduce Greenhouse Gas GHG) emissions. Many of the actions are in response to, or required by, federal and state laws and regulations. Some key program goals include:

- Meeting the Council-approved Zero Waste goal of 90% in 15 years
- Implementing multiple Greenhouse Gas Emission reduction strategies adopted as part of the Climate Action Plan (CAP)
- Reduce litter entering the City's storm drainage system by 100% by 2022

Reaching these goals will require a comprehensive program to:

- Train City staff in developing and deploying behavior changes strategies through the use of Community Based Social Marketing (CBSM)
- Implement a 3-5 year outreach/messaging strategy which considers Sunnyvale population and other demographics

- Develop a branded look for all City environmental programs, in alignment with the city brand, including Zero Waste, Climate Action, Sustainability, Water Conservation, and Watershed Protection.

ESD is made up of four divisions: Solid Waste, Water and Sewer, Water Pollution Control Plant, and Regulatory Programs. These divisions provide unique services, but because environmental goals and objectives interrelate, and some key messaging targets the same audiences, the divisions also work cooperatively on outreach and education programs and activities. As staff considers the multitude of new ESD programs driven by regulations, Council direction, and the desire to create a sustainable, thriving community, assistance is needed to coordinate and plan outreach strategies. The Council has expressed on many occasions the importance of effective outreach and education in delivering environmental programs where behavior change is a critical element needed for success. Award of this contract will provide the necessary expertise and capabilities to meet Council desires and expectations.

In support of these efforts, a Request for Proposals (RFP) was distributed to five known firms and posted on the City's public procurement network. Ten firms requested the RFP documents. Three responsive proposals were received on July 22 by Action Research, S. Groner & Associates (SGA) and Green Ideas LLC, with pricing ranging from $180,000 to $297,000.

Proposals were reviewed by an evaluation team consisting of the staff from multiple ESD Divisions. The firms were evaluated on depth of project team experience, project understanding, proposed methodology and management plan, and overall value. Action Research was unanimously selected as the highest ranked proposer due to their research-based approaches and extensive experience in developing and delivering CBSM at the community level (not only is the firm considered a pioneer in this field, they are also partnering with the founder of the practice).

The CBSM program that staff will implement with the assistance of Action Research will focus on ways to remove barriers to participate in waste reduction activities through piloting and small-scale testing. This will enable staff to gain insights and refine strategies prior to implementing them on a citywide scale.

FISCAL IMPACT

Total contract costs are $209,945, including $199,945 to development and implement the program, and a contingency of $10,000.

Budgeted funds are available in Capital Projects 830910 (Zero Waste Strategic Plan) and 831290 (Climate Action Plan Implementation), and operating program 366 (Regulatory Programs).

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 the amount of $199,945 to Action Research to develop and implement a

comprehensive behavior change program, in substantially the same form as the attached draft consultant services agreement; and 2) approve a 5% contract contingency in the amount of $10,000.

Prepared by: Pete Gonda, Purchasing Officer
Reviewed by: Grace K. Leung, Director, Finance
Reviewed by: Jane Chambers, Interim Assistant City Manager
Approved by: Kent Steffens, Assistant City Manager
for Deanna J. Santana, City Manager

ATTACHMENT

1. Draft Consultant Services Agreement

DRAFT CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF SUNNYVALE AND ACTION RESEARCH FOR WASTE REDUCTION BEHAVIOR CHANGE STRATEGIES

THIS AGREEMENT, dated _____, is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY"), and ACTION RESEARCH, a California Corporation ("CONSULTANT").

WHEREAS, CITY is in need of professional services to develop change strategies that will reduce waste, energy use, litter and GHG emissions in support of the City's environmental program goals; and

WHEREAS, CONSULTANT represents that it, and its sub-consultants, if any, possess the professional qualifications and expertise to provide the required services;

NOW, THEREFORE, THE PARTIES ENTER INTO THIS AGREEMENT.

1. Services by CONSULTANT

CONSULTANT shall provide services in accordance with Exhibit "A" attached and incorporated by reference. CONSULTANT shall determine the method, details and means of performing the services.

2. Time for Performance

The term of this Agreement shall be from the date of agreement execution through project completion, unless otherwise terminated. CONSULTANT shall deliver the agreed upon services to CITY as specified in Exhibit "A". Extensions of time may be granted by the City Manager upon a showing of good cause.

3. Duties of CITY

CITY shall supply any documents or information available to City required by CONSULTANT for performance of its duties. Any materials provided shall be returned to CITY upon completion of the work.

4. Compensation

CITY agrees to pay CONSULTANT amount not-to-exceed One Hundred Ninety-Nine Thousand Nine Hundred Forty-Five and No/100 dollars ($199,945.00). Payments shall be made upon CITY's acceptance of completed tasks, and in further accordance with the payment provisions specified in this section and in Exhibit "B", Payment Schedule.

CONSULTANT shall submit invoices no more frequently than monthly to CITY's Accounts Payable unit.

5. Ownership of Documents

CITY shall have full and complete access to CONSULTANT's working papers, drawings and other documents during progress of the work. All documents of any description prepared by CONSULTANT shall become the property of the CITY at the completion of the project and upon payment in full to the CONSULTANT. CONSULTANT may retain a copy of all materials produced pursuant to this Agreement.

6. 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.

7. Confidential Information

CONSULTANT shall maintain in confidence and at no time use, except to the extent required to perform its obligations hereunder, any and all proprietary or confidential information of CITY of which CONSULTANT may become aware in the performance of its services.

8. Compliance with Laws

(a) CONSULTANT shall not discriminate against, or engage in the harassment of, any City employee or volunteer or any employee of CONSULTANT or applicant for employment because of an individual's race, religion, color, sex, gender identity, sexual orientation (including heterosexuality, homosexuality and bisexuality), ethnic or national origin, ancestry, citizenship status, uniformed service member status, marital status, family relationship, pregnancy, age, cancer or HIV/AIDS-related medical condition, genetic characteristics, and physical or mental disability (whether perceived or actual). This prohibition shall apply to all of CONSULTANT's employment practices and to all of CONSULTANT's activities as a provider of services to the City.

(b) CONSULTANT shall comply with all federal, state and city laws, statutes, ordinances, rules and regulations and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of the Agreement.

9. Independent Contractor

CONSULTANT is acting as an independent contractor in furnishing the services or materials and performing the work required by this Agreement and is not an agent, servant or employee of CITY. Nothing in this Agreement shall be interpreted or construed as creating or establishing the relationship of employer and employee between CITY and CONSULTANT. CONSULTANT is responsible for paying all required state and federal taxes.

10. Indemnity

CONSULTANT shall indemnify and hold harmless CITY and its officers, officials, employees and volunteers from and against all claims, damages, losses and expenses, including attorney fees, arising out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of CONSULTANT, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, except where caused by the active negligence, sole negligence, or willful misconduct of CITY.

11. Insurance

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 or endorsements as specified in Exhibit "C."

12. CITY Representative

Karen Gissibl, Environmental Programs Manager, as the City Manager's authorized representative, shall represent CITY in all matters pertaining to the services to be rendered under this Agreement. All requirements of CITY pertaining to the services and materials to be rendered under this Agreement shall be coordinated through the CITY representative.

13. CONSULTANT Representative

Lori Large, Director of Research Operations, shall represent CONSULTANT in all matters pertaining to the services and materials to be rendered under this Agreement; all requirements of CONSULTANT pertaining to the services or materials to be rendered under this Agreement shall be coordinated through the CONSULTANT representative.

14. 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: Karen Gissibl, Environmental Programs Manger
Environmental Services Department / Solid Waste
CITY OF SUNNYVALE
P. O. Box 3707
Sunnyvale, CA 94088-3707

To CONSULTANT: Lori Large, Director of Research Operations
Action Research
3630 Ocean Ranch Blvd.
Oceanside, CA 92056

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 or 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 two 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.

15. Assignment

Neither party shall assign or sublet any portion of this Agreement without the prior written consent of the other party.

16. Termination

A. 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. In the event of such termination, CONSULTANT shall be compensated in proportion to the percentage of satisfactory 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.

B. 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.

C. If CITY fails to pay CONSULTANT, CONSULTANT at its option may terminate this Agreement if the failure is not remedied by CITY within (30) days after written notification of failure to pay.

17. 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.

18. 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:

By_____
City Clerk

CITY OF SUNNYVALE ("CITY")

By _____
City Manager

APPROVED AS TO FORM:

By_____
City Attorney

_____Action Research_____
("CONSULTANT")

By _____

_____
Name and Title

_____

_____
Name and Title

Exhibit A

Scope of Work

Overview-The City of Sunnyvale Environmental Services Department is requesting proposals from one or more qualified social marketing firms(s) with CBSM expertise to assist with and train staff in the development of behavior change strategies in two selected program areas, the development of a cohesive three- to five- year plan of action and the development of a branded look and marketing campaign for ESD. The program's prime objectives are to increase awareness and create behavior changing actions that will reduce waste, energy use, litter, and ultimately GHG emissions and lead the City to achieving its environmental program goals.

Community Based Social Marketing (CBSM) is an alternative to information-based campaigns. CBSM is based upon research in the social sciences that demonstrates behavior change is most effectively achieved through initiatives delivered at the community level which focus on removing barriers to an activity while simultaneously enhancing the activities benefits.

Task 1- Train Staff to Develop Programs Using CBSM
Using the CBSM approach, work with and train Solid Waste and Regulatory Programs staff to select and target two program areas to focus on.

- For the selected programs, identify a specific behavior to promote and identify barriers and benefits research that could include:
    a. Literature reviews
    b. Observations
    c. Focus groups (multi-lingual)
    d. Surveys
- Develop strategies for the target behavior which could include:
    e. Selection of tools tailored to barriers/benefits
    f. Conducting focus group/s
    g. Pilot testing strategies
- Develop an implementation plan for selected program after revisions and adjustments have been made. Program would include:
    h. Collecting baseline data on current level of participation
    i. Ongoing evaluation of whether strategies are working and making necessary adjustments
    j. Development of outreach/public awareness strategies
- Write a final plan that details program design and steps for conducting the CBSM approach

Task 2-Develop Timeline and Implementation Strategy for ESD
a three- to five- year timeline and project implementation strategy that considers a variety of ESD programs. The timeline and strategy should include but is not limited to:

- Select priority areas/behaviors to focus on in the first year, and subsequent areas of focus in the subsequent years.
- Develop a multi-year timeline and strategy for staff to use for guidance and coordination of programs they are tasked with implementing.
- Determine if there are overlapping impacts with selected behaviors and the subsequent population they will be testing/implementing tools within, including messaging/outreach strategies, cultural/demographic considerations and required actions for change (i.e., how will the different target populations be impacted if there are several new programs or "asks" going on at once?).

Task 3- Develop a marketing/messaging campaign which considers CBSM strategies and focuses on priority areas determined in Task 2. Campaign could include:

- Development of ESD-wide messages (one or more broader, more general messages)
- Development of one or more messages specific to:
    a. Zero Waste
    b. Climate Action
    c. Watershed Protection
    d. Litter Prevention Programs
- Consideration of both traditional and social media outlets such as FB, Twitter, newsletters, radio, print or others
- Consideration of culturally sensitive outreach messages
- Development of recommended assessment tool/s for measuring campaign effectiveness

Task 4-Develop Branded look and Marketing Campaign for ESD Program

- Develop **branded look** for culturally diverse population which could include but is not limited to:
    a. Cohesive logo, slogan for ESD's collection of programs
    b. Templates for use on web, advertisements, publications, etc.
    c. Web look
    d. Template for ads, other marketing avenues
    e. Garbage truck/bus advertising/wraps

- Conduct a minimum of **one focus group** to test effectiveness of the developed branded look and as a result of feedback, make adjustments.

Exhibit B

Payment Schedule

Payment One: Month One	
1.A. Kick-Off Meeting, CBSM Overview Presentation, and Behavior Selection	$16,952
Payment Two: Month Three	
1.B. Behavior Selection	$15,832
4.A. Research and Review	
Payment Three: Month Five	
1.C. Support Barriers and Benefits Research	$41,296
3.A. Campaign Plan	
4.B. Tagline Development	
4.C. Logo Development	
4.D. Finalize Branding and Create Style Guide	
Payment Four: Month Six	
1.D. Support Strategy Development	$50,449
2.A. Identify Tier 1 and Tier 2 Behaviors	
3.B. Campaign Concept Messaging	
Option 1: Verbal Branding	
Option 2: Custom Images	
Option 3: Staff Training Session (Branding)	
Payment Five: Month Eight	
1.E. Support Pilot Testing	$39,322
3.C. Creative Development	
3.D. Community Contacts, Communication, Media	
Payment Six: Month Nine	
1.F. Create Implementation Plan	$36,094
2.B. Develop Multi-Year Timeline	
2.C. Develop Integration & Resource Management Plan	
Total Proposal Cost Not to Exceed	$199,945

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 or equivalent is required.

2. **Automobile Liability**: $1,000,000 per accident for bodily injury and property damage. ISO Form CA 0001 or equivalent is required.

3. **Workers' Compensation** Statutory Limits and **Employer's Liability**: $1,000,000 per accident for bodily injury or disease.

4. **Errors and Omissions** Liability Insurance appropriate to the Consultant's Profession: $1,000,000 per occurrence.

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** policy shall 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.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of not 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

15-0403 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
Adopt a Resolution to Endorse Destination:Home Community Plan to End Homelessness in Santa Clara County 2015-2020

BACKGROUND
Destination:Home (D:H) is a public-private partnership created in 2008 by the City of San Jose, the County of Santa Clara, and other partners to implement the 2007 recommendations of the former Blue Ribbon Commission on Affordable Housing and Homelessness, a task force of county, city, and other agency representatives, including the late former Vice Mayor Swegles (see County press release in Attachment 1). The Blue Ribbon Commission developed a "Ten-Year Plan to End Homelessness" which was adopted by the County, the City of San Jose, and various partner agencies in 2005. Such 10-year plans were widely promulgated in the early 2000's by national homeless advocacy groups and federal agencies to help local communities develop effective strategies to end homelessness (see "Fact Sheet on Ten Year Plans" in Attachment 2).

D:H developed the Community Plan to End Homelessness 2015-2020 (D:H Plan, Attachment 3) in 2014 to continue and improve upon the efforts begun under the prior plan. D:H coordinated the participation of more than 200 local stakeholders from the public and private sectors in a six-month planning process to develop the plan. Housing staff participated in several of the planning events, including two of the "summit" meetings.

The D:H Board also serves as the governing body of the county-wide "Continuum of Care" (CoC), which is a county-wide entity required by the Department of Housing and Urban Development (HUD) to enable local housing and services providers to apply for HUD grants for various homeless assistance programs. Last fiscal year, these HUD grants to the CoC amounted to nearly $16 million for various non-profit agencies within Santa Clara County. The new D:H Plan is consistent with ongoing CoC efforts and will assist in supporting the CoC's applications for future HUD grants.

EXISTING POLICY
Sunnyvale FY 2015-2020 Consolidated Plan
1. Help people who are currently homeless or at imminent risk of homelessness to obtain housing, employment or other sources of income, and adequate support services/networks to achieve stability.

   d) Continue to participate in county-wide policy, planning and coordination efforts such as the Continuum of Care and Destination:Home's Community Plan to End Homelessness.

ENVIRONMENTAL REVIEW
The adoption of a Resolution to endorse a community plan to end homelessness is not a project under the California Environmental Quality Act (CEQA) because it involves general policy and

procedure making. (CEQA Guideline Section 15378(b).)

DISCUSSION

The D:H Plan is based on three central strategies, as explained in detail in Attachment 3:

1. Disrupt the System: Develop strategies and innovative prototypes that transform the systems related to housing homeless people.
2. Build the Solution: Secure the funding needed to provide 6,000 housing opportunities with services for those who are homeless and those at risk of homelessness.
3. Serve the Person: Adopt an approach that recognizes the need for client-centered strategies with different responses for different levels of need and different groups, targeting resources to the specific individual or household.

Much of the effort described in the D:H Plan relates to the work of various county agencies that provide health care, housing, social services, corrections, and related services. Participating cities will most likely be involved mainly on the second strategy: "Build the Solution," which relates to development of affordable housing units through various methods, including development of new permanent supportive housing (PSH) units, rehabilitation or retrofitting of existing housing or other structures (e.g., motels) into new affordable units, and use of long-term subsidies such as rental vouchers to make existing market-rate or affordable housing more affordable for homeless or at-risk households.

The City has already funded and implemented efforts related to Strategy 2 for a number of years, including the recent development of 117 new affordable supportive housing units (the Parkside Studios and Onizuka Crossing projects), the City's HOME-funded Tenant Based Rental Assistance (TBRA) program for homeless and at-risk households, and funding provided in prior years for supportive housing projects, such as group homes developed by Momentum for Mental Health, Senior Housing Solutions, and Bill Wilson Center, and various others.

In addition, the City has implemented various programs that are consistent with Strategy 3: "Serve the Person," such as:

- The FY 2015-16 Homelessness Prevention and Rapid Re-Housing (HPRR) program, which includes a financial literacy and tenant education component, as well as a similar program (HPRP) implemented in 2010-11 with a one-time federal stimulus grant;
- The WorkFirst Sunnyvale program that provides employment training, job placement, and related supportive services for homeless people;
- The Haven to Home program, which provides outreach and case management services for homeless people;
- Tenant-landlord dispute resolution services; and
- Various other programs funded through the city's human services grants that provide supportive services to homeless clients.

As described above and in more detail in the City's adopted Housing Element and Consolidated Plan, the City's past and ongoing efforts related to preventing and ending homelessness are consistent with the key strategies included in the new D:H Plan.

As noted in the D:H Plan, D:H will provide annual implementation plans to further guide the County and participating agencies in implementing the plan. The first implementation plan is provided in Attachment 4.

To date, the D:H Plan has been endorsed by the D:H Board, the County of Santa Clara, the cities of San Jose, Morgan Hill, and Campbell, the Cities Association of Santa Clara County, and the Santa Clara Valley Water District. D:H staff is currently working with the cities of Palo Alto and Mountain View in an effort to seek their endorsement of the Plan by late 2015. D:H staff has confirmed that an endorsement does not create or imply any obligation for the City to provide funding or other resources to D:H nor to take any future actions in support of the D:H Plan. However, as noted above, a number of existing City programs and plans are supportive of the general goals and strategies of the D:H Plan.

In addition, City endorsement of the D:H Plan may assist in obtaining future HUD approvals of the City's future Action Plans by demonstrating the City's commitment to regional efforts to end homelessness, and therefore may help the City maintain its CDBG and HOME grants in the future.

A draft resolution to endorse the D:H Plan is provided in Attachment 5.

FISCAL IMPACT

This action will not impact the General Fund or have any other negative fiscal impacts on City funds. City endorsement of the Plan does not obligate the City to provide any funding or commit to any other actions related to the Plan. Endorsement of the Plan may be beneficial in maintaining the City's eligibility for future CDBG and HOME grants.

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

Adopt a resolution to endorse the Destination:Home Community Plan to End Homelessness in Santa Clara County 2015-2020.

Endorsement of the D:H Plan is consistent with existing City policy, long-range housing plans, and existing City-funded programs and projects.

Prepared by: Suzanne Isé, Housing Officer
Reviewed by: Hanson Hom, Director, Community Development Department
Reviewed by: Jane Chambers, Interim Assistant City Manager
Approved by: Kent Steffens, Assistant City Manager
for Deanna J. Santana, City Manager

ATTACHMENTS

1. 2004 County Press Release
2. Fact Sheet on Ten Year Plans

3. Community Plan to End Homelessness
4. Implementation Plan
5. Draft Resolution

County of Santa Clara
Office of the County Executive
70 West Hedding Street, East Wing 11th Floor
San Jose, CA 95110
(408) 299-5119
www.sccgov.org

FOR IMMEDIATE RELEASE
October 6, 2004

Contact: Gwendolyn Mitchell/Laurel Anderson
Office of Public Affairs
(408) 299-5119

Marjorie Matthews
Office of Affordable Housing
(408) 441-4254

County Creating Task Force to End Chronic Homelessness

SAN JOSE, CALIF.— The County of Santa Clara Board of Supervisors has approved the formation of a task force to develop a 10-year plan to end chronic homelessness in Santa Clara County. The task force will focus on four areas, including obtaining an accurate count of the chronically homeless population; discharge planning to prevent homelessness; outreach to and engagement of chronically homeless people; permanent housing with supportive services; and access to mainstream benefits and employment.

The task force members will include: two members of the Board of Supervisors, elected officials or designated representatives from each of the 15 cities and towns, and representatives from Santa Clara Valley Health and Hospital System, Department of Correction, Social Services Agencies, Office of the Sheriff, Office of Affordable Housing, City of San Jose Homeless Coordinator, Chair of Santa Clara County Collaborative, and someone who is or has been homeless.

The action was strongly supported by the Santa Clara County Collaborative on Affordable Housing and Homeless Issues - over 100 organizations that provide shelter and/or services to the homeless population. The 10-year plan will build on the existing 5-Year Homelessness Continuum of Care Plan, developed by the Collaborative, with special emphasis on solutions to chronic homelessness. The final draft of the 10-year plan will be presented to the Board of Supervisors in April 2005.

-more-

"Over the years, millions of dollars have been allocated to provide temporary shelter and other services for the homeless," said Supervisor Pete McHugh, Chair of the County of Santa Clara Board of Supervisors. "This will be a more focused effort with the objective of addressing core issues that lead to chronic homelessness."

Although the chronically homeless, "street people" who do not live in shelters or accept counseling, comprise only 10 percent of the homeless population nationwide, it is estimated that they use 50 percent of the resources expended on homelessness. Investing in an effort to end chronic homelessness will reduce the costly expenses of emergency room visits and incarceration in local jails.

"This plan will establish a framework for ending homelessness in Santa Clara County," said Marjorie Matthews, Director of the Office of Affordable Housing. "It will demonstrate our commitment to end homelessness and align the county for federal funding next spring."

The County has asked the cities to assist with conducting an accurate count of the homeless population by next February. This comprehensive assessment, along with what has been learned through the Collaborative, will serve as the basis for developing a blueprint for addressing the problem, and create a collective commitment to end homelessness in 10 years. The effort will strengthen the County's competitive position to acquire targeted federal funds in the spring of 2005.

"Living on the streets can be devastating," said District 2 Supervisor Blanca Alvarado, County of Santa Clara Board of Supervisors. "This effort will be designed to identify how to bridge the gaps that hinder individuals from becoming productive contributors to society."

The County has successfully implemented several initiatives including: the launch of the County Homeless Management Information System (HMIS) which allows for a single shared confidential database of homeless services; and the allocation of more than $10 million to 14 new affordable housing projects. The new 10-year plan will allow the County to continue its leadership in addressing and ultimately ending homelessness in the region.

# # #

Fact Sheet

Questions and Answers on Homelessness Policy and Research

What is a Ten Year Plan to End Homelessness?

Updated January 2010

The problem of homelessness, many say, is unsolvable. Communities across the country have struggled with getting homeless people off the street by building shelters, transitional housing, and soup kitchens. Although these strategies help address the immediate needs of our nation's homeless people by providing food and temporary shelter, they have not been successful in decreasing homelessness, leaving communities across the country frustrated and hopeless.

History of the Ten Year Plan

In 2000, the National Alliance to End Homelessness released *A Plan, Not a Dream: How to End Homelessness in Ten Years*. Drawing on research and innovative programs from around the country, the plan outlined key strategies in addressing the issue locally, which cumulatively can address the issue nationally. The plan outlined four key elements of a plan to end homelessness[1]:

- **Plan for outcomes**. Every jurisdiction should collect data that allows it to identify the most effective strategy for each sub-group of the homeless population and jurisdictions should bring those responsible for mainstream resources as well as resources targeted specifically to homeless people to the planning table.
- **Close the front door**. Communities should prevent homelessness by making mainstream poverty programs more accountable for outcomes of their clients.
- **Open the back door**. Communities should develop, and subsidize when needed, an adequate supply of affordable housing.
- **Build the infrastructure**. Ending homelessness can be a first step in addressing the systemic problems that lead to crisis poverty, including a shortage of affordable housing, incomes that do not pay for basic needs, and a lack of appropriate services for those that need them.

Since the release of this blueprint, the Department of Housing and Urban Development and the Bush Administration endorsed the idea of planning to end chronic homelessness in ten years, the US Interagency Council on Homelessness (USICH) challenged 100 cities to create plans to end homelessness. The momentum built across the country—to date, there are 234 completed plans to end homelessness across the country. These plans echo key strategies outlined in the Alliance's plan and represent a critical, collective effort to end homelessness nationwide. The Homelessness Research Institute at the National Alliance to End Homelessness recently completed a study evaluating the completed plans. The study, *A Shifting Focus*, evaluates the elements and implementation of the plans.

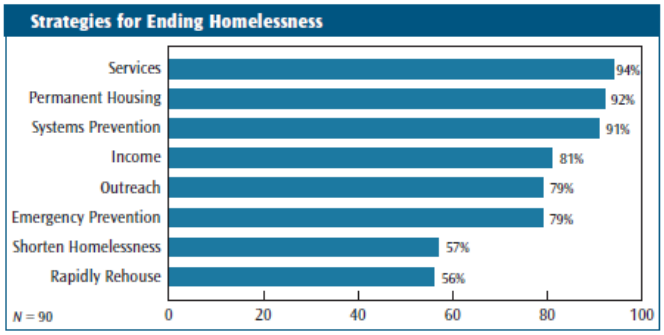
[1] National Alliance to End Homelessness. 2000. *A Plan, Not a Dream: How to End Homelessness in Ten Years*. Washington, DC: National Alliance to End Homelessness.

Plan Types

A majority (63 percent) of the community plans to end homelessness target the chronic population. Many plans lay out strategies for specific subgroups of homeless people, including families, youth, veterans, and the elderly. Forty-nine percent of plans outline strategies to end family homelessness, 50 percent outline efforts to end youth homelessness, and 32 percent of plans address the housing needs of former prisoners in order to prevent them from becoming homeless.

Primary Strategies Outlined in the Plans

Communities outlined a wide range of strategies in the plans:



- **Permanent Housing**. Almost all of the plans (89 percent) focus on permanent housing, which is considered the cornerstone to ending homelessness.
- **Systems Prevention**. A large majority of the plans (82 percent) target systems emergency prevention activities, including discharge planning from correctional facilities, foster care systems, or mental health facilities.
- **Outreach**. Outreach efforts to engage people living on the streets are outlined in 64 percent of the plans.
- **Emergency Prevention**. Many communities are including elements of emergency prevention strategies (82 percent). This includes rent, mortgage, and utility assistance, case management, landlord or lender intervention, and other strategies to prevent eviction and homelessness.
- **Rapid Re-Housing**. Newer to the scene but quickly gaining prominence is the presence of rapid re-housing strategies in these plans. Approximately 63 percent of plans include such strategies.

Implementation and Funding Sources

The plans are a step in the right direction—a forward movement in the effort to end homelessness—but in order for a community to see real declines in the number of homeless people, it must implement its plan. Review of plans shows although plans are outlining the right strategies, they are not always setting clear numeric indicators, establishing timelines, identifying responsible bodies, and identifying funding sources for each strategy.

In *A Shifting Focus*, the Alliance has identified four elements that are critical in successful plan implementation. They include:

- Identifying a person/body responsible for implementation
- Setting numeric outcomes
- Identify a funding source
- Setting a clear implementation timeline

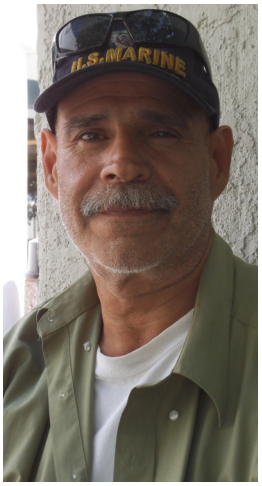
Implications for Future Plans

There is much more to be done, but despite these challenges, for the first time in two decades, communities have a plan and homelessness is a problem with a clear solution. Homelessness is no longer viewed as a problem without a solution. Although community plans to end homelessness represent a collective effort, current initiatives need a stronger focus on serving families, shortening homelessness, and implementing rapid re-housing strategies, and implementation. While efforts to end homelessness require participation from local communities, the federal government can play a bigger role by increasing access to affordable housing and coordinating mainstream services, such as Temporary Assistance to Needy Families (TANF), Medicaid, Earned Income Tax Credit (EITC), and mental health services, among others. The federal government should also increase funding to the McKinney-Vento Homeless Assistance programs, Section 8 Housing Choice Vouchers, Community Development Block Grants, HOME, and Low-Income Housing Tax Credit.

The National Alliance to End Homelessness' Fact Sheets answer common and frequently asked questions about homelessness policy and research. This series draws on the best expertise, data, and research available. For more information about homelessness, please visit www.endhomelessness.org.

National Alliance to
END HOMELESSNESS

ATTACHMENT 3



COMMUNITY PLAN TO END HOMELESSNESS IN SANTA CLARA COUNTY

2015-2020

ATTACHMENT 3

WHAT WE WANT

A community in which all residents have access to appropriate and affordable housing and the support they need to retain it. We can end homelessness.

WE KNOW HOW.

WHO WE ARE

ABOUT THIS PLAN

This plan exists to create a community-wide roadmap to ending homelessness for the next five years. This plan will guide governmental actors, nonprofits, and other community members as they make decisions about funding, programs, priorities, and needs. This plan was created in April-August 2014 after and through a series of community summits related to specific homeless populations and homeless issues in Santa Clara County, including summits related to:

- Youth
- Families
- Veterans
- North County
- South County
- Environmental advocates
- Discharging institutions (health care, mental health, corrections)
- Nonprofit board members
- Disruptive thinking about housing

An implementation body will use this plan as a guide to create an annual community action plan that will provide the "how" to this plan's "what." In 2014, the annual action plan has been heavily informed by the information provided by community members at the summits.

OUR VISION: No one lives outside.

It can happen to anyone: a job loss; a medical condition; missing a rent payment; falling behind and finding that you have nothing to fall back on. There are many ways someone can become homeless and only one way to really solve it. Homelessness doesn't end when we clear out an encampment or when we hand out blankets. Homelessness ends when everyone has a home.

In our community, a public-private partnership has been formed and already started removing traditional institutional barriers, creating new ways to provide accessible and affordable housing and defying convention in finding homes for many people, but there is still more to be done. It is time for our successes to be brought to scale.

Silicon Valley doesn't give up when there's a challenge. We solve it.

Over the last decade, Santa Clara County has gradually organized around a community-wide effort to address homelessness. In 2003, the City of San Jose completed a Homeless Strategy designed to eliminate chronic homelessness by focusing on prevention, rapid rehousing, wraparound services and proactive efforts. That led to Santa Clara County's 2005 Ten Year Plan to End Homelessness, and the 2008 Blue Ribbon Commission culminating in the establishment of Destination: Home as the public-private partnership vehicle to implement these strategies, resulting in a 2011 campaign geared towards ending chronic homelessness. Time and results have taught us that of the strategies laid out in 2003, access to housing is what works.

We can end homelessness. We know how. Move people into homes and align the support services they need to be successful and the cycle of homelessness stops.

Over the last two years, our coordinated effort proved that a Housing First model works in Santa Clara County. It demonstrated what national experts have known for years: it's cheaper to permanently house someone than to continually care for them while they live on the street. Lasting inter-agency partnerships have been forged and a new table of local leadership emerged to tackle our toughest barriers. With the momentum of this short term campaign, a singular question presented itself, "How many people should we leave on the streets?" The immediate and definitive answer our leaders delivered was, "None."

Ten years of progress has brought Santa Clara County to this point in time. We have **new collaborative cross sector partnerships**. We have a track record of success with **a new housing system**. We have **new tools** to engage both public and private sector funders. The public is demanding a real solution to homelessness and we are dedicated to delivering one. It's time to reimagine homes and rebuild lives. **We can end homelessness**. This is how we start.

The Destination: Home Leadership Board:

Chris Block
Shannon Giovacchini
Katherine Harasz
Jan Bernstein Chargin
Eleanor Clement Glass
John A. Sobrato
Louis Chicoine
Beau Goldie
Ben Spero
Leslye Corsiglia
Gary Graves
Ted Wang
Frederick J. Ferrer

ATTACHMENT 3

HOW CHANGE WILL HAPPEN:

1 DISRUPT SYSTEMS

Develop disruptive strategies and innovative prototypes that transform the systems related to housing homeless people.

2 BUILD THE SOLUTION

Secure the right amount of funding needed to provide housing and services to those who are homeless and those at risk of homelessness.

3 SERVE THE PERSON

Adopt an approach that recognizes the need for client-centered strategies with different responses for different levels of need and different groups, targeting resources to the specific individual or household.

OUR TARGETS:

CHRONICALLY HOMELESS:

2,518 Will Be Housed

In the 2013 Santa Clara County Point In Time (PIT) count, there were 2518 chronically homeless people, not including veterans.

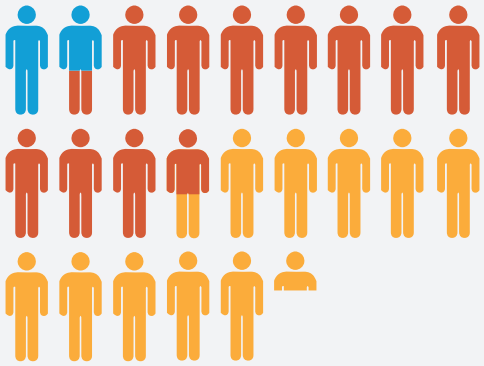
VETERANS:

718 Will Be Housed

In the 2013 PIT count, 718 veterans were homeless.

CHILDREN, YOUTH, AND FAMILIES:

>2,333 Will Be Housed



In the 2013 PIT count, 1,266 unaccompanied youth under the age of 25 were identified, of which 164 (13%) were under 18. Also, there were 1,067 homeless individuals living in 349 families with at least one child under 18.

One represents 100 people

1 DISRUPT SYSTEMS

ACT FAST. STOP MANAGING AND START ENDING HOMELESSNESS.

WHAT WE ARE DOING	HOW WE WILL DO IT	2015	2020
TRANSFORM THE WAY **GOVERNMENT** RESPONDS TO HOMELESSNESS	Rethink how government organizes to respond to homelessness	Independent, siloed responses from each government system, each focused on one piece of the puzzle (e.g., health care, income)	Regionally coordinated resources and funding with all systems accountable for moving people into housing
	Ensure people leaving systems do not become homeless	Some homeless people leave systems (corrections, hospitals, mental health, foster care) without a next step in place	At discharge, all individuals have a plan for permanent housing and none are discharged to the streets
	Increase access to benefits for people who are homeless or at risk of homelessness	In 2013, 35% of homeless people received no government benefits	Homeless and at-risk individuals access all income and service benefits for which they are eligible
INCLUDE THE **PRIVATE SECTOR** AND THE **COMMUNITY** IN THE SOLUTION	Increase awareness	People in the private sector and community often see homelessness as an intractable and remote problem	Community members will understand their role in responding to homelessness and know it is solvable
	Increase and align private resources	Overall, private funding is unpredictable and working towards diverse goals	There is a coordinated funding strategy across the community, increasing funding, working towards the same goals, and relying on best practices
	Provide opportunities for the business sector to address homelessness	Businesses, often unintentionally, create barriers to ending homelessness	Businesses are partners in housing and employing people who are homeless
	Collaborate with community organizations	Some community groups target their resources to short-term responses	Informed community groups partner with other sectors to support efforts that end homelessness
	Engage with the environmental community to reduce the environmental impacts of homelessness	Unsheltered homelessness negatively impacts the environment and waterways and reduces the value of a community resource	This community has restored the environment, providing employment/ housing opportunities for those formerly living in encampments

ATTACHMENT 3

1 DISRUPT SYSTEMS

WHAT WE ARE DOING	HOW WE WILL DO IT	2015	2020
THE **BEST HOMELESS SYSTEM** OF CARE	Coordinate housing and services to connect each individual with the right housing solution	Homeless people may call many providers and sit on several waiting lists before they get housed and many families become homeless when it could be avoided	People who are homeless or at risk of homelessness get connected directly to the right resource for them
	Respond to system barriers and service gaps by making the best use of existing assets	There are many homeless programs and responses in this community, but no great way of knowing what works best, with lots of people still living outside	Community-wide, outcome-based decisions about the best programs and structures to meet community needs are made and implemented
	Partner across public and private sectors to improve systemic coordination	The private and public sectors operate independently, resulting in a patchwork of funding, priorities, and outcomes	Private sector and public sector funding is mutually supportive, creating a system of care that's internally consistent
	Increase provider capacity	Homeless providers want to end homelessness, but may not have the resources to do that	All homeless providers have sufficient resources to successfully implement programs that end homelessness

* **Housing First** centers on providing people experiencing homelessness with housing as quickly as possible – and then providing services needed to maintain their housing. This approach has the benefit of being consistent with what most people experiencing homelessness want and seek help to achieve.

2 BUILD THE SOLUTION

SCALE THE RESOURCES TO MEET THE NEED.

WHAT WE ARE DOING	HOW WE WILL DO IT	2015	2020
CREATE **NEW HOMES** AND OPPORTUNITIES FOR HOMELESS MEN, WOMEN, AND CHILDREN	Create 6,000 housing opportunities	There are approximately 6,000 people in our three target populations who do not have homes	People who are homeless have 6,000 more housing opportunities available to them
	Fund supportive services for the new housing opportunities	People who are homeless, even if they have housing, often cannot maintain it without case management, health care, and financial services	Each of the 6,000 new tenants has access to the services that will allow him or her to maintain housing

UNIQUE APPROACHES TO UNIQUE POPULATIONS

ATTACHMENT 3

3 SERVE THE PERSON

GIVE PEOPLE WHAT THEY NEED, NOT WHAT WE HAVE.
MORE EFFECTIVE, MORE EFFICIENT, MORE HUMANE.

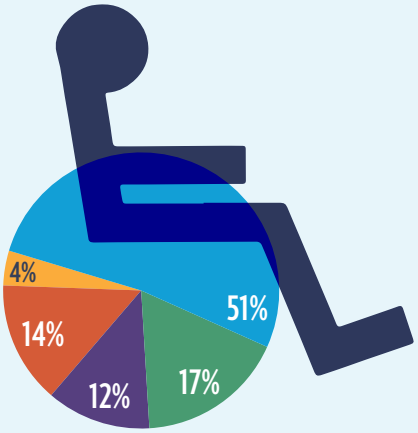
WHAT WE ARE DOING	HOW WE WILL DO IT	2015	2020
DIFFERENT RESPONSES FOR **DIFFERENT LEVELS OF NEED**	Provide permanent supportive housing to end chronic homelessness	Many disabled people who have lived outside, sometimes for years, need housing that responds to their conditions	Chronically homeless people can access permanent supportive housing with intensive case management and wrap-around services
	Expand rapid rehousing resources to respond to episodic homeleness	Some people in our community experience repeated bouts of homelessness and are not able to stabilize with the resources available to them	Households with barriers to housing can access a temporary housing subsidy and step down services that are structured to end homelessness for that household for good
	Prevent homelessness before it happens	There are not enough resources available to help people avoid homelessness, or avoid homelessness again	Households at risk of homelessness have access to homeless prevention resources: housing stability services, emergency rental assistance, financial literacy, & landlord/tenant assistance and employment assistance and employment support services: child care, transportation, job training & placement

64% of 2013 survey respondents reported a unique challenge.

UNIQUE CHALLENGES

- Mental illness*
- Substance abuse
- Chronic physical illness
- Physical disability
- Developmental disability

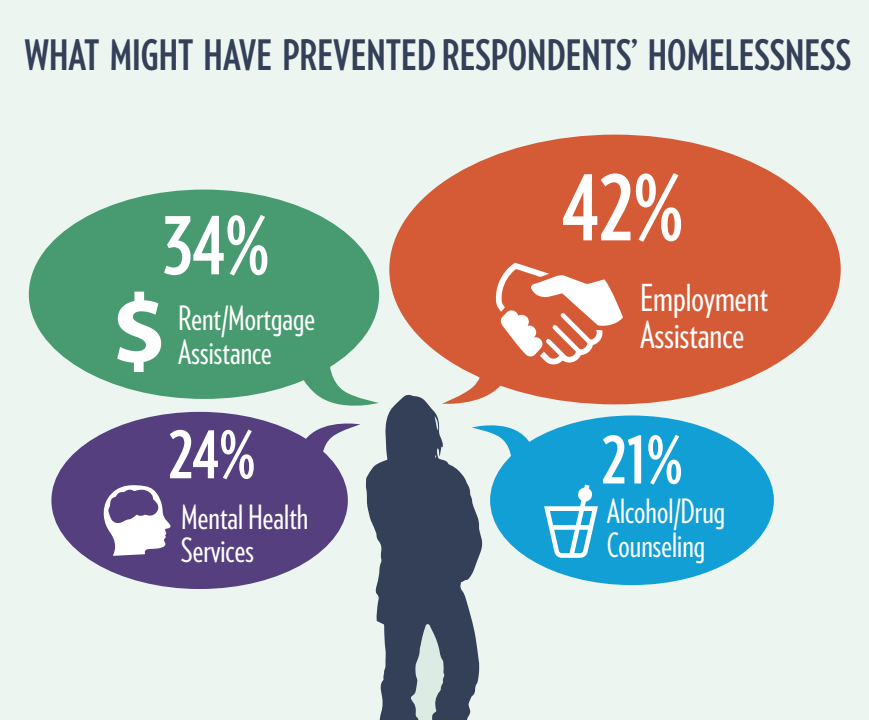
*Mental illness includes PTSD, depression, and other mental illnesses including bipolar and schizophrenia. Note: Multiple response question, numbers will not total to 100%.

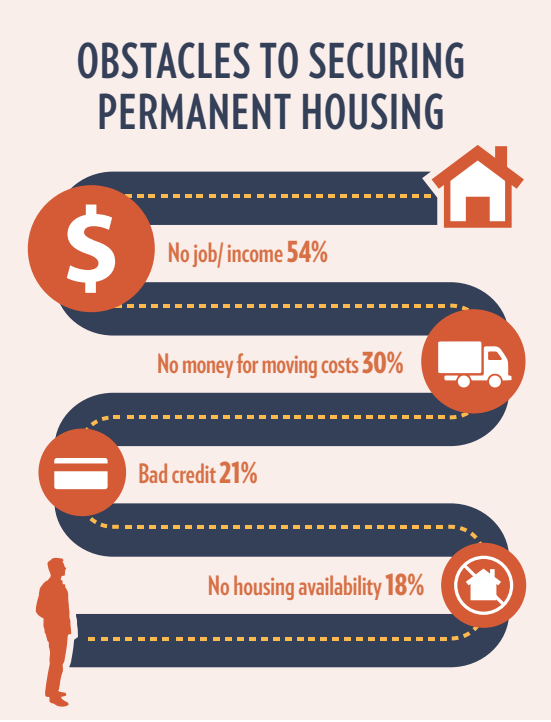


Source: Applied Survey Research. (2013). Santa Clara County Homeless Census & Survey. Watsonville, CA. For more detail or to view the comprehensive report, please visit www.appliedsurveyresearch.org.

3 SERVE THE PERSON

WHAT WE ARE DOING	HOW WE WILL DO IT	2015	2020
UNIQUE APPROACHES FOR **UNIQUE POPULATIONS**	Create bridges and supports for populations who struggle to function within the homeless system of care	Certain populations have specific barriers to accessing the resources available to them to end their homelessness: • Veterans • Persons living with HIV/AIDS • Persons with serious mental ilness • People with diabilities	Resources support all homeless subpopulations to access housing and make best use of their specific benefits, employment, housing opportunities, and access to food and healthcare
	Structure housing and services to meet the needs of young people experiencing homelessness	Youth, children, and families are failed by several systems of care when they become homeless, and young people are underserved by a homeless system designed to meet adult needs	Systems of care work together to support housing and services that meet the needs of families, children, and youth, including robust prevention programs
	Make resources available in all parts of the County	North & South County do not have many housing options, nor adequate access to county services, and transportation is limited	Housing and services are available to people living in North & South County, in their communities





Source: Applied Survey Research. (2013). Santa Clara County Homeless Census & Survey. Watsonville, CA. For more detail or to view the comprehensive report, please visit www.appliedsurveyresearch.org.

ATTACHMENT 3

THANK YOU!

Each summit was attended by a variety of stakeholders that donated their time to ensure that this plan includes input from the full community.

PLANNING PARTNERS INCLUDED:

Abode Services

ACT for Mental Health

Audubon Society

Bill Wilson Center

California Water Boards

Office of Supervisor Dave Cortese

California Youth Connection

Catholic Charities of Santa Clara County

City of Gilroy

City of Milpitas

City of Morgan Hill

City of San Jose

City of Sunnyvale

The Commonwealth Club

Community Solutions

Community Technology Alliance

Community Working Group

The David & Lucille Packard Foundation

Destination: Home

Downtown Streets Team

Family Supportive Housing, Inc.

Gilroy Compassion Center

Goodwill of Silicon Valley

Office of Assemblyman Rich Gordon

Greenbelt Alliance

The Health Trust

HomeAid Northern California

HomeFirst

Hospital Council of Northern California

Housing Authority of the County of Santa Clara

Housing Trust Silicon Valley

InnVision Shelter Network

Kaiser Permanente

Law Foundation of Silicon Valley

Purissima Hills Water District

Restore Coyote Creek

St. Joseph's Family Center

St. Mary Parish Gilroy

San Jose State University

Santa Clara Adult Education

Santa Clara County Office of Reentry Services

Santa Clara County Creeks Coalition

Santa Clara Valley Medical Center

Santa Clara Valley Water District

Office of Supervisor Joe Simitian

The County of Santa Clara

Second Harvest Food Bank

Silicon Valley Children's Fund

Silicon Valley Community Foundation

Silicon Valley Community Partnership

Sobrato Philanthropies

South County Collaborative

Stanford Hospital

Sunnyvale Community Services

Swords to Plowshares

United Way Silicon Valley

Valley Homeless Healthcare Program

Veterans Administration, Palo Alto Healthcare System

Water and Power Law Group PC

West Valley Community Services

Taking this plan forward,
THE 2014 IMPLEMENTATION GROUP INCLUDES:

Alison Brunner, Law Foundation of Silicon Valley

Beth Leary, Family Supportive Housing

Chris Elias, Santa Clara Valley Water District

Eileen Richardson, Downtown Streets Team and Community Technology Alliance

Elise Cutini, Silicon Valley Children's Fund

Ellen Clear, The David and Lucile Packard Foundation

Erin Gilbert, Charles and Helen Schwab Foundation

Erin O'Brien, Community Solutions

Frederick J. Ferrer, The Health Trust

Javier Aguirre, Santa Clara County Office of Reentry Services

Jeff Ruster, City of San Jose Work2Future

Jennifer Loving, Destination: Home

Jenny Niklaus, HomeFirst

Julie Gantenbein, Water & Power Law Group PC

Karae Lisle, InnVision Shelter Network

Kate Severin, Department of Veterans Affairs

Katherine Harasz, Housing Authority of the County of Santa Clara

Kevin Zwick, Housing Trust Silicon Valley

Ky Le, County of Santa Clara

Leslye Corsiglia, City of San Jose

Louis Chicoine, Abode Services

Michael Fallon, San Jose State Universtiy

Michael Fox, Goodwill Industries

Poncho Guevara, Sacred Heart Community Services

Rick Williams, Sobrato Family Foundation

Roberta Rosenthal, Department of Veterans Affairs

Sara Doorley, Valley Healthcare for the Homeless

Shiloh Ballard, Silicon Valley Leadership Group

Sparky Harlan, Bill Wilson Center

Our gratitude to each of you for your work and dedication to ending homelessness together.

DESTINATIONHOMESCC.ORG

ATTACHMENT 4

COMMUNITY PLAN TO END HOMELESSNESS IN SANTA CLARA COUNTY

2015-2020

ANNUAL IMPLEMENTATION GUIDE

FOR 2015

Community Plan to End Homelessness in Santa Clara County (2015-2020)
Annual Implementation Guide for 2015

The Annual Implementation Guide (referred to as "Guide" throughout this document) for 2015 of the Community Plan to End Homelessness (referred to as "Community Plan" throughout this document) in Santa Clara County (referred to as "County" throughout this document) was developed by the Implementation Workgroup in Fall of 2014 and was informed by summits that occurred in the Spring and Summer and a community Open House in September. In addition to the action steps for the first year, this guide includes follow up action steps that will be incorporated in future annual implementation guides. It is anticipated that the guide will be a living document that will continue to adjust during the year.

Summary of Community Guide

DISRUPT SYSTEMS

1.1 Transform the Way Government Responds to Homelessness

A. Rethink how governments and public entities organize to respond to homelessness
B. Ensure people leaving systems do not become homeless
C. Increase access to benefits for people who are homeless or at risk of homelessness

1.2 Include the Private Sector and the Community in the Solution

D. Increase awareness
E. Increase and align private resources
F. Provide opportunities for the business sector to address homelessness
G. Collaborate with community organizations
H. Engage with the environmental community to reduce the environmental impacts of homelessness

1.3 Create the Best Homeless System of Care

I. Coordinate housing and services to connect each individual with the right housing solution
J. Respond to system barriers and service gaps by making the best use of existing assets
K. Partner across public and private sectors to improve systemic coordination
L. Increase provider capacity

BUILD THE SOLUTION

2 Create New Homes and Opportunities to House Homeless Men, Women, and Children

M. Create 6,000 Housing Opportunities
Fund supportive services for the new housing opportunities

SERVE THE PERSON

3.1 Different Responses for Different Levels of Need

N. Provide Permanent Supportive Housing to end chronic homelessness
O. Expand rapid rehousing resources to respond to episodic homelessness
P. Prevent homelessness before it happens

3.2 Unique Approaches for Unique Populations

Q. Create bridges and supports for populations who struggle to function within the homeless system of care
R. Structure housing and services to meet the needs of young people experiencing homelessness
S. Make resources available in all parts of the County

Annual Implementation Guide

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
	STRATEGY 1: DISRUPT SYSTEMS			
	Government			
A	*Rethink How Government Organizes*			
A1	**JURISDICTIONAL COORDINATION:** Get agreement from local governments to coordinate funding for homeless services and housing and to implement a coordinated housing strategy	• Each city and public entity creates housing opportunities as stated in guide • If needed, consider other organizational structures for coordinating strategy (e.g., Joint Powers Authority)	**County of Santa Clara** • All 15 cities Public entities (Housing Authority of the County of Santa Clara (HACSC),SV Water District, Valley Transportation Authority)	• The Community Plan is presented to and endorsed by all 15 cities and public entities • Housing production goals and a detailed housing creation plan are created *(See related activity M1 below)*
A2	**INTER-DEPARTMENTAL COORDINATION:** Work to coordinate efforts and establish meaningful roles and responsibilities for County departments, city departments (e.g., police, rangers, parks), and departments within other public entities in ending and preventing homelessness	• Expand and enhance inter-departmental and inter-governmental coordination of services • Consider the formation of an Inter-departmental Council to support other specific goals of the strategic plan and to increase accountability	**County Executive** • Director, SSA • Director, DBHS • County Office of Supportive Housing • Director, Ambulatory Care Health Services • HACSC • Cities	• Service intersections and overlap among governmental departments and public entities is understood, and gaps are identified • Progress is made on developing community-wide performance measures related to homelessness

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
A3	**COUNTY OFFICE OF SUPPORTIVE HOUSING:** Establish the County's role in housing and homelessness by creating an Office of Supportive Housing, defining its role in creating housing opportunities, and clarifying its role in responding to homelessness	Year one work is expected to lead to identification of next steps (*See also other guide activities lead by County Office of Supportive Housing or Collaborative Applicant)*	**County of Santa Clara**	• A coherent and comprehensive set of policies are developed that support the development of Extremely Low Income (ELI) and Permanent Supportive Housing (PSH) An ongoing revenue source for ELI and special needs housing is identified
A4	**COST STUDY:** Complete a cost study to understand the costs of homelessness on all county systems of care and use it to help analyze the long-term savings connected to meeting the targets of the Guide (*See related activity I1 below*)	• Based on the cost study's findings, evaluate how to reinvest and redistribute local resources	**County Office of Supportive Housing/ Destination: Home** • County departments • City departments (e.g. policy, fire, housing) • Public Entities	• An analysis of the long-term savings from Guide implementation is completed (anticipated completion date of May 2015)
A5	**SURPLUS LAND:** Identify available government and public entity surplus land that could be used for temporary or permanent homes and begin conversations to use these properties for developments that serve homeless individuals and families	• Continue to work with local governments and public entities to develop housing strategies for surplus land	**Destination: Home** • County departments • City departments (e.g. planning, , housing, parks) • Public Entities	• A list of all surplus lands appropriate for PSH and ELI housing is compiled • A strategy for how to obtain land that sites the maximum possible units is completed

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
B	*No One Discharged to Homelessness*			
B1	**DISCHARGE PLANNING:** Analyze and understand discharge planning procedures in: • Jails and prisons • Foster care, and • Hospitals (mental health and general health) Work to implement streamlined and consistent discharge procedures at local hospitals	• Improve and streamline discharge planning procedures in each system of care • From discharging locations, streamline access to life stabilization resources and immediate placement in housing through coordinated assessment	**Collaborative Applicant (County Office of Supportive Housing)** • County departments • City departments (e.g. policy, police, housing) • Systems of care • Hospital Council	• The scope of systemic discharges to homelessness from each system of care is researched and understood, including the number of people being discharged from systems, and the resources available to help them • Confirm that all systems have policies in place regarding discharge to homelessness, and confirm that all policies and procedures are followed by staff • Improved discharge procedures and plans are in place for local hospitals, with shared available resources
C	*Increase Access to Benefits*			
C1	No planned activities in year one at this time	• Expand mobile integrated service teams that enable homeless persons to apply for benefits and receive a variety of services (health/behavioral health, drug and alcohol treatment, housing placement services) from one team • Consider uniform application for locally determined benefits	**To be determined** • SSA	No planned activities in year one at this time
	Private Sector/Community (1.2)			
D	*Increase Awareness*			
D1	**BRANDING CAMPAIGN:** Conduct a branding campaign to help homelessness become more relatable to larger populations and explain how it is solvable	• Allocate resources to support messaging adoption • Use branding as part of housing financing campaign	**Destination: Home** • Universities and colleges • Community based organizations • Media	• A branding campaign is launched and messaging is adopted by a wide variety of stakeholders

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
E	*Align Private Resources*			
E1	**PHILANTHROPIC PARTNERSHIPS:** Commitment to campaign across private funders to align funder goals, expectations, allocation of resources, and performance measures with ongoing Community Plan implementation	• Partner with governments, public entities and providers to create innovative housing/services • Create funding partnerships to achieve shared performance goals and encourage partnerships between philanthropies, governments and public entities	**TBD** • SVCF • Local and National Foundations • Corporate Philanthropy • Silicon Valley Leadership Group	• Complete evaluation of the feasibility of a funding partnership and a decision is made about its form and potential partners • Partnership body begins to work together toward shared outcomes
F	*Opportunities for Business Sector*			
F1	**LANDLORDS:** Collaborate with rental property owners in the County, both market-rate and affordable to: • Increase available housing options and • Respond to housing barriers (e.g., credit and criminal history) (*See related activities I1 and M1 below*.)	Year one work is expected to lead to identification of next steps	**Housing Authority of County of Santa Clara** • Landlords • Responsible Landlord Initiative • Downtown Streets Team • Community based organizations	• Private units for all available rental subsidies are located *(# to be added*) • An outline of barriers to housing (*see Coordinated Assessment I1 below*) is developed, and strategies are created to respond
G	*Collaborate with Community*			
G1	**APPLICATION:** Develop and launch a mobile application to coordinate food donations in City of San Jose	• Adopt technology solutions to connect community members and organizations that want to provide resources to agencies and people that need help	**City of San Jose** • Silicon Valley Talent Partnership • Universities and Colleges (*Matthew Bahls*)	• A food application is launched to connect people who wish to donate food with those who need food

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
H	*Engage Environmentalists*			
H1	**ENVIRONMENTAL IMPACTS:** Engage partners and develop and use a model to reduce environmental damage caused by homeless encampments throughout the County and in all its cities	Year one work is expected to lead to identification of next steps.	**Santa Clara Valley Water District** • Environmental advocates • County • Cities • Public entities	• Outreach efforts are expanded to train and educate homeless persons as environmental stewards • Identify resources to support stewardship • The model of clearing encampments used by the City of San Jose is expanded to two additional sites in the County

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
	Best Homeless System of Care (1.3)			
I	*Connect to Right Housing Solution*			
I1	**COORDINATED ASSESSMENT:** Implement a Coordinated Assessment system through which all individuals and households seeking housing or services in the homeless system of care are assessed, prioritized, and triaged for housing and services based on their needs using data-informed assessment tools	• *Expand System* o Expand Coordinated Assessment system to include cross-system coordination (health care, mental health, benefits) o Ensure that mainstream systems of care collect and record housing status consistent with homeless management information system definitions and categories of homelessness to ensure consistent terminology • *Analyze and Use System Data in Decision-Making* o Reallocate housing resources and services to best respond to needs made apparent through Coordinated Assessment system data o Analyze impact of Triage Tool, and redistribute funds to support housing and services needed for such individuals o Identify and address barriers to temporary housing options systemically (pets, sober living, privacy, etc.) • *Improve Use of Housing/Service Resources* o Work to specifically target housing resources to the individual or family most in need of support that would succeed with that resources o Ensure basic needs of households are met (e.g. health care, food) o Develop step-down plan for people no longer in need of supportive housing (*See related activity N1 below)*	**Collaborative Applicant (County Office of Supportive Housing)** • Housing providers • Shelter providers • Service providers • Public entities • Systems of care • Continuum of Care (CoC) Coordinated Assessment Committee • City of San Jose	• Coordinated Assessment system is functioning countywide • Triage Tool (an output of the Cost Study that will indicate which individuals are likely to be most costly to the County) is implemented in housing placement decisions by coordinated assessment system • Coordinated Assessment system collects data which is analyzed to identify gaps in the system of care • Coordinated Assessment system is effective at reducing placement time and making more accurate, successful placements than current system

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
J	*Best Use of Existing Assets*			
J1	**PHYSICAL ASSETS:** Review physical assets of existing homeless organizations to understand their usage and financial feasibility and possible repurposing	Year one work is expected to lead to identification of next steps	**Destination: Home/ City of San Jose** • County Office of Supportive Housing & Shelter Providers	• Asset Study is complete and next steps are identified
J2	FINANCAL ASSETS: Aligning with HUD expectations of a collaborative applicant, analyze how federal funds (including CoC, Emergency Shelter Grants (ESG), Housing Opportunities for Persons with AIDS (HOPWA), HUD Veterans Affairs Supportive Housing Program (HUD-VASH), Supportive Services for Veteran Families(SSVF), Homeless Veteran Rehabilitation Program (HVRP), Home Investment Partnerships Program (HOME), Community Development Block Grants (CDBG), Emergency Food and Shelter Program (EFSP), Veterans Affairs (VA), Department of Labor (DOL))are used locally and work with the County and cities, and other bodies distributing funds to ensure such funds are coordinated and targeted to areas of greatest need	• Maintain annual activity of evaluating use and targeting of federal funds	Collaborative Applicant (County Office of Supportive Housing) • CoC Board • City of San Jose	• Financial resources are realigned and coordinated to ensure that they address the greatest needs and that allocation of funds is data driven

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
K	*Public Private Partnership*			
K1	**EMPLOYMENT:** • Create and implement a countywide homelessness employment strategy to improve access to employment opportunities for homeless persons • Evaluate efficacy of Social Services Agency (SSA)/Work2Future employment pilot program	Year one work is expected to lead to identification of next steps	**Silicon Valley Leadership Group** • Work2Future • SSA • Goodwill • Downtown Streets Team • Silicon Valley Talent Partnership • Joint Venture • Downtown Association • Chambers of Commerce • Buildings and Construction Trades Council • South Bay Labor Council • NOVA	• Employment study is completed and the results are evaluated for potential partnerships • Work2Future and SSA Pilot program is implemented to connect clients with employment
L	*Increase provider capacity*			
L1	**PSH PROVIDER/DEVELOPERS:** Increase the region's capacity to develop new PSH (*See related activity M1 below*)	• Develop pipeline of PSH	**County Office of Supportive Housing** • Destination: Home • Silicon Valley Council of Nonprofit • Housing Trust • City of San Jose • CoC Training Workgroup	• A scan of local nonprofit capacity to develop and manage PSH is completed • If needed, outreach to developers with PSH experience to build units or train and mentor existing entities

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
L2	**DATA:** Create a data driven culture among homeless housing and service providers • Improve efforts to share, integrate, and coordinate data throughout the community, including through improving the use of and reliability of Help Management Information System (HMIS) data for decision-making • Transfer the role of HMIS Lead for Continuum of Care activities to County Office of Supportive Housing to improve coordination of data • Replace HMIS software system with a system with more capacity respond to our community needs		**CoC Collaborative Applicant (County Office of Supportive Housing**) • Providers • Public entities • Cities • County departments • Community Technology Alliance • Silicon Valley Council of Nonprofit • HMIS	• Increased use of HMIS data for decision-making at program and system levels is demonstrated. • Community-wide performance measures will be identified and a system will be created to report progress • HMIS Lead will be the County Office of Supportive Housing • HMIS software will be replaced with improved system
	STRATEGY 2: BUILD THE SOLUTION			
M	***6000 Units & Related Services***			
M1	**6000 UNITS:** Create and begin to implement a campaign that creates 6,000 new housing opportunities for homeless people, including: • New development (encompassing extremely low income units) • Existing units • Use of rental subsidies • Permanent supportive housing • Rapid rehousing • Innovative housing options, such as tiny houses, and • Services to support housing retention as needed in all units	• Focus on development of PSH/Housing First (*See related activity N1 below.)* • Set annual targets for allocation of Housing Choice Vouchers to create housing opportunities • Create housing opportunities suitable to men and women with 290 sex offender status, by identifying potential locations and scale of housing need (*See also Strategy 3.2*)	**Destination: Home** • Cities • County • Public entities • County Office of Supportive Housing • Housing Authority • Funding partnerships	• A housing financing and development plan to create 6,000 housing opportunities is completed and implementation begins

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
M2	**FUNDING:** Assess, identify and plan for options to create a funding stream for the development of affordable and supportive housing	• Lead a campaign to create new funding mechanisms, including a potential housing bond, parcel tax, and sales tax measure • Investigate and access non-traditional funding sources and new sources of funding, like the Affordable Care Act (ACA) • Develop and implement an advocacy strategy to bring resources to the County to address housing need (e.g., 1115 to access ACA funding for services) • Implement creative efforts to use funding differently • Create collaborations with the environmental advocacy community that respond to shared goals	**Destination: Home** • County of Santa Clara City of San Jose • Funding partnerships • Public partners • San Jose State University	• The feasibility study of the housing implementation plan is completed • The silent phase of the campaign is launched
	STRATEGY 3: SERVE THE PERSON			
	Different levels of need (3.1)			
N	*PSH for CH*			
N1	**HOUSING 1000:** Institutionalize and expand the Housing 1000 strategy of direct access to permanent supportive housing for chronically homeless households	• Develop opportunities for meaningful daytime activity for chronically homeless households • Build ability and desire of housing first tenants to move to other, less service intensive housing	**County Office of Supportive Housing**	• The County Office of Supportive Housing assumes oversight of the coordinated assessment system and the Care Coordination Project, centralizing the access point for chronically homeless households
O	*RRH for Episodic*			
O1	**CALWORKS**: Implement the CalWORKS rapid rehousing program	Year one work is expected to lead to identification of next steps.	**Social Services Agency** • Emergency Assistance Network	• Resources to implement the rapid rehousing model are identified

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
P	*Prevention*			
P1	**PREVENTION:** Build countywide prevention model and system of care, focusing on outcomes and best methods to deploy prevention resources.	• Build partnerships with the County Office of Education, Social Services, etc. in order to identify resources for homeless families and increase efforts relating to homeless students • Improve access to homelessness prevention resources in schools, daycare, CalWORKS, etc. • Increase capacity of the Emergency Assistance Network (EAN)to prevent homelessness • Review EAN system to determine administrative improvements and ways to understand funding necessary to increase ability to prevent homelessness	**County Office of Supportive Housing** • Emergency Assistance Network • County Department of Education • City of San Jose • Schools • Family and youth providers • Bill Wilson Center • McKinney-Vento Education Liaison for the County	• Identification of increased resources for a locally-funded Homelessness Prevention and Rapid ReHousing (HPRP) program model.
	Unique populations (3.2)			
Q	*Populations that need extra help*			
Q1	**VETERANS:** Participate in activities related to the federal challenge to end veteran homelessness completely by 2020	• Focus on other high needs populations, e.g. seriously mentally ill people • Consider tailoring services for veteran age cohorts as needs may be different for younger veterans than older ones	**Veterans Affairs** • City of San Jose • HACSC • County Office of Supportive Housing • Housing providers • VA • SSVF & HUD VASH providers • HomeFirst	• Increase housing and supportive services opportunities for veterans to match Veterans Affairs goals • Local Veterans Affairs goals and metrics, as well as information from agaps analysis, is used to make decisions and impact results

#	YEAR ONE ACTIVITIES	RELATED & FUTURE WORK	POTENTIAL YEAR ONE LEADERSHIP	POTENTIAL YEAR ONE OUTCOMES
Q2	**FOOD ACCESS:** Conduct food assessment to understand food landscape and develop action plan to address unmet needs	• Ensure homeless individuals and families have access to food	**The Health Trust** • Food banks • Social service agencies • Farmers (understanding of food availability) • Second Harvest • Grocery stores	• A Food Access Study is completed, providing an understanding of county-wide food access and distribution and delineation of strategies to address limitations
R	*Young People*			
R1	**RRH FOR TAY**: Provide housing opportunities for Transition Aged Youth (TAY), including analyzing current housing opportunities and funding and evaluating a rapid rehousing program for TAY	• Fund scholarships for homeless youth	**County Office of Supportive Housing** • Educational organizations • Bill Wilson Center • Unity Care • Star	• An analysis of what is currently working and what is not working for TAY youth is completed, including improvement recommendations
S	*All Parts of County*			
S1	**SOUTH/NORTH COUNTY:** In implementing each of the above year one activities, focus on making and reporting on progress in all areas of the County	• Increase access to services and benefits for residents of North and South County by making electronic interviews possible (e.g., Skype) and by expanding availability of the UPLIFT Transit Pass program (*See related activity C1 above)*	**County Office of Supportive Housing/ Destination: Home** • Emergency Assistance Network • Social Security Administration	• Demonstrated progress in responding to homelessness in all areas of County

Implementation Guide Coordinator: CoC Board and Collaborative Applicant

DRAFT 10/6/15 RB

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO ENDORSE THE DESTINATION: HOME COMMUNITY PLAN TO END HOMELESSNESS IN SANTA CLARA COUNTY 2015-2020

WHEREAS, homelessness continues to be a pressing issue for the City of Sunnyvale ("City") and Santa Clara County ("County") as a whole; and

WHEREAS, in 2004, the County approved the formation of a task force to develop a ten-year plan to end homelessness, which led to the formation of the Blue Ribbon Commission of Affordable Housing and Homelessness ("Blue Ribbon Commission"); and

WHEREAS, the 2005-2015 Ten-Year Plan to End Homelessness ("2005-2015 Ten-Year Plan") was adopted by the County and various partner agencies; and

WHEREAS, in 2008, the City of San Jose, County and its partners created Destination: Home ("D:H") to implement the recommendations of the Blue Ribbon Commission; and

WHEREAS, over the past year D:H staff coordinated the participation of community leaders from various public and private agencies within the county, including representatives of philanthropy, community institutions, business organizations, service providers, and government agencies and developed the Community Plan to End Homelessness in Santa Clara County 2015-2020 ("Community Plan") in order to continue the efforts and improve the 2005-2015 Ten-Year Plan; and

WHEREAS, D:H's Board approved the Community Plan in October 2014, and D:H is now seeking the endorsement of the Community Plan by the Sunnyvale City Council and other local governing boards and elected bodies; and

WHEREAS, the Community Plan is consistent with the policies of the City's 2015-2020 Consolidated Plan related to homelessness and affordable housing; and

WHEREAS, the City desires to endorse the Community Plan, which does not obligate the City to provide funding or resources to D:H or undertake any specific action, and any future contributions or actions in support of the Community Plan shall be at the sole discretion of the City.

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

1. The City Council hereby endorses the Destination: Home Community Plan to End Homelessness 2015-2020; and

2. By endorsing the Destination: Home Community Plan to End Homelessness 2015-2020, the City is not obligated to fund, adopt, expand, or institute any program.

Adopted by the City Council at a regular meeting held on _____, 2015, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

_____
City Clerk
(SEAL)

APPROVED:

_____
Mayor

APPROVED AS TO FORM:

_____
City Attorney

City of Sunnyvale

Agenda Item

15-0937 **Agenda Date:** 10/13/2015

SUBJECT

Adopt Ordinance No. 3063-15 Amending the List of Official Plan Line Maps in Section 19.06.050 (Maps-Adopted-Designation) of Title 19 (Zoning) of the Sunnyvale Municipal Code to Amend the Mathilda Avenue Plan Line

RECOMMENDATION

Adopt Ordinance No. 3063-15.

ATTACHMENT

1. Ordinance No. 3063-15

DRAFT 10/2/15 PB

ORDINANCE NO. 3063-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE LIST OF OFFICIAL PLAN LINE MAPS IN SECTION 19.06.050 (MAPS-ADOPTED-DESIGNATION) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE TO AMEND THE MATHILDA AVENUE PLAN LINE

WHEREAS, the City of Sunnyvale adopted the Official Plan Lines for Mathilda Avenue per Ordinance No. 856, on September 27, 1960; and

WHEREAS, the City has prepared an update for the Official Plan Lines for the portion of Mathilda Avenue between El Camino Real and Washington Avenue to implement the streetscape design standards envisioned by the Downtown Specific Plan (DSP); and

WHEREAS, the Official Plan Lines for the portion of Mathilda Avenue between Washington Avenue and the Northerly City Limits shall remain the same; and

WHEREAS, as part of the process of updating the DSP right-of-way requirements an Addendum to the 2003 Program Environmental Impact Report for the DSP was approved pursuant to Public Resources Code section 15070 and CEQA Guideline 15164, which evaluated the environmental impacts of the proposed changes; and

WHEREAS, Sunnyvale Municipal Code Chapter 19.06 sets forth the requirements for adoption of Official Plan Lines, and provides that the Planning Commission shall review proposed Plan Lines and recommend by resolution that they be adopted; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 10, 2015, and considered the reports and the proposed Mathilda Avenue Official Plan Lines, and the written and oral comments presented at the public hearing, and by Planning Commission Resolution No. 1-15 recommended adoption of the new Mathilda Avenue Plan Lines that run from El Camino Real to Washington Avenue; and

WHEREAS, the City Council held a duly noticed public hearing on September 29, 2015, and considered the reports and the proposed Mathilda Avenue Official Plan Lines, and the written and oral comments presented at the public hearing, and the adopted Planning Commission Resolution No. 1-15 that recommends adoption of the Mathilda Avenue Official Plan Lines that run from El Camino Real to Washington Avenue; and

WHEREAS, the City Council hereby approves and adopts the revised Official Plan Lines for the subject portion of Mathilda Avenue and now desires to amend the Sunnyvale Municipal Code to reflect the revised plan lines.

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

SECTION 1. SECTION 19.06.050 AMENDED. Section 19.06.050 of Chapter 19.06 (General Plan) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended and inserted alphabetically the following map:

Section 19.06.050. Maps-Adopted-Designation.
Official plan lines shall be clearly delineated on maps which, together with all data and information indicated thereon, shall upon adoption by the planning commission and the city council, be made a part of this chapter. The maps are:

[list of maps remains unchanged except as modified below:]

Mathilda Avenue: The Official Plan Lines for Mathilda Avenue are divided into two segments:

(a) Mathilda Avenue: "Official Plan Lines for that portion of Mathilda Avenue between El Camino Real and Washington Avenue" superseding the former Official Plan Line for that portion adopted by Ordinance 856 in 1960; and

(b) Mathilda Avenue: Official Plan Lines for that portion of Mathilda Avenue between Washington Avenue and the Most Northerly City Limits, as established in "Official Plan Lines for that portion of State Route No. 114 Within the City Limits of Sunnyvale (known as Mathilda Avenue), El Camino Real (U.S. 101) to the Most Northerly City Limits."

SECTION 2. CEQA. The City Council finds that the proposed Mathilda Avenue Official Plan Lines are consistent with the project analyzed in the Addendum to the Program EIR related to DSP streetscape design and no further review is required.

SECTION 3. RECORDING. Upon City Council adoption of this ordinance, the City Clerk shall record the map for Mathilda Avenue Official Plan Lines for that portion of Mathilda Avenue between El Camino Real and Washington Avenue map with the Santa Clara County Recorder's Office.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. 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 September 29, 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 Mayor
Date of Attestation: _____

(SEAL)

APPROVED AS TO FORM:

_____
City Attorney

City of Sunnyvale

Agenda Item

15-0864 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
Adopt the City's Investment Policy for Fiscal Year 2015/16 and Receive the Annual Performance Report for Fiscal Year 2014/15

BACKGROUND
The City Council first adopted a policy governing the investment of City funds on July 30, 1985. This policy has been reviewed and adopted on an annual basis since that time.

EXISTING POLICY
Council Policy 7.1.2 Investment and Cash Management requires that the Investment Policy be reviewed and adopted annually within 120 days of the fiscal year to ensure consistency with the overall objectives of safety, liquidity, and yield and its relevance to current law and financial and economic trends. A summary annual performance report on portfolio performance for the preceding fiscal year is also presented to the City Council as part of the annual investment policy review.

ENVIRONMENTAL REVIEW
N/A

DISCUSSION
Staff invests funds not immediately needed for disbursement. Funds for the City's Deferred Compensation Plan, the City's Retirement Plan, Other Post-Employment Benefits (OPEB) Trust, and debt issuance proceeds are not invested by City staff and therefore are not included in the investment portfolio. Funds needed for disbursement are maintained in a liquid checking account.

Annual Performance Report for FY 2014/15
The following annual report on portfolio performance for FY 2014/15 includes the key provisions of the policy and comparisons of the City's performance compared to the investment policy objectives.

The key provisions of the existing policy are as follows:

1. Safety of principal is the foremost objective of the investment program. The City's portfolio is diversified by type of investment, issuer, and maturity date. Diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio. The investment policy specifies the percentage of funds that can be invested in each investment type and issuer and the maximum maturity of each investment. The policy allows a maximum maturity of seven years for US Treasury, US Agency and Government Sponsored Enterprises (GSE) investments and shorter maturities for all other investments.

All investments in the portfolio are authorized by the investment policy and the City is in compliance with the requirement that all investments be held in safekeeping by a third party bank trust department. The City currently has a contract with Union Bank to provide this service.

2. Liquidity- the portfolio will remain sufficiently liquid to enable the City to meet all operating requirements, which might be reasonably anticipated. A schedule of major revenues and expenditures for at least 12 months is maintained in order to determine liquidity needs. Liquidity requirements have been met through utilizing the State's Local Agency Investment Fund (LAIF) and the City's interest bearing bank accounts. Approximately 16 percent of the portfolio was invested in LAIF at the end of FY 2014/15.

3. Yield- the portfolio will be maintained with the objectives of safety and liquidity first, and then the objective of obtaining a market rate of return throughout the budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

With yields continuing to be at historical all-time lows, the City's investment strategy continues to be one of keeping investments short in anticipation of rising interest rates. When interest rates increase, investments existing in the portfolio with longer maturities, that were purchased when rates were low, will experience a decrease in their market value because the interest rate on those investments is less than the current market's interest rate. The strategy is to invest in higher yielding investments when rates rise as opposed to having to wait for low interest bearing investments to mature or sell those investments at a loss so that funds can be reinvested at the higher rate.

City's performance compared to the investment policy objectives:

For FY 2014/15, the portfolio yield averaged 0.72 percent while the average yield of our benchmark (Treasury securities with an average life similar to our portfolio) was 0.40 percent; a difference of 32 basis points. The average life of the portfolio during the last fiscal year was 544 days.

Interest earnings for FY 2014/15 for all City funds totaled $2,130,004. Interest earnings are allocated pro rata to each fund throughout the City based on the cash balance held by each fund.

It should be noted that the portfolio balance has increased by three percent from $305 million in June 2014 to the current market value of $314 million. This increase can be attributed to higher than anticipated revenues (such as development related fees, property tax, and transient occupancy tax) and the fact that City expenditures for FY 2014/15 were less than budgeted.

Investment Policy

The City's Investment Policy has been reviewed and certified annually by the Association of Public Treasurers of the United States and Canada (APT US&C) since 1999. Once approved by Council, staff will submit the Investment Policy for FY 2015/16 to be re-certified.

Along with some minor changes, four notable changes are included in the investment policy for FY2015/16.

The first, per Council direction, is the inclusion of item 6 in *Section III B. Prohibited Investment*

Vehicles and Practices as follows, “No direct investments are to be made to support the production or drilling of fossil fuels.”

The second change is a cleanup in Section III of the sub-items under each major item to make them more consistent in structure.

The third change is the inclusion of item 16, Supranational Securities, into *Section III A. Authorized Investments*. The California Government Code section 53601 was amended by Assembly Bill 1933, Local Government: investments, effective January 1, 2015, to allow local agencies to invest in the senior debt obligations of three supranational issuers, which are eligible for purchase and resale within the United States, specifically the International Bank for Reconstruction and Development (IBRD) aka the World Bank, International Finance Corporation, and Inter-American Development Bank. Supranational debt is the term for debt (unsecured unsubordinated obligations issued or unconditionally guaranteed) of an international or multi-lateral financial agency. Supranationals are well capitalized and in most cases have strong credit support from contingent capital calls from their member countries.

A key factor in the code change is the continued decline in the supply of Agency/GSE debt, which has been a mainstay of conservative portfolios. Supranationals can provide a way to diversify a portfolio, maintain liquidity and credit quality, and modestly enhance portfolio returns. The Moody’s rating service currently gives the obligations for each of these three institutions its highest credit rating for both long-term (Aaa) and short-term (P-1) debt. These ratings mean that the issuer has a superior ability to repay and is the lowest credit risk per the Moody’s ratings scale.

Finally, as part of the investment policy certification review conducted by APT US&C, the recommendation was made to refer to written investment procedures in this policy. Section V has been expanded to include a reference to the written procedures for investing funds.

FISCAL IMPACT
There is no fiscal impact associated with adoption of the Investment Policy.

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
Adopt the Investment Policy for FY 2015/16 as presented.

Prepared by: Tim Kirby, Assistant Director of Finance
Reviewed by: Grace K. Leung, Director, Finance
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. Proposed Investment Policy for FY 2015/16

CITY OF SUNNYVALE

INVESTMENT POLICY

FY 2015/2016

CITY OF SUNNYVALE

Investment Policy

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I. Purpose and Investment Philosophy

A. Policy

The City establishes investment policies that meet its current investment goals. This policy is intended to establish objectives and criteria for the investment of the City's temporarily idle funds and for the City's Redevelopment Successor Agency and to provide guidelines for the City's cash management system.

B. Purpose

This policy is set forth by the City of Sunnyvale (City) for the following purposes:

1. To establish a clear understanding for the City Council, City management, responsible employees, citizens and third parties of the objectives, policies and guidelines for the investment of the City's temporarily idle funds;

2. To offer guidance to investment staff on the investment of City funds; and

3. To establish a basis for evaluating investment results.

C. Objectives

The City's cash management system shall be designed to accurately monitor and forecast expenditures and revenues, to enable the City to invest funds to the fullest extent possible.

Idle funds of the City shall be invested in accordance with principles of sound treasury management and in accordance with the provisions of California Government Code Section 53600 et seq., the City Charter, the City's Municipal Code and this policy.

The objectives of the City's investment program are, in order of priority:

1. Safety – Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

2. Liquidity – The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.

3. Return on Investment –The City's investment portfolio shall be designed with the objective of attaining the safety and liquidity objectives first, and then attaining a market rate of return throughout the budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

D. Standard of Care – Prudent Investor

The governing body of the City and any staff members authorized to make investment decisions on behalf of the City are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the City, that a prudent person acting in a like capacity and familiar with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

The Director of Finance or his/her designee is authorized to manage the investment portfolio and act within the intent and scope of the investment policy and other written procedures and exercise due diligence, shall be relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

E. Ethics and Conflicts of Interest

Officers and employees involved with the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. The Director of Finance or his/her designee and other designated employees are required to file applicable financial disclosures, as required by the Fair Political Practices Commission.

II. OPERATIONAL AND PROCEDURAL MATTERS

A. Scope

This Investment Policy applies to all funds and investment activities of the City with the following exceptions:

1. The City's Deferred Compensation Plan is excluded because it is managed by a third party administrator and invested by individual plan participants;

2. The City participates in the Public Employees Retirement System, and does not manage any retirement funds internally.

3. Proceeds of debt issuance shall be invested in accordance with the general investment philosophy of the City as set forth in this policy; however, such proceeds are invested in accordance with permitted investment provisions of their specific bond indentures.

4. Funds for the Other Post Employment Benefits (OPEB) Trust shall be invested in accordance with the general investment philosophy of the City as set forth in this policy; however, these funds are invested pursuant to California code and the Trust's separate long-term investment policy as approved by Council under the Trust Agreement.

B. Authorized Financial Dealers and Institutions

1. The Director of Finance or his/her designee shall maintain a list of institutions qualified and authorized to transact investment business with the City. Eligible institutions include:

   a. Primary government dealers as designated by the Federal Reserve Bank;

   b. Regional broker/dealers;

   c. Nationally or state-chartered banks;

   d. The Federal Reserve Bank; and

   e. Direct issuers of securities eligible for purchase by the City.

2. Public deposits shall be made only in qualified public depositories within the State of California as established by State law, or as permitted by Section III.A (4-7). Deposits shall be insured by the Federal Deposit Insurance Corporation, or, to the extent the amount exceeds the insured maximum, shall be collateralized with securities in accordance with state law.

3. A sufficient pool of qualified financial institutions and dealers will be maintained using criteria based on credit worthiness, experience, reference checks, and qualifications under the Securities and Exchange Commission. All broker/dealers who desire to become qualified must be registered with Financial Industry Regulatory Authority (FINRA) and supply the following as appropriate:

   a. Audited financial statements

   b. Completed broker/dealer questionnaire

   c. Certification of having reviewed the City's Investment Policy.

4. It is the policy of the City to require competitive bidding for investment transactions. Whenever possible, at least three financial dealers or institutions will be contacted to provide price quotations on security purchases and sales.

5. Selection of financial institutions and broker/dealers used by the City shall be at the sole discretion of the City.

C. Delivery vs. Payment

All investment transactions of the City shall be conducted using standard delivery vs. payment procedures.

D. Safekeeping of Securities

To protect against potential losses by collapse of individual securities dealers, and to enhance access to securities, interest payments, and maturity proceeds, all securities owned by the City shall be held in safekeeping by a third party bank trust department, acting as agent for the City under the terms of a custody agreement executed by the bank and by the City.

III. PERMITTED INVESTMENTS AND GUIDELINES TO ACHIEVE POLICY OBJECTIVES

A. Authorized Investments

All investments shall be made in accordance with Sections 53600 *et seq.* of the Government Code of California and as described within this Investment Policy. Permitted investments under this policy shall include:

1. **Securities issued by the US Treasury**, provided that:

    a. There shall be no maximum allowable investment in US Treasury securities; and

    b. As required by Section 53601 of the California Government Code, the City Council hereby grants express authority to the Director of Finance or his/her designee to invest in U.S. Treasury securities with final stated maturities up to seven years.

2. **Securities issued and fully guaranteed as to payment by a federal agency or issued by a United States Government Sponsored Enterprise,** provided that:

    a. No more than 30% of the total portfolio may be invested in federal agencies or government sponsored enterprises of any single issuer; and

b. As required by Section 53601 of the California Government Code, the City Council hereby grants express authority to the Director of Finance or his/her designee to invest in U. S. Agency securities with final stated maturities up to seven years.

3. **Banker's acceptances,** provided that:

a. No more than 30% of the total portfolio may be invested in banker's acceptances;

b. No more than 5% of the total portfolio may be invested per issuer;

c. Their maturity does not exceed 180 days; and

d. They are issued by institutions with short term debt obligations rated a minimum of P-1 by Moody's or A-1 by Standard and Poors, or the equivalent by a nationally recognized statistical-rating organization (NRSRO).

4. **Federally Insured Bank Deposits** (Non-negotiable certificates of deposit) in state or federally chartered banks, savings and loans, or credit unions in the state of California, provided that:

a. No more than 20% of the total portfolio may be invested in a combination of federally insured and collateralized time deposits;

b. The amount per institution is limited to the maximum covered under federal insurance; and

c. Their maturity does not exceed five years.

5. **Collateralized Bank Deposits** (Non-negotiable certificates of deposit) in California banks in excess of insured amounts which are fully collateralized with securities in accordance with California law, provided that:

a. No more than 20% of the total portfolio may be invested in a combination of federally insured and collateralized time deposits;

b. No more than 5% may be invested per issuer; and

c. The maturity of such deposits does not exceed 365 days.

6. **Negotiable Certificates of Deposit** (NCDs) issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the

Financial Code), or by a federally or state-licensed branch of a foreign bank, provided that:

a. No more than 30% of the total portfolio may be invested in investments made in accordance with this section plus deposits made under section III (7) of this policy;

b. No more than 5% of the total portfolio may be invested per issuer;

c. The maturity does not exceed 5 years; and

d. They are issued by institutions which have long-term obligations which are rated “A” or higher by a nationally recognized statistical rating organization; and/or have short-term debt obligations rated "A" or higher, or the equivalent by a nationally recognized statistical rating organization.

e.

7. **Certificates of Deposit Placement Service** (e.g CDARS or like services) using private sector entity to assist in the placement of deposits above federal insurance amounts in increments less than federal insurance at participating banks, savings and loans, or credit unions nationally through a “selected depository institution” in California, provided that**:**

a. No more than 30% of the City’s total portfolio may be invested in such deposits plus negotiable certificates of deposit purchased pursuant to Section III (6) of this policy;

b. The full amount of the principal and the interest that may be accrued during the maximum term of each certificate shall at all times be insured by the FDIC or the NCUA;

c. The selected depository institution shall be a nationally or state-chartered bank, savings and loan, or credit union in California and shall serve as the custodian for each certificate of deposit issued by the placement service for the City’s account;

d. At the same time the City’s funds are deposited and the certificates of deposit are issued, the selected depository institution shall receive an amount of deposits from other commercial banks, savings banks, savings and loan associations or credit unions that, in total, are equal to or greater than the full amount of the principal that the City initially deposited with the selected depository institution;

e. No credit union may act as a selected depository institution unless:

1. The credit union offers federal depository insurance through the NCUA; and

2. The credit union is authorized by the NCUA in the deposit placement services, and affirms that moneys held by those credit unions while participating in a deposit placement service will at all times be insured by a federal government entity.

8. **Repurchase agreements** collateralized with securities authorized under Sections III (A1-2) of this policy maintained at a level of at least 102% of the market value of the repurchase agreements, provided that:

   a. No more than 10% of the total portfolio may be invested in repurchase agreements;

   b. The maximum maturity of repurchase agreements shall be 15 days;

   c. Securities used as collateral for repurchase agreements shall be delivered to the City's custodian bank, except that securities used as collateral for the one to seven day repurchase agreements with the City's depository bank may be held in safekeeping by an independent third party bank trustee in the name of the City, as evidenced by appropriate receipts of trust; and

   d. The repurchase agreements are the subject of a master repurchase agreement between the City and the provider of the repurchase agreement. The master repurchase agreement shall be substantially in the form developed by the Securities Industry and Financial Markets Association (SIFMA).

9. **Commercial paper,** provided that:

   a. No more than 15% of the total portfolio may be invested in commercial paper;

   b. No more than 5% of the total portfolio may be invested per issuer.

   c. The maturity does not exceed 270 days from the date of purchase;

   d. The paper is of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or paragraph (2):

      (1) Is organized and operating in the United States as a general corporation. Has total assets in excess of five hundred million dollars ($500,000,000). Has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization (NRSRO).

(2) Is organized within the United States as a special purpose corporation, trust, or limited liability company. Has program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond. Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization (NRSRO).

e.

10. **State of California Local Agency Investment Fund (LAIF)**, provided that:

a. No more than 20% of the total portfolio may be invested in LAIF;

b. It is recognized that LAIF has authority to invest in some instruments that are not permitted for Cities under the California Government Code; and

c. A thorough investigation of the pool/fund is required prior to investing and on a continual basis. City staff will annually perform due diligence analysis of LAIF based on a standardized questionnaire developed to address investment policy and practices.

11. **Corporate medium-term notes,** provided that:

a. No more than 30% of the total portfolio may be invested in medium-term notes;

b. No more than 5% of the total portfolio may be invested per issuer;

c. Such notes have a maximum maturity of 5 years;

d. Such notes are issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States; and

e. Such notes are rated "A" or higher by a nationally recognized statistical rating organization.

12. **Mortgage pass-through securities and asset-backed securities,** provided that:

a. No more than 20% of the total portfolio may be invested in Mortgage pass-through securities and asset-backed securities;

b. Such securities shall have a maximum stated final maturity of 5 years;

c. Issued by an issuer having an “A” or higher credit rating for the issuer’s debt as provided by a nationally recognized statistical rating organization; and

d. Such securities are rated in the category of “AAA” by a nationally recognized statistical rating organization.

13. **Money market mutual funds,** provided that:

a. No more than 10% of the total portfolio may be invested in Money market mutual funds;

b. Such funds are registered with the Securities and Exchange Commission and are rated AAA by S&P or Aaa by Moody’s;

c. Such funds have retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years’ experience investing in the securities and obligations authorized by California Government Code Section 53601 (a through j) and with assets under management in excess of $500 million;

d. Such funds include in their prospectus the statement that one of the investment fund’s investment objectives is to seek to maintain a net asset value of $1; and

e. Such funds invest only in US Treasury and federal agency securities, and in repurchase agreements backed by US Treasury and federal agency securities.

14. **Municipal Securities.** These include obligations of the state of California, any other state, and any local Agency within the state of California including the City of Sunnyvale to the extent permitted by federal law, provided that:

a. The maturity does not exceed 5 years from the date of purchase;

b. The rating by a nationally recognized statistical rating organization is in the "A" category or better; and

c. For Municipal Obligations in the form of variable rate demand obligations, the obligations shall be supported by a third-party liquidity facility from a financial institution with short-term ratings of at least A-1 by S&P or P-1 by Moody’s. The right of the bondholder to tender the obligation converts these obligations to a short term investment.

15. **Joint Powers Authority (JPA) Pools,** provided that:

a. The JPA is organized pursuant to CGC Section 6509.7;

b. The Pool invests only in securities and obligations authorized in CGC Section 53601;

c. The Pool is managed by an investment adviser registered with the SEC or exempt from registration; and

d. Such adviser has not less than five years of experience investing in securities and obligations authorized in CGC Section 53601, and has assets under management in excess of five hundred million dollars ($500,000,000).

16. **Supranational Securities.** CGC 53601 defines allowable Supranational Securities as United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by: the International Bank for Reconstruction and Development, the International Finance Corporation, or Inter-American Development Bank, provided that:

a. No more than 30% of the total portfolio may be invested in Supranational securities;

b. The maturity does not exceed 5 years from the date of purchase;

c. The instruments are eligible for purchase and resale within the United States; and

d. The rating by a nationally recognized statistical rating organization is in the "AA" category or better.

B. Prohibited Investment Vehicles and Practices

1. State law notwithstanding, any investments not specifically described herein are prohibited, including, but not limited to, mutual funds (other than government money market funds as described in Section III A(12), unregulated and/or unrated investment pools or trusts, collateralized mortgage obligations and futures and options.

2. In accordance with Government Code Section 53601.6, investment in inverse floaters, range notes, or mortgage derived interest-only strips is prohibited.

3. Investment in any security that could result in a zero interest accrual if held to maturity is prohibited.

4. Trading securities for the sole purpose of speculating on the future direction of interest rates is prohibited.

5. Purchasing or selling securities on margin is prohibited.

6. No direct investments are to be made to support the production or drilling of fossil fuels.

7. Prohibited investments held in the portfolio at the time of adoption of this policy may be held until maturity at the discretion of the Director of Finance.

C. Risk/Safety

The City recognizes that it is subject to the risks of investing in fixed income securities, especially "market risk" and "call risk" which are risks that the value of the portfolio will fluctuate with changes in the general level of interest rates, and "credit risk," which is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt.

1. Mitigating market risk in the portfolio

   The City recognizes that, over time, longer-term portfolios achieve higher returns. On the other hand, longer-term portfolios have higher volatility of return. The City shall mitigate market risk by providing adequate liquidity for short-term cash needs, and by making longer term investments with funds which are not needed for current cashflow purposes. The City further recognizes that certain types of securities, including variable rate securities, securities with principal paydowns prior to maturity, and securities with embedded options (callable securities), will affect the market risk profile of the portfolio differently in different interest rate environments. The City, therefore, adopts the following strategies to control and mitigate its exposure to market risk:

   a. The City shall maintain a percentage of the portfolio in short term securities to provide for cash flows.

   b. The average maturity of the portfolio shall be no greater than 2.5 years.

2. **Mitigating credit risk in the portfolio**

   a. The diversification requirements included in the Authorized Investments section are designed to mitigate credit risk in the portfolio.

   b. No more than 5% of the total portfolio may be invested in securities of any single issuer, other than the US Government, its agencies and instrumentalities (limited to 30% per issuer), and LAIF. This section does not preclude the investment of up to 10% of the portfolio in short-term repurchase agreements, as defined in Section III(A8) above, money market mutual funds as defined in Section III(A13), or JPA Pools as defined in Section III(A15).

   c. The City may elect to sell a security prior to its maturity and record a capital gain or loss in order to improve the quality, liquidity or yield of the portfolio in response to market conditions or the City's risk preferences; and

d. If a security owned by the City is downgraded by either Moody's or S&P to a level below the minimum quality required by this Investment Policy, it shall be the City's policy to sell that security as soon as practicable.

D. Liquidity

1. A schedule of major revenues and expenditures for a rolling 12-month period shall be maintained and coordinated with investments to the extent feasible.

2. Investment maturities may be timed to provide funds for scheduled expenditures not met by anticipated major revenue receipts.

3. To the extent possible, the Twenty Year Resource Allocation Plan shall be used for the cash flow projection purposes, and shall be taken into account in determining long term investment strategy.

E. Return Objectives

1. **Overall objective.** The investment portfolio shall be designed with the overall objective, in order of priority, of safety, liquidity, and return on investment.

2. **Specific objective.** The investment performance objective for the portfolio shall be to earn a market average yield for the reporting period comparable to the yield of a Treasury Security with a similar average life.

IV. RESPONSIBILITY AND REPORTING

A. Delegation of Authority

The City Manager is responsible for directing and supervising the Director of Finance and is also responsible to keep the City Council fully advised as to the financial condition of the City.

The Director of Finance is responsible, by Council delegation, for the custody and investment of City funds and the development of procedures to implement this Investment Policy. This delegation requires that the Director of Finance submit a monthly transaction report to the Council accounting for the investment of funds. The Director of Finance is further responsible for the duties and powers imposed on City Treasurers by the laws of the State of California.

The Director of Finance or his/her designee is responsible for monitoring investment market information, recommending investment strategy for portfolio diversity and timing of maturities, as well as ensuring compliance with the City's Investment Policy. The Investment staff shall maintain current knowledge of technical and legal requirements regarding municipal

investments through continued education and maintain active membership in the California Municipal Treasurers Association (CMTA).

The City may employ an investment adviser to invest all or a portion of the City's cash. Such Adviser shall be granted discretion to invest and reinvest the portfolio in accordance with this Investment Policy and must be registered under the Investment Advisers Act of 1940. Selection of broker/dealers used by an external investment adviser retained by the City will be at the sole discretion of the investment adviser.

B. Reporting, Disclosure and Program Evaluation

The Director of Finance, as Chief Financial Officer and City Treasurer, shall file a quarterly investment report with the City Council and the City Manager within 30 days following the end of the quarter covered by the report. The report shall include the following information:

1. An asset listing showing par value, cost and accurate and complete market value of each security, type of investment, issuer, and interest rate;

2. The Director of Finance shall provide a monthly transaction report to the City Council;

3. A statement of compliance with the Investment Policy; and

4. A statement that the City has adequate funds to meet its cash flow requirements for the next six months.

C. Annual Reports

1. The investment policy shall be reviewed and adopted at least annually within 120 days of the end of the fiscal year to ensure its consistency with the overall objectives of preservation of principal, liquidity and return, and its relevance to current law and financial and economic trends.

2. A report of portfolio performance for the immediately preceding fiscal year shall be presented as part of the annual investment policy review. This report shall include comparisons of the City’s performance compared to the return objectives, and shall include a section on compliance with the investment policy.

V. INTERNAL CONTROL

The Director of Finance has established a system of internal controls to ensure compliance with the Investment Policies of the City and the California Government Code. The internal control procedures include segregation of duties in the different phases of an investment transaction, monthly reconciliation of the investment report to the general ledger, and annual policy compliance review by

the City's outside auditor. An independent audit is conducted by the City's outside auditors which includes a compliance review of the City's investment activities to the City's Investment Policy, the California Government Code, and Government Accounting Standards Board (GASB) requirements regarding investment disclosures.

The Treasury staff has established written investment procedures. These procedures include the process for projecting future cash flows, obtaining and documenting quotes, the review process for purchasing a new investment, how to select a broker when multiple brokers offer the same investment at the same price and other procedures relating to investments. These procedures are reviewed annually.

VI. OVERSIGHT

The Investment Committee consisting of the City Manager, the Assistant City Manager, and the Director of Finance with staff support, may meet as needed to evaluate the portfolio performance and establish current investment strategies in accordance with the adopted Policy and its objectives.

VII. HISTORY OF COUNCIL ACTIONS

Report to Council No. 85-388

Approved by the City Council on July 30, 1985

Amended by City Council on July 22, 1986

Amended by City Council on August 11, 1987

Amended by City Council on July 18, 1989

Amended by City Council on July 17, 1990

Amended by City Council on July 23, 1991

Amended by City Council on July 28, 1992

Amended by City Council on July 27, 1993

Amended by City Council on August 9, 1994

Amended by City Council on July 25, 1995

Amended by City Council on July 23, 1996

Amended by City Council on July 29, 1997

Amended by City Council on August 4, 1998

Amended by City Council on August 17, 1999

Amended by City Council on September 12, 2000

Amended by City Council on July 31, 2001

Amended by City Council on July 23, 2002

Amended by City Council on August 12, 2003

Amended by City Council on August 17, 2004

Amended by City Council on August 16, 2005

Amended by City Council on August 22, 2006

Amended by City Council on August 21, 2007

Amended by City Council on August 26, 2008

Amended by City Council on October 14, 2008

Amended by City Council on August 11, 2009

Amended by City Council on August 31, 2010

Amended by City Council on August 23, 2011

Amended by City Council on September 11, 2012

Amended by City Council on October 22, 2013

Amended by City Council on October 28, 2014

City Clerk Certification _____

VIII. GLOSSARY OF INVESTMENT TERMS

Agencies. Shorthand market terminology for any obligation issued by *a government-sponsored entity (GSE),* or a *federally related institution*. Most obligations of GSEs are not guaranteed by the full faith and credit of the US government. Examples are:

- **FFCB.** The Federal Farm Credit Bank System provides credit and liquidity in the agricultural industry. FFCB issues discount notes and bonds.
- **FHLB.** The Federal Home Loan Bank provides credit and liquidity in the housing market. FHLB issues discount notes and bonds.
- **FHLMC.** Like FHLB, the Federal Home Loan Mortgage Corporation provides credit and liquidity in the housing market. FHLMC, also called "FreddieMac" issues discount notes, bonds and mortgage pass-through securities.
- **FNMA.** Like FHLB and FreddieMac, the Federal National Mortgage Association was established to provide credit and liquidity in the housing market. FNMA, also known as "FannieMae," issues discount notes, bonds and mortgage pass-through securities.
- **GNMA.** The Government National Mortgage Association, known as "GinnieMae," issues mortgage pass-through securities, which are guaranteed by the full faith and credit of the US Government.
- **PEFCO.** The Private Export Funding Corporation assists exporters. Obligations of PEFCO are not guaranteed by the full faith and credit of the US government.
- **TVA.** The Tennessee Valley Authority provides flood control and power and promotes development in portions of the Tennessee, Ohio, and Mississippi River valleys. TVA currently issues discount notes and bonds.

Asked. The price at which a seller offers to sell a security.

Average Life. In mortgage-related investments, including CMOs, the average time to expected receipt of principal payments, weighted by the amount of principal expected.

Banker's Acceptance. A money market instrument created to facilitate international trade transactions. It is highly liquid and safe because the risk of the trade transaction is transferred to the bank which "accepts" the obligation to pay the investor.

Benchmark. A comparison security or portfolio. A performance benchmark is a partial market index, which reflects the mix of securities allowed under a specific investment policy.

Bid. The price at which a buyer offers to buy a security.

Broker. A broker brings buyers and sellers together for a transaction for which the broker receives a commission. A broker does not sell securities from his own position.

Callable. A callable security gives the issuer the option to call it from the investor prior to its maturity. The main cause of a call is a decline in interest rates. If interest rates decline since an issuer issues securities, it will likely call its current securities and reissue them at a lower rate of interest. Callable securities have reinvestment risk as the investor may receive its principal back when interest rates are lower than when the investment was initially made.

Certificate of Deposit (CD). A time deposit with a specific maturity evidenced by a certificate. Large denomination CDs may be marketable.

Collateral. Securities or cash pledged by a borrower to secure repayment of a loan or repurchase agreement. Also, securities pledged by a financial institution to secure deposits of public monies.

Collateralized Mortgage Obligations (CMO). Classes of bonds that redistribute the cash flows of mortgage securities (and whole loans) to create securities that have different levels of prepayment risk, as compared to the underlying mortgage securities.

Commercial Paper. The short-term unsecured debt of corporations.

Cost Yield. The annual income from an investment divided by the purchase cost. Because it does not give effect to premiums and discounts which may have been included in the purchase cost, it is an incomplete measure of return.

Coupon. The rate of return at which interest is paid on a bond.

Credit Risk. The risk that principal and/or interest on an investment will not be paid in a timely manner due to changes in the condition of the issuer.

Current Yield. The annual income from an investment divided by the current market value. Since the mathematical calculation relies on the current market value rather than the investor's cost, current yield is unrelated to the actual return the investor will earn if the security is held to maturity.

Dealer. A dealer acts as a principal in security transactions, selling securities from and buying securities for his own position.

Debenture. A bond secured only by the general credit of the issuer.

Delivery vs. Payment (DVP). A securities industry procedure whereby payment for a security must be made at the time the security is delivered to the purchaser's agent.

Derivative. Any security that has principal and/or interest payments which are subject to uncertainty (but not for reasons of default or credit risk) as to timing and/or amount, or any security which represents a component of another security which has been separated from other components ("Stripped" coupons and principal). A derivative is also defined as a financial instrument the value of which is totally or partially derived from the value of another instrument, interest rate, or index.

Discount. The difference between the par value of a bond and the cost of the bond, when the cost is below par. Some short-term securities, such as T-bills and banker's acceptances, are known as **discount securities**. They sell at a discount from par, and return the par value to the investor at maturity without additional interest. Other securities, which have fixed coupons, trade at a discount when the coupon rate is lower than the current market rate for securities of that maturity and/or quality.

Diversification. Dividing investment funds among a variety of investments to avoid excessive exposure to any one source of risk.

Duration. The weighted average time to maturity of a bond where the weights are the present values of the future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates. (See modified duration).

Federal Funds Rate. The rate of interest charged by banks for short-term loans to other banks. The Federal Reserve Bank through open-market operations establishes it.

Federal Open Market Committee: A committee of the Federal Reserve Board that establishes monetary policy and executes it through temporary and permanent changes to the supply of bank reserves.

Haircut: The margin or difference between the actual market value of a security and the value assessed by the lending side of a transaction (i.e. a repo).

Leverage. Borrowing funds in order to invest in securities that have the potential to pay earnings at a rate higher than the cost of borrowing.

Liquidity: The speed and ease with which an asset can be converted to cash.

Make Whole Call. A type of call provision on a bond that allows the issuer to pay off the remaining debt early. Unlike a call option, with a make whole call provision, the issuer makes a lump sum payment that equals the net present value (NPV) of future coupon payments that will not be paid because of the call. With this type of call, an investor is compensated, or "made whole."

Margin: The difference between the market value of a security and the loan a broker makes using that security as collateral.

Market Risk. The risk that the value of securities will fluctuate with changes in overall market conditions or interest rates.

Market Value. The price at which a security can be traded.

Marking to Market. The process of posting current market values for securities in a portfolio.

Maturity. The final date upon which the principal of a security becomes due and payable.

Medium Term Notes. Unsecured, investment-grade senior debt securities of major corporations which are sold in relatively small amounts on either a continuous or an intermittent basis. MTNs are highly flexible debt instruments that can be structured to respond to market opportunities or to investor preferences.

Modified Duration. The percent change in price for a 100 basis point change in yields. Modified duration is the best single measure of a portfolio's or security's exposure to market risk.

Money Market. The market in which short-term debt instruments (Tbills, discount notes, commercial paper, and banker's acceptances) are issued and traded.

Mortgage Pass-Through Securities. A securitized participation in the interest and principal cash flows from a specified pool of mortgages. Principal and interest payments made on the mortgages are passed through to the holder of the security.

Mutual Fund. An entity which pools the funds of investors and invests those funds in a set of securities which is specifically defined in the fund's prospectus. Mutual funds can be invested in various types of domestic and/or international stocks, bonds, and money market instruments, as set forth in the individual fund's prospectus. For most large, institutional investors, the costs associated with investing in mutual funds are higher than the investor can obtain through an individually managed portfolio.

Premium. The difference between the par value of a bond and the cost of the bond, when the cost is above par.

Prepayment Speed. A measure of how quickly principal is repaid to investors in mortgage securities.

Prepayment Window. The time period over which principal repayments will be received on mortgage securities at a specified prepayment speed.

Primary Dealer. A financial institution (1) that is a trading counterparty with the Federal Reserve in its execution of market operations to carry out U.S. monetary policy, and (2) that participates for statistical reporting purposes in compiling data on activity in the U.S. Government securities market.

Prudent Person (Prudent Investor) Rule. A standard of responsibility which applies to fiduciaries. In California, the rule is stated as "Investments shall be managed with the care, skill, prudence and diligence, under the circumstances then prevailing, that a prudent person, acting in a like capacity and familiarity with such matters, would use in the conduct of an enterprise of like character and with like aims to accomplish similar purposes."

Realized Yield. The change in value of the portfolio due to interest received and interest earned and realized gains and losses. It does not give effect to changes in market value on securities, which have not been sold from the portfolio.

Regional Dealer. A financial intermediary that buys and sells securities for the benefit of its customers without maintaining substantial inventories of securities and that is not a primary dealer.

Repurchase Agreement (RP, Repo). Short-term purchases of securities with a simultaneous agreement to sell the securities back at a higher price. From the seller's point of view, the same transaction is a reverse repurchase agreement.

Safekeeping. A service to bank customers whereby securities are held by the bank in the customer's name.

Structured Note. A complex, fixed income instrument, which pays interest, based on a formula tied to other interest rates, commodities or indices. Examples include inverse floating rate notes which have coupons that increase when other interest rates are falling, and which fall when other interest rates are rising, and "dual index floaters," which pay interest based on the relationship between two other interest rates - for example, the yield on the ten-year Treasury note minus the Libor rate. Issuers of such notes lock in a reduced cost of borrowing by purchasing interest rate swap agreements.

Supranational Debt. Supranational debt is the term for debt (unsecured unsubordinated obligations issued or unconditionally guaranteed) of an international or multi-lateral financial agency. Supranationals are well capitalized and in most cases have strong credit support from contingent capital calls from their member countries. CGC 53601 was amended effective January 1, 2015 to allow local agencies to invest in the senior debt obligations of three supranational issuers which are eligible for purchase and resale within the United States, specifically the International Bank for Reconstruction and Development, International Finance Corporation, and Inter-American Development Bank.

Total Rate of Return. A measure of a portfolio's performance over time. It is the internal rate of return, which equates the beginning value of the portfolio with the ending value; it includes interest earnings, realized and unrealized gains, and losses in the portfolio.

U.S. Treasury Obligations. Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States. Treasuries are considered to have no credit risk, and are the benchmark for interest rates on all other securities in the US and overseas. The Treasury issues both discounted securities and fixed coupon notes and bonds.

Treasury Bills. All securities issued with initial maturities of one year or less are issued as discounted instruments, and are called Treasury bills. The Treasury currently issues three- and six-month Tbills at regular weekly auctions. It also issues "cash management" bills as needed to smooth out cash flows.

Treasury Notes. All securities issued with initial maturities of two to ten years are called Treasury notes, and pay interest semi-annually.

Treasury Bonds. All securities issued with initial maturities greater than ten years are called Treasury bonds. Like Treasury notes, they pay interest semi-annually.

Volatility. The rate at which security prices change with changes in general economic conditions or the general level of interest rates.

Yield to Maturity. The annualized internal rate of return on an investment which equates the expected cash flows from the investment to its cost.

City of Sunnyvale

Agenda Item

15-0185 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
FILE #: 2015-7636
Location: 838 Azure Street and 842 Sunnyvale-Saratoga Road (APN: 211-18-030)
Proposed Project:
General Plan Amendment Initiation request to study changing the General Plan from Low Density Residential to Low Medium Density Residential.
Applicant/Owner: Xin Lu (owner)
Environmental Review: Not required to initiate a General Plan study. The potential General Plan change and future projects will be subject to the provisions of the California Environmental Quality Act (CEQA).
Project Planner: Gerri Caruso, (408) 730-7591, gcaruso@sunnyvale.ca.gov

BACKGROUND
General Plan Amendment Initiation (GPI) requests are heard on a quarterly basis through a recommendation from the Planning Commission and then action by the City Council. The process for considering a General Plan begins with a written request from a property owner or applicant. If Council approves the GPI, a formal application for a General Plan Amendment (GPA) can be filed by the property owner/applicant. While staff is processing the GPA application, the applicant may also file a project application and related items as applicable for concurrent processing. However, the City Council would need to approve the GPA before the project could be scheduled for a Planning Commission hearing.

Staff received a GPI request from the applicant (property owner) on July 30, 2015 (Attachment 1, Applicant Letter dated July 24, 2015 and Photos) to change the General Plan for 838 Azure Street and 842 Sunnyvale Saratoga Road, which consists of two addresses on one 0.34-acre parcel. The current General Plan designation is Residential Low Density (RLO 0-7 dwelling units per acre) (Attachment 2, General Plan Map). An RLO designation allows up to two dwelling units on the site.

The applicant is requesting that the General Plan designation be changed to Residential Low-Medium Density (RLM 7-14 dwelling units per acre). Depending on the zoning designation, an RLM designation could allow 3-5 dwelling units on the site. The applicant's current plan is to put four homes on the site. There are currently two single-family homes on the property. Both would be demolished to make room for a new development. The applicant has submitted a conceptual site plan showing how four units could be accommodated on the site with access from Azure Street.

Staff recommends Alternative 1 to initiate the General Plan Amendment study. Hearings for related projects would be reviewed at separate hearings.

EXISTING POLICY

The General Plan is the primary policy plan that guides the physical development of the City. When used together with a larger body of City Council policies, it provides direction for decision-making on City services and resources. The General Plan contains long-term goals and policies for the next 10-20 years and strategic actions for the next 5-10 years. Primary goals and policies pertaining to residential development that are relevant to the proposed amendment include the following:

Goal LT-3 Appropriate Mix of Housing - Ensure ownership and rental housing options in terms of style, size and density that are appropriate and contribute positively to the surrounding area.

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

Action LT-3.4b - Locate lower-density housing in proximity to existing lower-density housing.

Goal LT-4 Preserve and enhance the quality character of Sunnyvale's industrial, commercial and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

Policy LT-4.1 - Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

Action LT-4.1a Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.

Policy LT-4.2 Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.

Action LT-4.2a Integrate new development and redevelopment into existing neighborhoods.

Policy LT-4.4 Preserve and enhance the high quality character of residential neighborhoods.

Action LT-4.4a Require infill development to compliment the character of the residential neighborhood.

ENVIRONMENTAL REVIEW

Environmental Review is not required to initiate a General Plan study. The potential General Plan change and future projects will be subject to the provisions of the California Environmental Quality Act (CEQA).

DISCUSSION

The applicant's request is to amend the General Plan from Residential Low Density to Residential Low-Medium Density. The City Council may approve a General Plan Amendment upon finding that the amendment, as proposed, changed or modified is deemed to be in the public interest.

The project site is located on the east side of Sunnyvale-Saratoga Road just south of the split between Sunnyvale-Saratoga Road and Mathilda Avenue. It is on the western edge of a single-family neighborhood that is zoned R-O, Low Density Residential, and is immediately bordered to the north by a 59-unit neighborhood that is developed at low medium density (R-2/PD) (Attachment 3, Zoning Map).

The applicant has indicated the desire to construct four homes where there are currently two (Attachment 4, Conceptual Site Plan). A General Plan designation of Residential Low-Medium Density could correspond with development with either of the R-1.5, R-1.7 or R-2 zoning designations all with slightly different minimum lot size requirements resulting in three to five dwelling

units. If initiated, the proposed General Plan change would consider whether the site could be redeveloped with three to five dwelling units in a manner that could provide a reasonable land use transition with the adjacent low density neighborhood.

As part of the General Plan study, an appropriate zoning designation would also be considered. If General Plan and zoning changes are approved by the City Council, a project application can be considered at a subsequent Planning Commission hearing.

FISCAL IMPACT

There are no fiscal impacts associated with initiating a General Plan or Specific Plan Amendment study. All development processing and CEQA costs will be covered by the applicant.

PUBLIC CONTACT

Public contact for the City Council hearing 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 all property owners within 300 feet of the site (122 owners, Attachment 5, Location and noticing map); an email message with the notice was sent to the Cherry Orchard and Stratford Gardens neighborhood associations.

This application was heard by the Planning Commission at a public hearing on September 28, 2015. Two members of the public spoke, and the Commission recommended that Council initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low-Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R-1.5, R-1.7 and R-2 (Recommendation Alternative 1). Although not part of the formal motion, the Commission suggested that traffic calming in the neighborhood could be evaluated (based on comments from a member of the public). Minutes from that hearing are attached (Attachment 6).

ALTERNATIVES

1. Initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low-Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R-1.5, R -1.7 and R-2.
2. Initiate a General Plan Amendment study to consider Residential Medium Density (RMED 14-27 dwelling units per acre).
3. Do not initiate a General Plan Amendment study.

RECOMMENDATION

Alternative 1: Initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low-Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R-1.5, R-1.7 and R-2.

A Residential Low-Medium density project could be an appropriate transition between the adjacent Residential Low Density neighborhood to the south of the project site and the Residential Low-Medium Density (R-2/PD) neighborhood to the north of the site.

Prepared by: Gerri Caruso, Principal Planner
Reviewed by: Trudi Ryan, Planning Officer
Reviewed by: Hanson Hom, Director of Community Development
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Applicant's Letter dated July 24, 2015 and Photos
2. General Plan Map of Site and Vicinity
3. Zoning Map of Site and Vicinity
4. Applicant's Conceptual Site Plan
5. Location and Noticing Map
6. Planning Commission Minutes of September 28, 2015

PARAGON
URBAN
DESIGN &
PLANNING

July 24, 2015

City Council
City of Sunnyvale
456 W. Olive Ave.
Sunnyvale, CA 94086

RE: General Plan Amendment

To whom it may Concern;

We are requesting initiation of a General Plan Change for property located at 838 Azure St. and 842 Sunnyvale-Saratoga Rd.

This property is unique as it fronts on both Sunnyvale-Saratoga Rd and Azure St. At 14,586 SF, it is twice as large as it's Res. Low Density neighbors to the South and East. The abutting property to the North and to the East is Residential High Density.

Because of it's larger size and abutting higher density, we are requesting a General Plan Change be initiated, changing the GP designation to Low Medium Density Res.

The G.P. change is appropriate as the site has easy access to public transportation on nearby El Camino Real and is human in scale, both being goals of your General Plan. Development of this property as Low Medium Density will serve as a transitional use between higher density to the North and lower density to the South.

Adding two residential units to the existing two will not produce traffic issues, but instead will remove one dangerous access for the 842 address that exists to and from Sunnyvale-Saratoga Rd.

The addition of two additional residences is in conformance to "Sunnyvale's Community Vision" of Balanced Growth (pg56 – Fig VII-4) as this site is adjacent to the designated Downtown Growth Area. These new residences are needed to help balance out the divergence between new jobs and new homes. Further, it has been reported on both local and national media that our Silicon Valley is experiencing a housing shortage crisis. We believe that providing four moderate priced homes where there are now two, will in a small way, assist in mitigating this shortage.

We respectfully request that you authorize Initiation of the requested General Plan Revision.

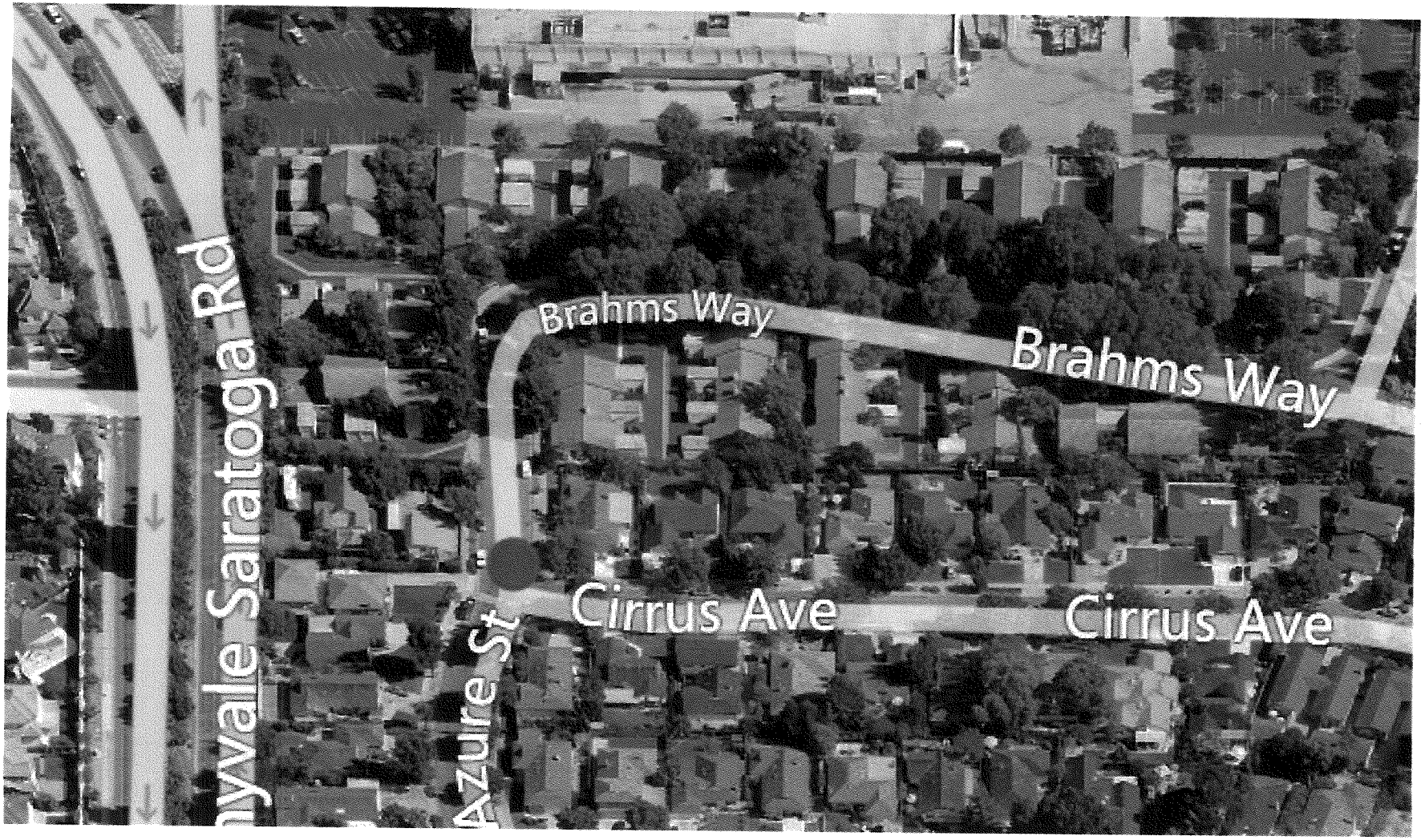
Respectfully Submitted,

Rodger Griffin, FAIBD
President
Paragon Design Group, Inc.

PARAGON
DESIGN
GROUP, INC.

409 Alberto Way
Suite 1
Los Gatos, CA 95032
408.358.3707
office@paragondgi.com
MEMBER A.I.B.D.

Service by Design


nyvale Saratoga Rd
Azure St
Brahms Way
Brahms Way
Cirrus Ave
Cirrus Ave

842 Sunnyvale Saratoga Rd

Street View · Search nearby

Imagery ©2015 Google, Map data ©2015 Google 20 ft

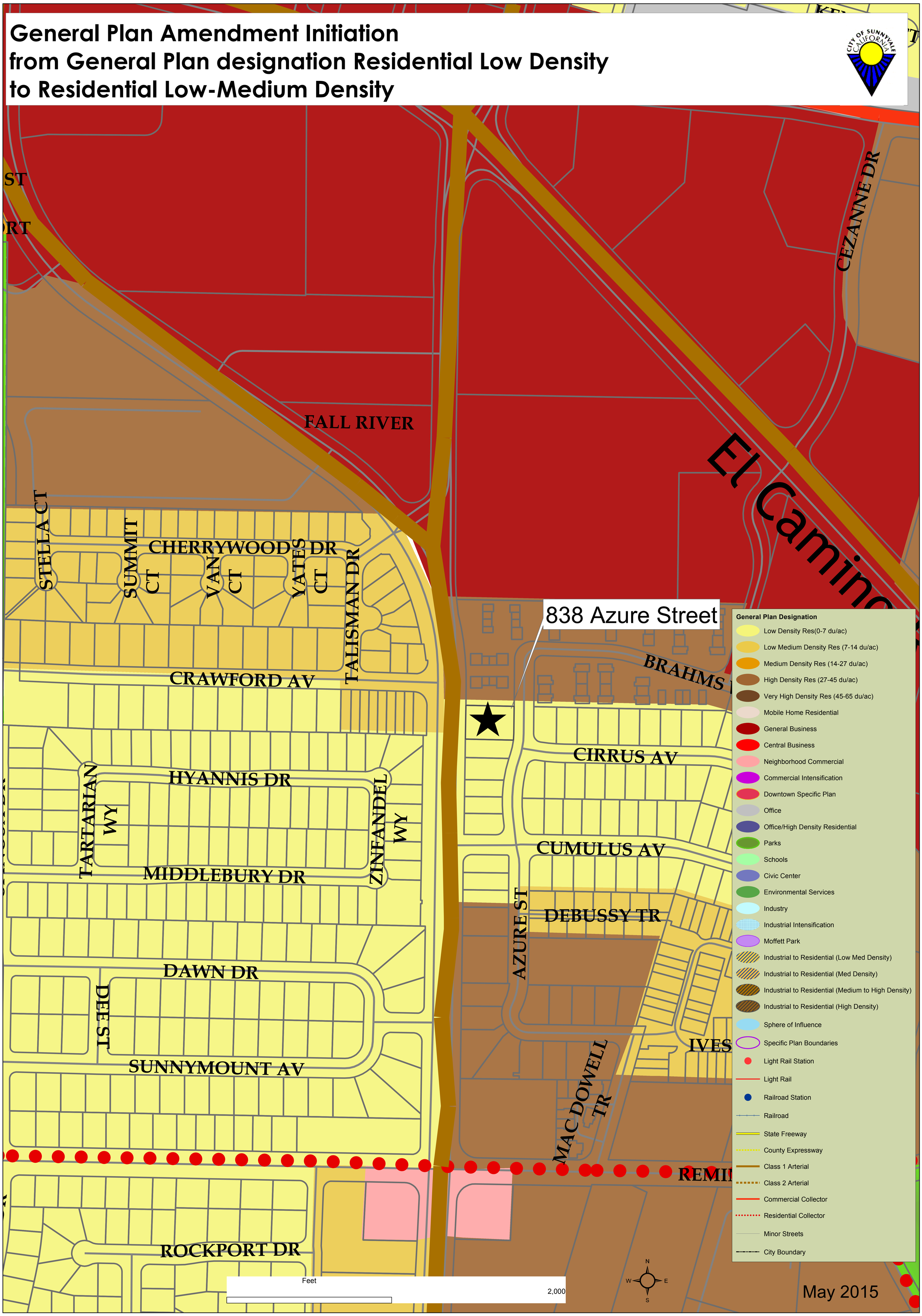
Google

Sunnyvale Saratoga Rd

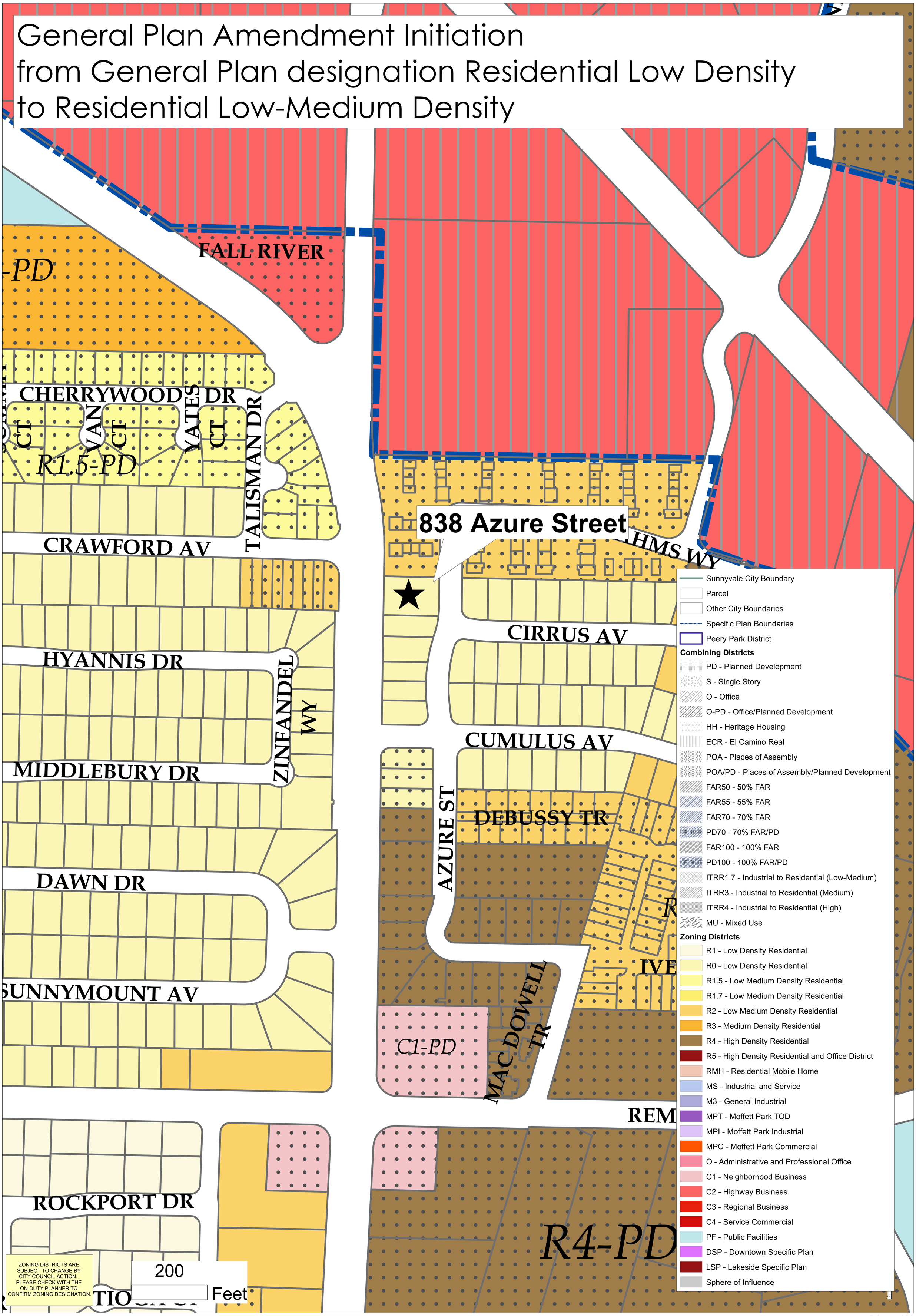
• DRIVEWAY ACCESS • SUNNYVALE-SARATOGA RD •

Cancel

General Plan Amendment Initiation from General Plan designation Residential Low Density to Residential Low-Medium Density



General Plan Amendment Initiation from General Plan designation Residential Low Density to Residential Low-Medium Density

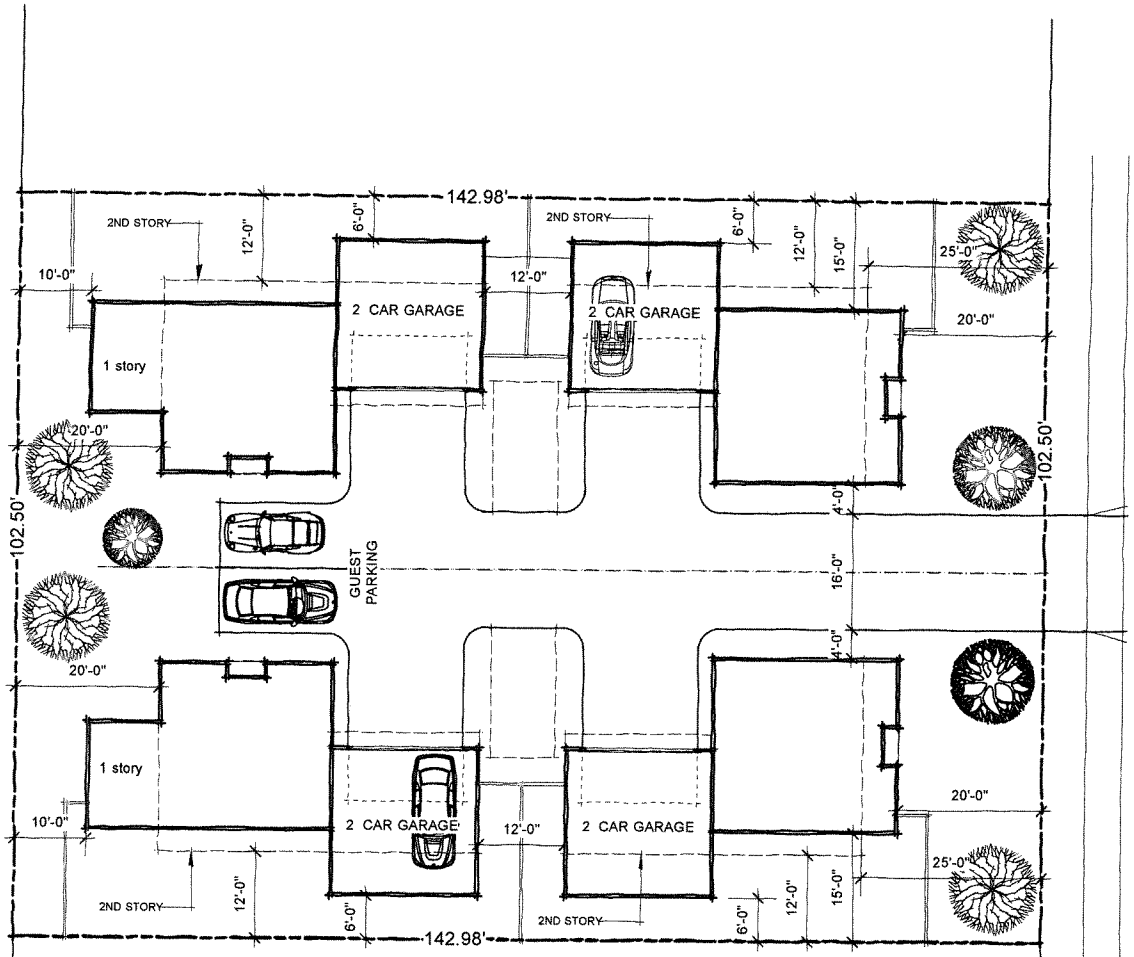


February 2015

ATTACHMENT 4

C.L. SARATOGA-SUNNYVALE RD

REAR OF PROPERTY



FRONT OF PROPERTY

AZURE ST.

• PROPOSED SITE PLAN •

SITE AREA 14.656 S.F. - 1 UNIT/3664 S.F. - LOW/MEDIUM DENSITY - 4 SINGLE RESIDENCES

SCALE 1/16" = 1'-0"

APN 211-18-030

Azure Rd.
4 - Single Family Homes
842 Sunnyvale-Saratoga Rd. Sunnyvale Ca.
Project # 2501 7
Revised 7-16-2015

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ATTACHMENT 5

2015-7636
838 Azure St (APN 211-18-030)
General Plan Initiation
300-foot area map

0 40 80 160 Feet

N W E S

5 15-0189 **FILE #**: 2015-7636
Location: 838 Azure Street and 842 Sunnyvale-Saratoga Road (APN: 211-18-030)
Proposed Project:
General Plan Amendment Initiation request to study changing the General Plan from Low Density Residential to Low Medium Density Residential.
Applicant/Owner: Xin Lu (owner)
Project Planner: Gerri Caruso, (408) 730-7591, gcaruso@sunnyvale.ca.gov
Environmental Review: Not required to initiate a General Plan study. The potential General Plan change and future projects will be subject to the provisions of the California Environmental Quality Act (CEQA).

Trudi Ryan, Planning Officer, presented the staff report.

Comm. Olevson clarified with Ms. Ryan the definition of the General Plan designations Residential Low Density (RLO) and Residential Low Medium Density (RLM).

Comm. Simons commented on few areas in the City being designated for large lot homes, and confirmed with Ms. Ryan that most single family residential lots are designated RLO and that lots measuring a third of an acre have mostly disappeared.

Chair Melton and Ms. Ryan discussed the scale of the conceptual site plan and the size of the proposed units on the property.

Chair Melton opened the public hearing.

Roger Griffin, with Paragon Design Group representing the applicants, discussed the reasoning behind and benefits of initiating the General Plan Amendment (GPI) study.

Joseph Cammarata, a Sunnyvale resident living near the subject property, discussed his opposition to the request and expressed concern with the current traffic situation. Chair Melton confirmed with Mr. Cammarata that there is no driveway into the subject property on Azure Street.

Joe Vojvoda, a nearby Sunnyvale resident, discussed his concern with the liquidambar trees on the subject site and requested that they be removed if a General Plan Amendment (GPA) is approved. Comm. Simons and Mr. Vojvoda discussed the frequency with which a resident can request removal of a

liquidambar tree.

Mr. Griffin addressed Commissioners' and neighbors' concerns.

Chair Melton closed the public hearing.

Comm. Klein moved to recommend to City Council Alternative 1 to initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R 1.5, R 1.7 and R 2.

Comm. Olevson seconded.

Comm. Klein said this is a transitional property when you are looking at the density north and south of it, and that changing the configuration and closing down that driveway exit onto Sunnyvale-Saratoga Road would be a big benefit in the long run if and when this property is developed in the future. He said this is one step toward staff and Council looking at the request to change the zoning designation on the property, and that removing the driveway and adding homeownership opportunities in the neighborhood is a positive change. He said he understands the neighbor's concern about density, and that he would like staff to look at working with other departments to determine what issues are happening here and whether traffic calming measures should be put in place to alleviate some of the issues with pass through traffic coming into this neighborhood. He said rezoning the property is in line with General Plan goals and is appropriate for this site.

Comm. Olevson said he is supporting the motion based on the comments of the owner wanting to upgrade this area, and that having a transitional property makes sense, but that he does not know that with certainty. He said hearing the comments from the neighbors, it is clear that we have many unknowns and a study is entirely appropriate to determine if this makes sense for Sunnyvale and this neighborhood. He said because we are not here to discuss a specific design, a study of transitional zoning makes sense.

Comm. Simons said he will be voting against the motion partly because when you study it you do change it, mostly if it is converted to a different designation. He said this is potentially a lost opportunity for a large lot house which is rare, and he feels the same way with industrial areas that get coverted to housing. He noted that he is not against the Industrial-to-Residential (ITR) designation and has watched the City convert large sections, but that large contiguous areas are a rare thing, and we

lose the ability to host large corporate headquarters when that land is lost. He said here we are creating more of the same housing that is very plentiful in the City, and that it may not even be appropriate to get a 6,000 square foot house or two smaller homes connected as one place. He said he is not expecting four houses but five houses on this site because that is what the zoning allows, and he recommended staff look into having the liquidambar trees taken out.

Chair Melton said he will be supporting the motion and quoted Mayor Jim Griffith who has said he loves studying things especially when he does not have to pay for them. He noted that the fiscal impact of developing the property and the California Environmental Quality Act (CEQA) requirements will be covered by the applicant. He said he supposes it is worth studying a zoning change of one lot that is adjacent to another, but that the prospect of this change is very underwhelming. He said some good could come out of it by getting a driveway off of Sunnyvale-Saratoga and getting some traffic calming measures in place, but he will reserve judgment until a later time. He added that he is willing to study it and that would be his recommendation to City Council.

MOTION: Comm. Klein moved to recommend to City Council Alternative 1 to initiate a General Plan Amendment study to consider changing the site designation from Residential Low Density (RLO 0-7 dwelling units per acre) to Residential Low Medium Density (RLM 7-14 dwelling units per acre), and to consider possible RLM zoning designations of R 1.5, R 1.7 and R 2.

Comm. Olevson seconded. The motion carried by the following vote:

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Klein
Commissioner Rheaume

No: 1 - Commissioner Simons

City of Sunnyvale

Agenda Item

15-0373 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
Discussion and Direction on Study Issue and Report Related to Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations (Study Issue DPS 15-0102)

REPORT IN BRIEF
At the Study Issues Workshop on February 19, 2015, Council directed staff to conduct a study, on car and ride share impacts on taxicab franchises and review of taxicab franchise regulations (DPS 15 -0102). The necessity for the study stemmed from the increased presence and popularity of car/ride share businesses, known as Transportation Network Companies ("TNCs"), and concerns raised by local taxicab franchises that City regulation of taxicabs is more stringent than rules imposed on TNCs, giving TNCs an unfair business advantage.

Sunnyvale Municipal Code (SMC) Section 5.36. Taxicabs regulates taxicab franchises, seeking to achieve reasonable assurance of driver, passenger safety and risk reduction, and a predictable fee structure. TNCs are regulated at the State level by the Public Utilities Commission (PUC).

The firm Harvey M. Rose Associates, LLC (Consultant) was selected to conduct the study based on their experience analyzing municipal transportation issues, studying the effect of regulatory requirements, and analyzing the impact of "sharing economy" innovations on local businesses, residents, and government agencies. Recently, the Consultant conducted policy analysis of the impact of transportation network companies (TNCs) in the City and County of San Francisco.

The primary objectives of the study were to: 1) compare the profiles of the Sunnyvale taxicab franchises with those of car/rideshare businesses, including the differences, benefits and challenges and risks; 2) assess the impact of car/rideshare businesses on Sunnyvale taxicab franchise businesses; 3) review and compare the City's current taxicab franchise requirements with those of neighboring cities; and 4) review and compare regulatory developments related to taxicabs that have taken place in other jurisdictions.

The purpose of this Report to Council is to summarize the key findings and policy options of the study (Attachment 1), and to provide staff recommendations and receive direction from the Council for future action.

BACKGROUND
As early as 2007, rideshare companies were forming across the United States, the original model being an online service for people travelling long distances and pooling resources to save costs. Car/ride share businesses rapidly evolved as the use of smart phones provided a platform for passengers to connect with potential drivers. Two of the more commonly known rideshare providers, Uber and Lyft, have their headquarters in San Francisco and launched their smartphone application-

based services in 2011 and 2012, respectively.

Uber has recently established an Uber Activation Station in Sunnyvale. The activation station, located on the corner of Mathilda and San Aleso, provides prospective Uber drivers with “one stop” services for completing the process of becoming an Uber driver. Uber employees at the site perform background checks, a 19-point vehicle inspection, and assist new drivers with installation of Uber applications/products on their phones and in their vehicles.

In 2013, the California Public Utilities Commission (PUC) classified ride sharing services as charter-party carriers and asserted jurisdiction over them as Transportation Network Companies (“TNCs”). Thus, the PUC regulates these businesses in California. Cities and municipalities cannot regulate TNCs but continue to regulate local taxicab franchises.

Sunnyvale, like other cities in the area, has a long history of regulating taxicab franchises. Franchises are granted to companies by City Council while the Department of Public Safety (DPS) administers the issuance of biennial franchise permits, performs criminal background investigations and annual vehicle inspections, and evaluates driver proficiency. If a franchisee is not in compliance with the provisions of the Municipal Code, DPS staff takes appropriate action to ensure compliance or revoke the franchise license.

Taxicab franchises in Sunnyvale are an important component of the transportation network that serves the community and continue to provide advantages to the public, including:

- Safety of vehicles. The annual vehicle inspection provided by DPS is a 32-point inspection performed by an experienced traffic officer. TNCs generally require a less rigorous inspection. Taxicab franchises must provide proof of insurance that meets requirements established by the City of Sunnyvale Risk Manager: currently, the liability limit must be $1 million and the insurance carrier must be rated A-VII.
- Uniform Fares. Taxicab franchises are required to conform to fares that are on file with DPS. TNCs have a fare model known as “surge fares”, where the cost of a ride could escalate from the time the ride is booked, depending on weather and traffic conditions, and with no set limits.
- Driver proficiency/background. The driver test that is administered by DPS validates the driver’s knowledge of traffic laws, familiarity with the streets of Sunnyvale, and ability to properly and safely operate a taxicab. The background investigation performed by DPS provides information shared by law enforcement agencies not readily available to private companies such as TNCs, and could identify a potential risk to the public;.

There are currently six operating taxicab franchises in the City of Sunnyvale, although in recent years there have been as many as eight. At last count, those six companies employed seventy one drivers and vehicles. Revenue from Taxicab Franchise operations in the past two fiscal years (FY 2013/14 and FY 2014/15) was $32,622 and $9,550, respectively (taxicab franchise licenses fees are assessed every two years).

Local taxicab franchise owners expressed concerns that the City’s requirements are much more rigorous than other cities and PUC requirements for TNCs, and that the current economic climate makes it difficult for them to retain drivers in the City, which they believe could eventually force them

to cease operation in Sunnyvale.

Some of the key findings of the study completed by the Consultant are highlighted below:

1) There have been some downtrends in the City's taxi industry since the introduction of TNC service; however, there is no empirical evidence to support a direct causal relationship between the establishment of TNC services and a drop in taxicab fee revenues.
2) There are more barriers and costs to becoming a taxi driver than there are to becoming a TNC driver, including passing a proficiency test, submitting fingerprints for a criminal background check, and paying the cost of a driver application fee.
3) To operate in more than one city, taxicab franchises must be licensed by multiple jurisdictions; the various barriers and costs associated with that requirement result in a greater regulatory burden on taxicab franchisees.
4) A comparison of the City's taxicab fees and regulations with neighboring jurisdictions indicated some inconsistency in certain areas, particularly with regard to vehicle inspection fees. Sunnyvale has higher fees than neighboring jurisdictions.
5) Sunnyvale also appears to have more burdensome regulations than the five other surveyed jurisdictions (Cupertino, Mountain View, Palo Alto, San Jose, and Santa Clara) in two areas: the process for award of franchises, and the policy governing the term of driver permits.
6) Other local jurisdictions in California either have conducted or are continuing to conduct a review of their taxicab rules and regulations in response to the impact of the TNC industry.

EXISTING POLICY

General Plan

Chapter 6: Safety and Noise (SN):

Goal SN-3 Safe and Secure City

Ensure a safe and secure environment for people and property in the community by providing effective Public Safety response and prevention and education services.

Chapter 3: Land Use and Transportation (LT):

Goal LT-5 Effective, Safe Pleasant and Convenient Transportation

Attain a transportation system that is effective, safe, pleasant and convenient

Policy LT-5.5

Support a variety of transportation modes

ENVIRONMENTAL REVIEW

Environmental review does not apply because this study only evaluates current conditions and no formal action is being proposed at this time.

DISCUSSION

Consultant findings include nine policy options for consideration by City Council, discussed below. Overall, staff agrees that the City should consider and implement changes to maintain a reasonable and stable regulatory environment that does not compromise the safety and security of the community.

1) The City Council could consider lowering the vehicle inspection fee charged to taxicab franchises to an amount that is closer to the average or median of the surveyed neighboring jurisdictions.

2) *The City Council could consider revising the schedule of vehicle inspection charges from the current charge of $116 per quarter to an annual fee, which could be prorated. Shifting this charge from a quarterly payment to an annual fee would reduce the regulatory burden on taxicab franchises and provide an opportunity for greater administrative efficiency for the Department of Public Safety.*

3) *The City Council could consider extending the length of the driver's permit from one year to two years, which would be consistent with four of the five neighboring jurisdictions that we surveyed. This revision would reduce the regulatory burden on taxicab franchises and drivers.*

Staff Response: Recommendations 1- 3 would require analysis of the current fee schedule with respect to cost recovery for activities associated with vehicle inspections and driver permitting. Staff conducts periodic analysis and audit of fees during the course of standard operations, so this activity would not place an undue burden on staff or require additional resources to complete.

An initial review of the cost basis for this fee indicates that minor changes to the current process could likely create efficiencies and result in lower fees to franchise holders. For example, collecting inspection fees annually instead of quarterly and extending the length of a driver's City-issued permit from one to two years, so long as sufficient controls exist to ensure that drivers remain in compliance with code requirements throughout the longer periods.

Staff does not recommend lowering the standard for taxi safety inspections, which is currently a 32-point safety inspection by a DPS Traffic Officer. The standards of safety should remain intact to protect the public and conform to the citywide goal of a safe and secure environment; neighboring cities perform similar inspections to ours.

The table below is a sample of some of the data collected by Consultant and staff. It illustrates the existing fees and standards of surrounding cities as compared to current regulations in Sunnyvale. Although insurance requirements were not included in the Consultant's policy recommendations, they are included here to address questions that arose as a result of communications from taxi franchise owners. With regard to insurance requirements, it should be noted that effective July 1, 2015, California law (AB 2293) mandates that all TNC companies/drivers maintain liability insurance coverage in the amount of $1 million.

Regulation	Sunnyvale	Cupertino	Mountain View	Palo Alto	San Jose	Santa Clara
Driver Permit Term	1 year	2 years	2 years	1 year	2 years	2 years
Vehicle Inspection Fee/Taxicab Permit Fee	$ 464/ Vehicle/ year	$ 126/ Vehicle/ year	$ 205/ Vehicle/ 2 year permit	$ 33/ Vehicle/ year	$ 98/ per inspection	$ 58/ per inspection
Frequency of Vehicle Inspections	Annual - On or before March 1	No Inspection Requirement Specified	Annual Mechanical Safety Inspection by Certified 3rd Party	Annual by City	Annual by City plus Mechanic Certification	Annual by City plus Mechanic certification

Driver's Test Required	(1) Proficient knowledge of traffic laws of City & State, (2) Proficient knowledge of streets of Sunnyvale; (3) ability to read, understand, & communicate in English; and (4) ability to properly and safely operate a taxi	(1) Evidence a proficient knowledge of traffic laws of City & State	None	None (Palo Alto Police indicated in a phone conversation that they wished there was a driver's test)	(1) Proficient knowledge of traffic laws of City & State, (2) Proficient knowledge of streets of San Jose; (3) ability to read, understand, & communicate in English; and (4) ability to properly and safely operate a taxi	(1) Demonstrate proficient knowledge of State & City Traffic Laws (2) Map test (per Santa Clara City Police Department
Minimum Insurance Requirement	AM Best Rating of at least A:VII; Owner & all drivers insured against liability for property and bodily injury/death; Not less than $1 million combined per incident for each vehicle	$100k for injury/death of 1 person; $300k for injury death of more than 1 person; $50k for property per incident	Insurers w/current Best Rating of A:VII Commercial general liability/auto liability of $1 million per occurrence; Worker's Comp insurance of $1 million per accident	Best's Key Rating of not less than A:VII; Minimum $600k combined single limit per occurrence	Rating is at the discretion of the City Risk Manager: requires monitoring. A:VII or greater rated carrier is not flagged for review. Airport: TNC's and taxis are required to maintain $1 million liability, plus a Code 10 endorsement Citywide: $750k liability	AM Best rating of at least A:VII Minimum $1 million per incident for each vehicle

4) *The City Council could consider requesting the Director of Public Safety and the City Manager to participate in a regional effort to establish a single set of regulatory requirements in the area by advocating for the County of Santa Clara to regionalize taxicab franchise regulatory requirements. This would reduce the regulatory burden on taxicabs, and increase efficiencies across the County.*

Staff Response: DPS has participated in regional collaboration on many issues related to emergency response and law enforcement activities and would support any effort initiated by the County of Santa Clara, or a partnership of County cities, to regionalize regulatory taxicab requirements. A primary factor that would influence participation in any future local collaboration would be the cost of staff time and resources that would be required, weighed against the long term benefits to the City.

5) *The City Council could consider revising the City's process for awarding and transferring taxicab franchises by extending the length of franchise awards and delegating renewal authority to the Director of Public Safety. Delegating responsibility for pre-determined renewal periods would make the City's process for awarding taxicab franchises consistent with other cities in Santa Clara County, could reduce the regulatory burden on prospective taxicab franchisees, and reduce administrative costs associated with work performed by City staff and City Council when reviewing applications for taxicab franchises that have expired.*

Staff Response: Sunnyvale City Charter Sections 1600-1604 require Council approval by ordinance to operate a franchise, including taxicab franchises. Under the Charter, the City Council cannot delegate the authority to grant franchises, but Council could lengthen the term of franchises with appropriate periodic administrative review.

SMC Section 5.36 establishes the current process for granting taxicab franchises, which includes a public hearing for the initial taxicab franchise as required by the charter, which may be granted for up to two years, and a public hearing for each renewal term of that permit, also for periods of two years per renewal. Chapter 5.36 could be amended to extend franchise terms.

Extending the length of the franchise would impact revenue from taxicab fees; however, staff anticipates that the overall fiscal impact would be balanced by the reduced operational cost for processing applications and renewals. Sufficient controls should be put in place to ensure that franchisees remain in compliance with all requirements of SMC Chapter 5.36 during the entire term of any franchise award and renewal period.

6) *The City Council could consider requesting the City Finance Director or City Manager or City Attorney to investigate whether TNCs and TNC drivers based in Sunnyvale meet the requirements to pay business license tax in the City of Sunnyvale*.

Staff Response: Whether an individual is subject to the City's business license tax depends in part on employment status, which is currently an unresolved issue statewide for TNCs. There are pending lawsuits in the state of California that dispute the classification of TNC drivers as independent contractors and argue that they are employees. Further, TNCs are classified as charter-party carriers along with limousine services, and Public Utility Code §5371.4 exempts limousine services from paying business license tax unless they are domiciled or maintain a business office in the city. Staff will continue to monitor this issue, but immediate changes are unlikely until the employment classification issues for TNC drivers are closer to resolution.

7) *The City Council could consider directing staff to study or consider the allotment of downtown curb space for all for-hire vehicles including TNCs and whether vehicles regulated by the City should receive priority spaces. As part of this study, the City Council could direct staff to also contact Caltrain to determine if additional enforcement is necessary for the taxi stand at the two Sunnyvale Caltrain stations.*

Staff Response: The Caltrain parking lot, a key area for for-hire transportation, is not under the City's jurisdiction. A review of the Sunnyvale Downtown Parking District map does not indicate that there are any current or planned priority spaces for for-hire vehicles. Staff does not recommend any action related to this option at this time, as there is currently no area in the City, aside from the Caltrain station, where for-hire vehicles compete for parking spaces.

8) *The City Council could consider lowering the minimum number of taxicabs required to be maintained by each franchisee from five vehicles to lower the barrier to entry into the market for prospective taxicab franchisees*.

Staff Response: Taxicab franchise owners have asserted throughout the course of this study that the five driver/vehicle minimum in Sunnyvale Municipal Code 5.36.050(a)(7) is becoming increasingly difficult to maintain. Franchise owners inform us that entry into the market as a TNC driver is far easier and less costly than obtaining a taxicab driver permit. Additionally, loss of one driver could result in revocation of the franchise.

This is one area where a change in the Municipal Code might help to equalize market conditions

that have created external pressure on a long standing business enterprise (taxicab franchises). Further analysis of the minimum driver requirement could be conducted by staff to determine if it is possible to maintain the level of services currently available to the community with regard to available transportation, and at the same time provide some relief from the regulatory burden for taxicab franchises.

9) *The City Council could consider other revisions to the City's taxicab code to reflect current technologies and cultural norms, including:*
   a. *Revising the requirement for operable transmitters and receivers for contact with the driver's dispatch to include mobile phones and/or smart phone applications.*
   b. *Advising that the daily trip manifest could be kept in an electronic or online format.*
   c. *Removing the requirement that a uniform be worn by the drivers of taxicabs*.

Staff Response: Updates to permit use of current technology, including mobile phones as an option for communication with dispatch and electronic trip manifests, makes sense and would help close some of the gaps that currently exist between taxicabs and TNCs. Neighboring cities do not require taxicab drivers to wear a uniform, and this is a reasonable requirement to eliminate.

In summary, staff review of Consultant study findings concludes that there is sufficient cause for further evaluation and amendment of Sunnyvale Municipal Code, Section 5.36 (Taxicabs), as it relates to policy options 1, 2, 3, 5, 8 and 9 presented in this report.

FISCAL IMPACT

Revisions to the SMC Chapter 5.36 (Taxicabs) will prompt analysis and revision of the City Fee Schedule as it pertains to Taxicab Franchise licenses, vehicle inspections, and driver permits. Some of the proposed policy revisions will result in reduced revenue; however, since all fees are calculated on a cost-recovery basis, the net impact to the General Fund will be negligible.

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 prepare an ordinance amending Sunnyvale Municipal Code, Section 5.36 Taxicabs, in consideration of Consultant study findings and policy options 1, 2, 3, 5, 8 and 9 as presented in this report.
2. Other actions as identified by Council.

STAFF RECOMMENDATION

Alternative 1: Direct staff to prepare an ordinance amending Sunnyvale Municipal Code, Section 5.36 Taxicabs, in consideration of Consultant study findings and policy options 1, 2, 3, 5, 8 and 9 as presented in this report.

Prepared by: Elaine Ketell, Management Analyst
Reviewed by: Frank J. Grgurina, Director of Public Safety
Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Study of Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations
2. Study Issue DPS 15-0102

ATTACHMENT 1

Study of Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations

Report to the City Council

City of Sunnyvale

Harvey M. Rose Associates, LLC

http://www.harveyrose.com

August 3, 2015

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public sector management consulting

HMR

August 3, 2015

Mayor Jim Griffith;
Members of the City Council
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088

Dear Mayor Griffith and Members of the City Council:

Harvey M. Rose Associates, LLC is pleased to present this *Study of Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations.* This report was prepared pursuant to Council Agenda Item 15-0102, study issue DPS 15-02, dated January 30, 2015. This report contains four sections of study findings including: (1) a profile comparison of Sunnyvale taxicab franchises with those of car/rideshare businesses (transportation network companies); (2) an assessment of the impact of car/rideshare businesses on Sunnyvale taxicab franchise businesses; (3) a review and comparison of the City's current taxicab franchise requirements with that of neighboring cities; and, (4) a review and comparison of regulatory developments that have taken place in other jurisdictions. This report also provides nine policy options for consideration by the City Council.

Thank you for providing our firm with the opportunity to conduct this study for the City Council of the City of Sunnyvale.

Sincerely,

Daniel Goncher
Project Manager

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Summary of Requested Action

Pursuant to Council Agenda Item 15-0102, study issue DPS 15-02, dated January 30, 2015, Harvey M. Rose Associates, LLC has conducted a study of the impacts of car/ride share companies on taxicab franchises and a review of taxicab franchise regulations. As requested, this report includes: (1) a profile comparison of Sunnyvale taxicab franchises with those of car/rideshare businesses, including the differences, benefits, challenges, and risks; (2) an assessment of the impact of car/rideshare businesses on Sunnyvale taxicab franchise businesses; (3) a review and comparison of the City's current taxicab franchise requirements with that of neighboring cities; and, (4) a review and comparison of regulatory developments that have taken place in other jurisdictions. This report also provides policy options for consideration by the City Council.

Executive Summary

- Transportation Network Companies (TNCs) provide for pre-arranged transportation services for compensation through online-enabled applications or platforms (such as smart phone apps) that connect passengers with drivers who provide the services in their personal vehicles.
- The TNC industry is relatively new. The industry name was formally established in September 2013 by the California Public Utilities Commission (CPUC) when it adopted the first set of State regulations specifically governing these businesses in California. The CPUC asserted jurisdiction over TNCs by classifying them as charter-party carriers, or transportation providers that provide pre-arranged services for a fee and are subject to regulation by the CPUC. Limousines and many shuttle services are examples of charter-party carriers. By asserting its authority over TNCs, the State has precluded regulation of these companies by cities and counties. Unlike TNCs, State law delegates authority for regulation of taxis to cities or counties since taxis are not classified as charter-party carriers because their services can be pre-arranged *or* on demand such as hailing a cab on the street. The Department of Public Safety regulates the industry in Sunnyvale to provide a reasonable assurance of driver and passenger safety, consumer protection, and risk reduction.
- As of May 2015, there were 71 permitted taxi drivers in Sunnyvale that operated 71 certified and permitted taxicab vehicles, according to the Department of Public Safety. The number of TNC drivers based in Sunnyvale is unknown as this information is not required to be reported to the State, the City or any other public authority. Uber (one of the largest TNCs) announced in April 2015 that it had exceeded 20,000 drivers providing service in the Bay Area. Comparisons between the two industries and some of their regulations are shown in Exhibit 1.
- The emergence and rapid growth of Transportation Network Companies (TNCs) in Sunnyvale and elsewhere in recent years has created job opportunities for numerous individuals using their personal automobiles and has enabled residents and visitors with smartphones to more easily utilize a greater supply of for-hire transportation options than provided by the taxi industry alone. For drivers, the industry offers easier entry to jobs compared to the taxicab industry as well as more flexibility.

Exhibit 1: Comparative Characteristics and Regulations
Taxi Industry vs. Transportation Network Companies

	Taxi Industry ***(regulated by the Sunnyvale Department of Public Safety)***	**Transportation Network Companies (TNCs)** ***(regulated by California Public Utilities Commission)***
# Vehicles	71	Unknown (Uber has exceeded 20,000 drivers in the Bay Area as of April 2015)
# Drivers	71	Unknown (Uber has exceeded 20,000 drivers in the Bay Area as of April 2015)
# Companies	6 operating[1]	6 operating in the Bay Area
Extent of required criminal background checks	Each driver's entire adult history through fingerprints.	Most recent 7 years
Extent of DMV record background checks	5 years	Up to 7 years
Training/Testing requirements	One written test covering the taxi code, DMV handbook, State vehicle code, and geography of Sunnyvale	TNCs are required to provide training but no specific content or exam is required in State regulations.
Liability insurance requirements	Taxi companies must carry a minimum of $1 million combined single limit for bodily injury, death, and damages per occurrence for each vehicle. This level of coverage is applicable to the entire time a driver is on duty, whether a passenger is in the vehicle or not.	Period 1 (When the driver has the app open and is looking for passengers): TNC must provide $50k death & personal injury per person; $100k death & personal injury per incident $30k for property damage; $200k in excess coverage Period 2 (When driver has accepted a match but before passenger is in the vehicle & Period 3 (when the passenger is in the vehicle): TNC must provide primary commercial insurance of $1 million for death, personal injury, & property damage Period 3 (when the passenger is in the vehicle): TNC must also provide uninsured and underinsured motorist coverage of $1 million
Workers' compensation insurance	Taxi companies are not required to provide for drivers under City code and State law is ambiguous on the matter..	TNCs are not currently required to provide for drivers as they and the CPUC consider drivers independent contractors. However, TNCs are facing multiple lawsuits challenging the status of their drivers.

[1] Two taxicab companies are currently suspended from operating in the City. If those companies were not suspended, the City would have eight operating franchises.

	Taxi Industry ***(regulated by the Sunnyvale Department of Public Safety)***	**Transportation Network Companies (TNCs)** ***(regulated by California Public Utilities Commission)***
Current Rates	▪ $3.00 or $3.50 for pick up ▪ $0.30 per 1/10 mile ▪ $30.00 waiting fee per hour (not while in traffic) ▪ No fare minimums	Average rates in Sunnyvale (not including surge prices): ▪ $2.53 base fare/pick-up fee ▪ $1.33 per mile ▪ $0.27 per minute ▪ $1.25 safety fee ▪ $5.33 minimum fare
Rate Comparison Scenario (Fremont High School to Sunnyvale Caltrain Station)[2]	$9.90 Estimated Total	$9.00 Estimated Total (Assumes no "surge" pricing)

- TNC services began in Silicon Valley in 2013 with the launch of UberX service in July and Lyft service in October of that year. At least for one taxi franchise in Sunnyvale, there was a drop in the number and amount of taxicab fares in Sunnyvale during the two year period since TNC service was launched in Silicon Valley. In addition, during this period there was a drop in the number of registered Sunnyvale taxi drivers and vehicles according to data provided by the Department of Public Safety. However, it is unclear whether the introduction of TNC service in Sunnyvale caused these downward trends for the City's taxi industry.
- Unlike TNCs, which are regulated by the CPUC, taxicab companies in California that wish to operate in an area like Silicon Valley, which is made up of numerous jurisdictions, must adhere to the regulations, fees, and permitting processes of each city or county in order to pick up fares in that jurisdiction (taxi companies may drop off in cities other than where they are licensed). The need to be licensed by multiple jurisdictions causes a larger regulatory burden on taxicab franchises and drivers that choose to operate in numerous cities even though they are providing similar services as TNCs.
- There are more barriers and costs to become a taxi driver in Sunnyvale (and most other local jurisdictions) than to become a TNC driver. These additional barriers include having to pass proficiency tests, submitting fingerprints for a criminal background check, submitting a driver permit application, and paying (or arranging for a taxicab franchise to pay) for the driver application fee.
- A comparison of Sunnyvale's taxicab fees with surveyed neighboring jurisdictions[3] found that the City's taxicab permit (vehicle inspection) fees are about seven times the median and more than six times the average charged by the surveyed neighboring cities. Additionally, unlike all of the neighboring cities we surveyed, Sunnyvale charges its vehicle inspection fees on a quarterly basis rather than annually, biennially, or per inspection. On the other hand, our survey found that the City's taxicab franchise fees, taxi driver permit fees, and business license fees are close to the median amounts of the neighboring cities.

[2] A hypothetical scenario was created, utilizing Google Maps, to estimate the difference in costs to a rider between a taxi fare and an average TNC fare. Google Maps showed that a ride from Fremont High School to the Sunnyvale Caltrain Station would span the distance of 2.3 miles and take about eight minutes.

[3] Neighboring jurisdictions we surveyed include San Jose, Santa Clara, Mountain View, Palo Alto, and Cupertino.

- A comparison of City of Sunnyvale's taxicab regulations found that unlike all other surveyed neighboring jurisdictions[4], the City awards and considers transfers of taxicab franchises through public City Council hearings. The surveyed neighboring jurisdictions award taxicab franchises through an administrative review or hearing managed by their city managers or police chiefs. This provides additional oversight by the City, but also places a higher regulatory burden on applicants.
- Sunnyvale's Taxicab Code (Municipal Code Chapter 5.36), which was most recently updated in 2012, does not completely reflect current technologies and cultural norms. For instance, the Taxicab Code requires the use of operable transmitters and receivers in every taxicab vehicle for contact with the driver's dispatch, but this does not explicitly include the use of mobile phones. Further, the Code requires a daily trip manifest to be kept by every taxi driver, but does not specify that this could be kept in an electronic format and/or through third-party mobile applications (apps). Additionally, the Taxicab Code requires prospective franchisees to provide a description of the proposed uniform to be worn by drivers of applicant's taxicabs, but uniforms for taxicab drivers is a fairly unusual practice in the United States.
- It has been suggested that TNC drivers are independent contractors and might be subject to Business License Tax (Chapter 5.04 of the Municipal Code). However, PUC Code §53714 exempts limousine services from paying business license taxes unless they are domiciled or maintain a business office in the city. It could be argued that this exemption carries over to TNC's as they are categorized similarly by the PUC as charter-party carriers.
- Some other local jurisdictions in California are reviewing their taxicab rules and regulations in response to the emergence of the TNC industry. For instance, the Santa Monica City Council has directed staff to review its ordinances and rules and regulations as they apply to its taxi franchise programs including the allotment of curb space in the downtown area for all for-hire vehicles, inclusive of TNC drivers. In addition, the City of Long Beach took action in May 2015 to relax some of its taxi regulations including: (1) eliminating minimum taxi fares; (2) enabling taxicabs to offer free or discounted rides; (3) increasing the City's cap on each franchisee's fleet size; and, (4) enabling taxicab franchises to implement a mobile app for customer pick-ups.

Policy Options for Consideration by the City Council

We offer the following policy options for consideration by the City Council if the Council wishes to address the apparent decline in taxicab fares and drivers that has occurred in the last two years. The policy options are based on this report's comparison of Sunnyvale taxicab franchises with those of TNCs, our assessment of the impact of the TNCs on Sunnyvale taxicab franchise businesses, our comparison of the City's current taxicab franchise requirements with those of neighboring cities, and reviews and comparisons with regulatory developments that have taken place in other jurisdictions.

1. The City Council could consider lowering the vehicle inspection fee charged to taxicab franchises from its current $116 per quarter ($11,600 for five vehicles over five years) to an

[4] We were unable to confirm the process for awarding taxicab franchises in Mountain View as the City did not respond to multiple inquiries.

amount that is closer to the $1,560 average or $1,450 median cost (for five vehicles over five years) of five surveyed neighboring jurisdictions.

2. The City Council could consider revising the schedule of vehicle inspection charges from the current charge of $116 per quarter to an annual fee, which could be prorated. Shifting this charge from a quarterly payment to an annual fee would reduce the regulatory burden on taxicab franchises and provide an opportunity for greater administrative efficiency for the Department of Public Safety.
3. The City Council could consider extending the length of the driver's permit from one year to two years, which would be consistent with four of the five neighboring jurisdictions that we surveyed. This revision would reduce the regulatory burden on taxicab franchises and drivers.
4. The City Council could consider requesting the Director of Public Safety and the City Manager to participate in a regional effort to establish a single set of regulatory requirements in the area by advocating for the County of Santa Clara to regionalize taxicab franchise regulatory requirements. This would reduce the regulatory burden on taxicabs, and increase efficiencies across the County.
5. The City Council could consider revising the City's process for awarding and transferring taxicab franchises by extending the length of franchise awards and delegating renewal authority to the Director of Public Safety. Delegating responsibility for pre-determined renewal periods would make the City's process for awarding taxicab franchises consistent with other cities in Santa Clara County, could reduce the regulatory burden on prospective taxicab franchisees, and reduce administrative costs associated with work performed by City staff and City Council when reviewing applications for taxicab franchises that have expired.
6. The City Council could consider requesting the City Finance Director, City Manager, or City Attorney to investigate whether TNCs and TNC drivers based in Sunnyvale meet the requirements to pay business license tax in the City of Sunnyvale.
7. The City Council could consider directing staff to study or consider the allotment of downtown curb space for all for-hire vehicles including TNCs and whether vehicles regulated by the City should receive priority spaces. As part of this study, the City Council could direct staff to also contact Caltrain to determine if additional enforcement is necessary for the taxi stand at the two Sunnyvale Caltrain stations.
8. The City Council could consider lowering the minimum number of taxicabs required to be maintained by each franchisee from five vehicles to a lesser amount to lower the barrier to entry into the market for prospective taxicab franchisees.
9. The City Council could consider other revisions to the City's taxicab code to reflect current technologies and cultural norms, including:
    a. Revising the requirement for operable transmitters and receivers for contact with the driver's dispatch to include mobile phones and/or smart phone applications;
    b. Advising that the daily trip manifest could be kept in an electronic format and by third party operators; and,
    c. Removing the requirement that a uniform be worn by the drivers of taxicabs.

Background: Taxi and TNC Industries in Sunnyvale

The following sub sections provide an overview of the taxi and TNC industries in Sunnyvale, including their estimated size and regulatory structure. A summary of these differences is provided in Exhibit 3 below.

Overview of the Taxi Industry in Sunnyvale

As defined by State law, City code, and City staff, taxicabs that are licensed to engage in the business of transporting passengers for hire can provide their services for up to eight passengers per vehicle within Sunnyvale and to and from other locations outside Sunnyvale. Taxis licensed in other cities may drop off but cannot pick up passengers in Sunnyvale. Taxis may provide ride services to customers on a pre-arranged basis (e.g. through a company's central dispatch system) or on an on-demand basis (e.g. being hailed from a sidewalk or at a taxi line such as at a Caltrain station). Under State law, taxicab transportation services must be regulated at the local city and/or county level.[5] In Sunnyvale, taxicab services are regulated by the Department of Public Safety under Chapter 5.36 of the City's Municipal Code. In addition, the Sunnyvale City Charter, Section 1600 et seq., requires that taxicab service providers obtain a franchise in order to operate in Sunnyvale. The Charter further requires that the City Council grant franchises by ordinance. The procedure for granting franchises must include provisions for public notice and protest hearings. The City Manager is authorized to approve "technical non-substantive amendments." Therefore, under the Charter, the City Council cannot delegate the authority to grant franchises to staff, but the Charter does not appear to preclude the Council from adopting a process where the City Manager or Director of Public Safety approve renewals of a franchise within pre-determined time periods established by the Council.

As of May 2015, there were 71 taxi driver permit holders authorized to operate by the City of Sunnyvale (the City). There are currently six independent taxi companies permitted to operate in the City with 71 vehicles in operation. Details of the City's taxi franchises and the number of drivers that each has are shown in Exhibit 2 below. The City requires taxi companies and drivers to obtain permits and pay certain fees in order to operate taxicabs. Every taxicab in operation must be inspected at least once per year by the first of March.

[5] California Government Code Section 53075.5

Exhibit 2: Summary of Sunnyvale Taxicab Industry

Company	Number of Drivers	Number of Vehicles	Other Cities Served
Green Cab	7	7	San Jose, Santa Clara, Mountain View
Silicon Valley Cab	8	6	Santa Clara, Mountain View
Orange Cab	12	11	San Jose, Santa Clara, Palo Alto
Silicon Valley Checker Cab	35	37	San Jose, Santa Clara, Palo Alto, Los Gatos
California Cab	4	5	San Jose, Palo Alto
Yellow Cab Peninsula	5	5	San Jose, Palo Alto
Total	**71**	**71**	

Source: Sunnyvale Department of Public Safety

The City's Municipal Code sets forth several requirements for the taxicab industry. Major regulations of the taxi industry in Sunnyvale under this code include:

- **Driver Experience, Background Checks, Testing, and Training:** The Municipal Code requires all applicants for taxi driver permits to submit fingerprints to the License/Permits Unit, which provides the Agency access to the applicants' entire adult criminal history through the California Department of Justice and the Federal Bureau of Investigation (FBI). The Municipal Code also requires taxicab franchises to maintain a mandatory controlled substance and alcohol testing certification program for all drivers. Further, the Department of Public Safety reviews the driver's Department of Motor Vehicles (DMV) history for the preceding five years. Applicants for taxi driver permits must also pass an exam, which covers the City's Taxicab Code, information from the DMV handbook, the State's Vehicle Code, and the geography of the City.

- **Insurance:** All taxicab companies must carry a policy of insurance in a form deemed proper by the City Attorney with an A.M. Best rating of at least A:VII. The insurance policies must provide auto liability coverage of a minimum of $1,000,000 per occurrence combined single limit for bodily injury to or death of any persons and for damages to or destruction of property in any one accident. Further, taxicab companies must maintain insurance that covers all vehicles.

- **Workers' Compensation:** The Sunnyvale Municipal Code does not require taxi companies to carry workers' compensation insurance for their drivers and State law is ambiguous regarding whether taxicab franchises are required to provide workers' compensation for all employees. Although the Internal Revenue Service and the California Franchise Tax Board consider taxi drivers independent contractors, the Courts have ruled[6] that taxi drivers are employees for the purposes of workers compensation. Despite this decision, most taxi companies continue to regard their drivers as independent contractors.

[6] Yellow Cab Cooperative, Inc. v. Workers' Comp. Appeals Board (1991) 226 Cal.App.3d 1288.

- **Pricing:** The Municipal Code requires that all taxicabs install taxi meters that have been inspected annually by the County Department of Weights and Measures. Further, taxi companies may only charge fees and rates that are approved by the Department of Public Safety for the company, and such fees and rates must be posted in a conspicuous place in a permanent and secure manner in the passenger compartment.

  Currently, the fares charged by taxicab franchises in Sunnyvale are mostly uniform. Most charge a pick up fee of $3.50 (one company charges a pick up fee of $3.00) and charge $0.30 per 1/10 mile with gas surcharges of $0.50 increments when gas reaches $4.50, $5.00, $5.50 per gallon, etc. as shown in the AAA Daily Fuel Gauge Report. Additionally, all Sunnyvale taxicab franchises charge a waiting time fee of $30.00 per hour and provide for a 10%-15% discount for disabled passengers and/or passengers over the age of 65.

- **Paratransit Services:** Under the federal Americans with Disabilities Act, the Santa Clara Valley Transportation Authority (VTA) is required to offer paratransit service to qualified disabled individuals who are not able to use the transit system because of a disability or disabling health condition. VTA meets this requirement in part by contracting with several taxi companies throughout the County. Two of these taxi companies are licensed to operate in Sunnyvale: Yellow Cab Peninsula and Green Cab.

- **Administrative Hearings for Citations/Loss of Permits:** The Municipal Code establishes procedures for public administrative hearings for drivers or taxi franchisees whose permits are revoked.

- **Vehicle Maintenance and Inspection:** The Municipal Code requires that all taxicab franchisees present every permitted vehicle to the Department of Public Safety once a year on or before the first of March and present all vehicles proposed to be added to the fleet prior to use by the owner or driver. The City inspects taxicab vehicles based on a 32-point inspection.

Overview of the Transportation Network Company Industry in Sunnyvale

Transportation Network Companies (TNCs) provide prearranged transportation services for compensation using an online-enabled application or platform (primarily through smart phone apps) to connect passengers with drivers who provide the service in their personal vehicles. The companies that comprise the industry are relatively new and were not defined as Transportation Network Companies until September 2013 when the California Public Utilities Commission (CPUC) created the name and adopted the first set of State regulations specifically governing these businesses. Uber and Lyft, two of the largest TNCs operating in California, launched operations in Silicon Valley, including Sunnyvale, in July 2013 and October 2013, respectively.

The CPUC asserted itself as the regulatory body with jurisdiction over TNCs by classifying them as charter-party carriers, which are defined in State law as transportation services for hire on a pre-arranged basis, which are regulated by the CPUC.[7] Taxis are not classified as charter-party carriers as passengers can arrange for taxi services on a pre-arranged basis or on an impromptu basis such as hailing a cab on the street or at a taxi stand. This is not a strong distinction as passengers can request a TNC vehicle on their smartphones on the street and have a vehicle arrive almost instantaneously if one is nearby. State law delegates authority for regulation of taxis to cities or counties by ordinance or resolution.[8] TNCs are regulated by the CPUC under its Safety and Enforcement Division.

It is not possible to provide the exact number of TNC vehicles in Sunnyvale or the Silicon Valley area at this time due to the lack of information reported and publicly available from TNCs. However, in April 2015, Uber released an announcement that it had exceeded 20,000 drivers in the Bay Area. From previous research that we conducted in June 2014 for the City and County of San Francisco Board of Supervisors, we learned that City and County of San Francisco officials estimated that between 5,000 and 10,000 TNC vehicles were operating in San Francisco. Since residents and visitors in San Francisco and other larger and dense local cities like Oakland and San Jose are more likely to utilize taxicabs for transport services, it's likely that the majority of TNC drivers operate in those areas. The number of drivers who provide services at least part time for Uber, just one of the TNCs, worldwide is estimated at 155,000.[9]

The six known TNCs that have filed permit applications with the CPUC and are operating in Silicon Valley are: (1) Uber; (2) Lyft; (3) Sidecar; (4) Wingz (formerly Tickengo); (5) Summon (formerly known as InstantCab); and, (6) Shuddle (exclusively for transporting unaccompanied minors). In addition, Raiser, LLC, a subsidiary of Uber, operates a service called Uber X, which is a lower cost version of the parent company's luxury service known as UberBlack.[10] Two companies, Flywheel and RideCharge Inc., which only partner with licensed taxi fleets and drivers, operate smart phone applications ("Flywheel" and "Curb," formerly known as "Taxi Magic") that allow customers to prearrange rides with taxicabs in various municipalities, including Sunnyvale. Flywheel and RideCharge are not considered TNCs because they do not connect passengers with drivers who are using their personal vehicles and are therefore subject to local taxicab laws, not to TNC regulations.

The CPUC began regulating TNCs after its September 2013 Public Utilities Commission decision[11] to "adopt rules and regulations to protect public safety while allowing new

[7] California Public Utilities Code Sections 5351 – 5363.
[8] California Public Utilities Code Sections 5353(g).
[9] "Growth in the 'Gig Economy' Fuels Work Force Anxieties," Noam Scheiber, New York Times, 7/12/15.
[10] UberBlack provides a network for prearranging rides with licensed chauffeurs of black sedans and SUVs.
[11] Decision 13-09-045 dated September 19, 2013.

entrants to the transportation industry." These rules and regulations, which are in the process of being updated[12], cover the following areas:

- **Permit and Fees to Operate:** TNCs must obtain a permit from the CPUC in order to operate legally on California's streets and highways. Applicants must pay a $1,000 initial fee for a three year permit and $100 for permit renewals. TNCs must also pay 0.33 percent of their California gross revenues plus a $10 administrative fee on a quarterly basis to the CPUC.

- **Insurance Requirements:** The CPUC requires TNCs to obtain proof of insurance from each TNC driver before the driver begins providing service and for as long as the driver remains available to provide service. Additionally, TNC drivers are required to provide proof of both their personal insurance and the commercial excess liability insurance in the case of an accident[13]. The CPUC requires TNCs to ensure insurance coverage for each of the three TNC service periods, with each period having its own insurance level as described below:

  - **Period One** is when the app is on, but the driver has not yet accepted a ride request. For Period One, the CPUC requires TNCs to have primary insurance of at least $50,000 for death and personal injury per person, $100,000 for death and personal injury per incident, and $30,000 for property damage. The CPUC also requires TNCs to have $200,000 in excess coverage per occurrence.

  - **Periods Two and Three** are when the driver has accepted a ride but has not yet picked up a passenger and when the driver is transporting the passenger, respectively. The CPUC requires TNCs to carry primary commercial insurance of $1,000,000 for death, personal injury, and property damage during these two periods. The CPUC also requires TNCs to maintain $1,000,000 of uninsured motorist insurance during Period Three, which is from the moment the passenger enters the vehicle until the passenger exits the vehicle.

- **Workers' Compensation:** TNCs do not provide workers' compensation insurance to their drivers as these companies assert that the drivers are contractors, rather than employees. Further, the CPUC has not placed any mandates on the TNC industry regarding workers' compensation. Depending on individual TNC drivers' personal insurance, they may have optional income continuation and medical payments coverage, but, if they don't have such coverage, or if there are limitations to their coverage, their insurance would not provide lost wages, compensation for future losses, medical costs and benefits payable to dependents, as is typically covered by workers' compensation insurance.

[12] The CPUC is in the process of reviewing existing regulations over limousines and other charter party carriers and will consider the regulatory impact of any legislative changes on the regulation of TNCs. The CPUC is scheduled to complete this review by October 2016.

[13] Since the development of TNCs, many insurance companies have stated that they will not provide coverage on a driver's personal insurance if it is determined that an incident occurred while the driver was providing commercial services such as driving for a TNC.

- In June 2015 the California Labor Commissioner[14], ruled that a former Uber driver should be classified as an employee, not an independent contractor. Although this ruling could have a wider ranging impact, including on the provision of workers' compensation benefits if future court decisions concur, the Labor Commissioner's ruling is currently limited to the former driver who filed the claim and is also under appeal by Uber.

- **Driver Background Checks and Oversight:** The CPUC requires TNCs to perform national criminal background checks on all drivers, including the national sex offender database based on the applicant's Social Security number and not just the applicant's name. This check is less strenuous than the background checks conducted by Sunnyvale and other municipalities, which rely on fingerprints and accesses the individual's entire adult criminal history through the California Department of Justice and the Federal Bureau of Investigation (FBI).

  The CPUC does not allow TNC services to be provided by drivers who have been convicted of driving under the influence, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage and/or theft, acts of violence, or acts of terror in the last seven years. Further, the CPUC does not permit individuals with convictions for reckless driving, driving under the influence, hit and run, or driving with a suspended or revoked license to be TNC drivers. In addition, the CPUC requires TNCs to ensure their drivers' Department of Motor Vehicles (DMV) records have no more than three points[15] within the preceding three years. TNCs are required to check the DMV records of the drivers prior to allowing them to use their app and annually thereafter.

  The CPUC also requires TNCs to participate in the California DMV Employer Pull Notice Program to obtain timely notice when major incidents, such as convictions and accidents, are added to a TNC driver's driving record.

- **Driver Training:** The CPUC does not have specific driver training requirements for TNCs, but all TNCs were required to submit a written Driver Training Program to the CPUC by November 4, 2013. The CPUC September 19, 2013 decision simply stated that "TNCs must ensure that all drivers are safely operating their vehicle prior to the driver being able to offer service."

  Our review of TNC driver training program reports submitted to the CPUC found that they range from a description of a company's requirement that drivers receive training on how to use their app to an online driver education program combined with an in-person mentor pairing. All of these training programs appear to be brief, do not include substantive curriculums, do not generally include any kind of

[14] The Office of the Labor Commissioner, also known as the Division of Labor Standards Enforcement, adjudicates wage claims, investigates discrimination and public works complaints and enforces State Labor Code statutes and Industrial Welfare Commission orders.

[15] When drivers are given tickets by a law enforcement official or when a driver gets into an accident they are assigned points. Each incident is assigned a point. Depending on the type of traffic ticket, a driver can receive from one to two points for a traffic ticket. Accidents are assigned one point.

proficiency exams, and do not generally include information on how to provide proper service to passengers with special needs.

- **Pricing:** There are no CPUC requirements regarding the pricing of TNC services. Pricing of TNC services varies by and within companies and may be changed by TNCs at any time, or according to location, weather conditions, special events, or, hypothetically, among different classes of customers. Pricing of TNC services has fluctuated widely as TNCs lower prices to compete with each other for market share and, in some cases, raise prices at times and in locations of high transportation demand ("surge pricing"). TNCs that provide a platform for passengers to hail licensed taxi cabs generally charge the passenger a $1 service fee on top of the taxi fare, and charge the driver ten to twenty percent of the metered fare.

  While taxis in Sunnyvale currently only charge for distance traveled (all currently charge $0.30 per 1/10 mile) and not for time spent waiting in traffic, TNCs may charge for distance traveled and time spent in transit at the same time. However, in general, TNC fares per mile are lower than those of taxis. Further, taximeters are devices approved by the Department of Weights and Measures to measure time and distance for the purpose of paid taxi transportation services, whereas the TNCs use smartphones for this purpose. GPS technology used in smartphones has not been approved for calculating transportation fares charged to the public, but a working group of the federal Weights and Measures Division is working to develop standards for such use. The TNC company pricing schemes are summarized in Exhibit 3 below:

Exhibit 3: Summary of TNC Pricing as of June 2015

Company	Pricing Scheme
Uber/Raiser	Uber offers four different types of services through its app in addition to connecting passengers to taxicabs. The company's website states that the pricing is as follows: • **Uber X:** o Cost per mile: $1.30 o Base Fare: $2.20 o $0.26 per minute o Safe Rides Fee: $1.00 o Minimum Fare: $5.00 o Cancellation Fee: $5.00 • **Uber XL (for "large groups"):** o Cost per mile: $2.15 o Base Fare: $5.00 o $0.45 per minute o Safe Rides Fee: $1.00 o Minimum Fare: $8.00 o Cancellation Fee: $5.00 • **UberBLACK:** o Cost per mile: $3.75 o Base Fare: $8.00 o $0.65 per minute o Minimum Fare: $15.00 o Cancellation Fee: $10.00 • **UberSUV:** o Cost per mile: $3.75 o Base Fare: $15.00 o $0.90 per minute o Minimum Fare: $25.00 o Cancellation Fee $10.00 The company's site states that at times of intense demand, its rates change over time to keep vehicles available. Uber also provides flat rate services for UberBlack and UberSUV between SFO Airport and the City of San Francisco to Palo Alto (ranging from $81 to $150).

Company	Pricing Scheme
Lyft	Lyft charges the following to customers in their Silicon Valley service area, which includes Sunnyvale: Lyft Pricing (up to four passengers) • Cost per Mile: $1.35 • Cost per Minute: $0.27 • Base (Pick Up) Charge: $2.25 • Trust and Safety Fee[16]: $1.50 • Minimum Fare: $5.00 • Cancellation Fee: $5.00 • Airport Fees: Varies Plus Pricing (up to six passengers) • Cost per Mile: $2.02 • Cost per Minute: $0.40 • Base (Pick Up) Charge: $3.37 • Trust and Safety Fee $1.50 • Minimum Fare: $7.00 • Cancellation Fee: $5.00 Airport Fees: Varies
Shuddle	Shuddle provides ride services to unaccompanied minors in the Bay Area. According to the company's website, in general, rides 0-5 miles will be between $12-$15, but fares may vary depending on traffic and how long the driver waits for the passenger to depart. Other fare information is as follows: • Minimum Fare: $12 • Monthly Membership Fee: $9
Sidecar	Sidecar's website states that its drivers set their own prices and that passengers are able to choose their ride based on estimated time of arrival or by price. The site further states that drivers' prices are disclosed prior to the passenger requesting the ride. Drivers may set their prices based on passenger demand, amenities offered in their vehicle, or any other factor.
Wingz (formerly Tickengo)	Wingz provides a platform for ridesharing to San Jose Mineta, San Francisco and Oakland International Airports. An online inquiry showed that the company offers fares of $25 to San Jose Mineta Airport, $57 to San Francisco International Airport, and $75 to Oakland International Airport from Sunnyvale's Civic Center.

[16] In May 2014, Lyft's website stated that its Trust & Safety fee supports its "industry-leading safety standards, including upfront and ongoing driving record checks, background checks, and our $1,000,000 per-occurrence liability insurance policy."

Company	Pricing Scheme
Summon (formerly InstantCab)	The Summon website states that it's pricing is as follows: "Summon Ahead" Service (*not currently offered in Sunnyvale*) • $12.50 flat fare for first 20 minutes. Anything after 20 minutes is subject to "On-Demand" and "Flat Fare" pricing • Ride must be scheduled 3 hours to 14 days in advance "Summon On-demand" Service Taxi Rides • Taxi Meter + $1.00 convenience fee • Default tip amount is 15%. This can be changed within 24 hours of the ride. Personal Rides • Cost per Mile: $1.35 • Cost per Minute: $0.27 • Base Fare: $3.15 • Minimum Fare: $6.00 • No surge pricing or prime time tips are charged. Summon uses a "flat fares" scheme during special occasions, which the company states is not affected by traffic, and is measured on a per mile basis. The company's website states that its flat fare amounts are subject to change based on the event. The company's website provides the following example of how flat fares are broken down per mile: • Fares from 0-2 miles - $15 • Fares from 2-4 miles - $30 • Fares from 4-6 miles - $45 • Fares from 6-10 miles - +$15 incrementally

Source: Harvey M. Rose Associates review of TNC websites as of June 30, 2015.
Note: All fares shown are subject to change without approval by any public agency, including the CPUC.

- **Paratransit Services:** The CPUC does not require TNCs to provide paratransit services. However, the CPUC does require TNCs to allow passengers to indicate whether they require wheelchair-accessible vehicles or vehicles otherwise accessible to individuals with disabilities. Further, the CPUC mandated that all TNCs provide an Accessibility Plan to the CPUC by November 2013. These plans were required to include the following:

  - A timeline for modifying apps so that they allow passengers to indicate their access needs, including, but not limited to, the need for a wheelchair accessible vehicle. A passenger should be allowed to state other access needs, either from a drop-down menu with room for comments or through a field requesting information.

- A plan for how the TNC will work to provide appropriate vehicles for passengers who specify access needs, including, but not limited to, a plan to provide incentives to individuals with accessible vehicles to become TNC drivers.
- A timeline for modifying apps and TNC websites so that they meet accessibility standards.
- A timeline for modifying apps so that they allow passengers to indicate that they are accompanied by a service animal, and for adopting a policy that service animals will be accommodated.
- A plan for ensuring that drivers' review of customers will not be used in a manner that results in discrimination, including any policies that will be adopted and any monitoring that will take place by the TNC to enforce this requirement.

In addition, in September 2014 the CPUC began requiring that all TNCs provide an annual report detailing the number and percentage of their customers who have requested accessible vehicles, and how often the TNC was able to comply with requests for accessible vehicles. The CPUC also requires all TNCs to provide a plan on how they will avoid creating a divide between able and disabled communities. According to a recent CPUC decision, Uber has not submitted such reports, but other TNCs have. Uber was been fined $7.3 million in July 2015 and threatened with suspension by the CPUC for not complying with the requirement.

- **Administrative Hearings for Citations/Loss of Permits:** The CPUC's rules and regulations over TNCs does not specify an administrative hearing process for citations or revocation of permits other than to state that, "if a passenger files a complaint against a TNC or TNC driver with the Commission, Commission staff shall have the right to inspect TNC records and vehicles as necessary to investigate and resolve the complaint to the same extent the Commission and Commission staff is permitted to inspect all other charter-party carriers."

- **Vehicle Maintenance and Inspection:** The CPUC requires TNCs to inspect a driver's vehicle, or have the vehicle inspected (based on a 19 point inspection) at a facility licensed by the California Bureau of Automotive Repair prior to commencing TNC service, but there is no requirement that additional periodic inspections be conducted. The CPUC primarily relies on local jurisdictions to enforce this requirement.

A summary of the differences between the taxi industry and the TNC industry and risks associated with some of those differences is displayed in Exhibit 4 below.

Exhibit 4: Taxi vs. TNC Industry in Sunnyvale			
Element	**Taxi Industry**	**TNC Industry**	**Notes**
Estimated Number of Vehicles	71	Unknown due to lack of publicly available information. *(Uber, likely the largest TNC, reported in April 2015 to have exceeded 20,000 drivers in the Bay Area.)*	The increase in TNC vehicles add significantly to for-hire transportation options for Sunnyvale residents and visitors. This extra capacity may also be: (a) creating some additional wear and tear on the City's streets, though information is not available about what mode of transport TNC passengers were using prior to TNCs (e.g., taxis, own vehicles, public transit, bicycles), (b) could slow down public transit, and increase congestion, emissions, and risk of collisions with pedestrians, bicycles and other vehicles.
Estimated Number of Drivers	71	Unknown due to lack of publicly available information. *(Approximately 5,000 to 10,000[17] are estimated to be operating in the City of San Francisco.)*	See comments above for Estimated Number of Vehicles.
Upfront Costs to New Drivers	$178 for initial driver permit (includes driver testing & background check).	No known fees required by the State, but TNCs may require new drivers to pay for the background checks.	The lower cost to become a TNC driver could be contributing to the recent decrease in taxi drivers reported by the Department of Public Safety and by some Sunnyvale taxi franchisees.
Driver Experience/ Background Checks	The Department of Public Safety conducts fingerprint-based checks on entire adult criminal history and preceding five years of DMV history. The City requires that drivers be at least 18 years of age, but doesn't require a minimum amount of driving experience.	TNCs are required to check only seven years of criminal history using a search based on information provided by the driver (name and social security number). TNCs are required to review seven years of DMV records, which is two years more than the requirement for Sunnyvale taxi drivers. There are no apparent minimum age requirements set by most TNCs. The CPUC requires that TNC drivers be at least 21 years of age.	TNCs' required criminal and driving background checks are limited by law to seven years because they are private entities. TNC drivers with hazardous or criminal activity histories could be approved for driving for a TNC as the TNC background checks are based on information provided by the driver. As a public agency, the Department of Public Safety conducts more extensive criminal background checks of potential taxi drivers, including a complete adult criminal history based on fingerprints, which provides access to the Federal Bureau of Investigation (FBI) and State Department of Justice databases.

[17] Ibid

Element	Taxi Industry	TNC Industry	Notes
Driver Training/ Safety	The Department of Public Safety requires all new drivers to pass a test administered by the City displaying: (1) Proficient knowledge of traffic laws of City and State; (2) Proficient knowledge of streets of Sunnyvale; (3) ability to read, understand, and communicate in English; and, (4) ability to properly and safely operate a taxi.	CPUC only requires provision of a driver safety training plan from TNCs.	The disparity in driver testing presents a heightened risk of inexperienced and/or ill-prepared TNC drivers on the streets. Although the Department of Public Safety tests for taxi driver proficiency in traffic laws, the streets of Sunnyvale, English, and ability to safely operate a taxi, TNC training programs are primarily limited to teaching drivers how to use the company's app. TNC programs generally do not have standardized proficiency exams.
Insurance Coverage	The City requires that all taxicab companies carry primary commercial auto liability coverage of a minimum of $1 million per occurrence combined single limit for bodily injury to or death of any persons and for damages to or destruction of property in any one accident. All vehicles must be covered at all times they are on duty.	The CPUC requires TNCs to obtain proof of insurance from each TNC driver before the driver begins providing service and for as long as the driver remains available to provide service. The CPUC requires TNCs to ensure insurance coverage for each of the three TNC service periods, with each period having its own insurance level as described below: **Period One** is when the app is on, but the driver has not yet accepted a ride request. For Period One, the CPUC requires TNCs to have primary insurance of at least $50,000 for death and personal injury per incident, and $30,000 for property damage. The CPUC also requires TNCs to have $200,000 in excess coverage per occurrence. **Periods Two and Three** are when the driver has accepted a ride but has not yet picked up a passenger and when the driver is transporting the passenger, respectively. The CPUC requires TNCs to carry primary commercial insurance of $1 million for death, personal injury, and property damage during these two periods. The CPUC also requires TNCs to maintain $1 million of uninsured motorist insurance during Period Three, which is when the passenger is in the vehicle.	The current insurance requirements for TNCs became mandatory as of July 1, 2015 due to the passage of AB 2293 by the State Legislature. These are the latest in a set of requirements that have been revised multiple times since the CPUC began regulating TNCs in 2013 in response to concerns raised by the State Insurance Commissioner and other stakeholders. The insurance coverage for taxicabs in Sunnyvale is significantly higher and more comprehensive, particularly for the period comparable to the TNCs' Period One when drivers are on duty, but have not accepted a ride request. In addition, Sunnyvale taxicab franchises must carry policies that notify the City in writing at least 30 days before the cancellation becomes effective. The CPUC does not have a notification requirement, but its insurance requirements state that the TNC license automatically expires upon expiration of its insurance policy unless and until the TNC provides an updated insurance policy and applies to renew its license.

Element	Taxi Industry	TNC Industry	Notes
Pricing	Taxi charges must be filed with the City and tracked by taximeters, which are first approved for taxi use by the State and periodically inspected by the County. Changes to fares occur only when submitted to the Department of Public Safety. The current charges are: ▪ $3.00 or $3.50 for pick up ▪ $0.30 per 1/10 mile ▪ $30.00 waiting fee per hour (not while in traffic) ▪ No minimum fare	Pricing of TNC transportation services is not metered or regulated, varies by company, can include premium or "surge" charges during periods of high demand, and can be changed by each company at any time and on any basis. The average rates[18] of TNCs operating in Sunnyvale (not including surge prices) are: ▪ $2.53 base fare/pick-up fee ▪ $1.33 per mile ▪ $0.27 per minute ▪ $1.25 in safety fees ▪ $5.33 minimum fare Note: TNCs may charge passengers based on distance AND time at the same time.	While average TNC fares currently do not appear to vary significantly from taxi fares, taxi fares are regulated, more stable and more transparent across the taxi industry than the TNC industry. There is no public review for consumers or approval by a public body for any permanent or temporary ("surge pricing") changes in TNC prices. While TNC charges per mile are, on average, less than taxi rates, TNCs may change their fares on any basis (time, location, special events, weather, public emergencies, marketing promotions, and potentially, classes of customers).
Workers' Compensation	Taxi companies are not required to provide for drivers under City code, and State law is ambiguous. Although the IRS and California Franchise Tax Board consider drivers independent contractors, the Courts have ruled otherwise for the purposes of workers compensation.	TNCs are not required by the CPUC to provide workers' compensation insurance for their drivers. TNCs have maintained that their drivers are independent contractors, not employees.	Taxi and TNC drivers face the risk of becoming permanently and totally disabled by an automobile accident or being unable to work due to an accident. Unless they have some income continuation coverage in their personal insurance that would be allowed by their carrier, TNC drivers (and potentially taxi drivers) that are permanently disabled or become unable to work while driving for a TNC have no protection from loss of income due to a catastrophic injury.
Administrative Hearings	The City's Taxicab Code provides for due process in the form of public administrative hearings for drivers or taxi companies whose permits are revoked or suspended.	No formal hearing process has been established for TNCs that receive citations or have had their operating permits revoked by the CPUC other than the Commission's ruling that complaints shall be resolved to the same extent that complaints are investigated and resolved for other charter-party carriers. As to TNC drivers, they do not have access to a formalized hearing process or any other recourse if they are suspended or terminated by a TNC.	The City's enforcement of Taxicab Code regulations is very structured and allows for an open and fair hearing process while providing mechanisms to keep taxi companies and their drivers accountable. The CPUC oversight of complaints and enforcement of its rules and regulations is at a nascent stage and its effectiveness and balance is largely unknown.

[18] This average includes rates from Summon, Lyft, and Uber (UberX and UberBlack). It does not include rates from Sidecar as those rates are determined by the company's drivers nor does it include rates from Wingz as the company solely provides services to and from local airports. It also doesn't include rates from Shuddle as the company exclusively provides rides for unaccompanied minors. Additionally, it does not include rates from more expensive specialty services provided by Uber such as UberXL and UberSUV.

Element	Taxi Industry	TNC Industry	Notes
Vehicle Maintenance/ Inspection	The Taxicab Code requires that all taxicab franchisees present every vehicle to the City annually for a 32-point inspection.	The CPUC places responsibility for a 19-point vehicle inspection on TNCs. Unlike inspections of taxis by Department of Public Safety staff, CPUC staff do not inspect vehicles used by TNCs.	The City regulation and oversight of taxi vehicle maintenance and inspection appears to be much more rigorous and tightly controlled than the CPUC's oversight of TNC vehicles.

Source: Sunnyvale Department of Public Safety, CPUC, Sunnyvale Taxicab Code, and websites of various TNCs.

Impact of the TNC Industry on Sunnyvale Taxicab Franchises

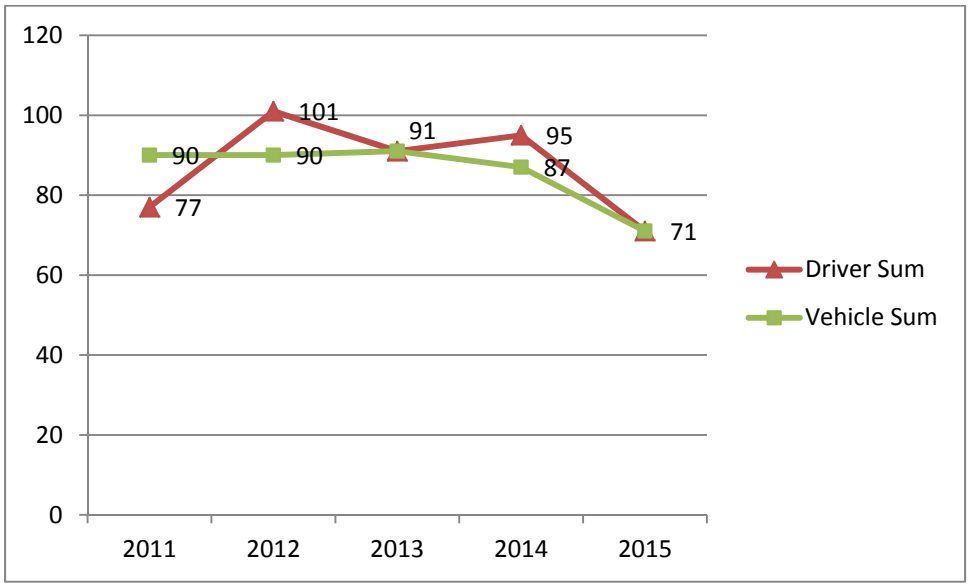
Uber and Lyft, the two largest TNCs operating in the Bay Area both launched service in Silicon Valley, including in Sunnyvale, in 2013 (Uber launched in July and Lyft launched in October of that year). Although data provided by the Department of Public Safety and one of the City's taxicab franchises show drops in the number of taxicab drivers, vehicles, and fares from 2013 to 2015, there isn't sufficient evidence to show that the launch of TNC services necessarily caused, or was the primary cause, of the decreases.

Data provided by the Department of Public Safety show a citywide drop in the number of permitted drivers and vehicles between 2011 and 2015. Data provided by Silicon Valley Checker Cab (Yellow Checker Cab Company Inc.), which is the largest of the six taxicab franchises operating in Sunnyvale, show a drop in the number of fares and the metered amount collected from fares. Additionally, two taxicab franchisees reported at a focus group conducted as part of this review that they had found it more challenging to hire drivers since TNC services were launched in Sunnyvale.

Supply and Availability of Taxicab Drivers and Vehicles

Data provided by the Department of Public Safety show a modest decrease in the number of permitted taxicab drivers and vehicles in recent years. Specifically, the data show that the number of taxicab drivers citywide has dropped from 77 in 2011 to 71 in 2015, a decrease of approximately eight percent. Similarly, the Department's data show that the number of all permitted taxi vehicles has dropped from 90 in 2011 to 71 in 2015, a decrease of about 21 percent. The data provided by the Department of Public Safety is shown in Exhibit 5 below.

Exhibit 5: Department of Public Safety Data on the Citywide Number of Permitted Taxicab Drivers and Vehicles 2011 to 2015



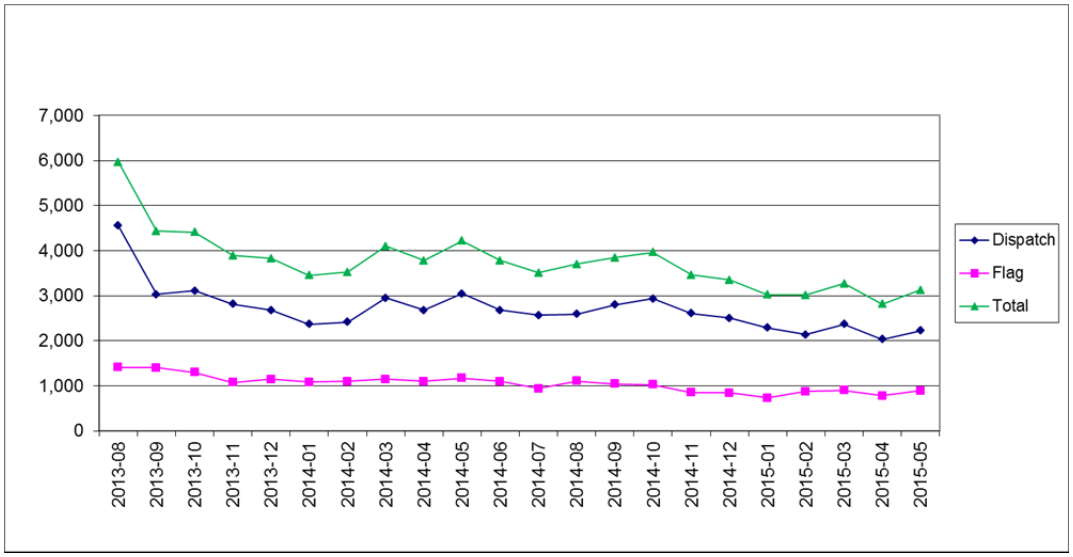
Source: Department of Public Safety Data

Although the citywide number of permitted taxicab drivers and vehicles has dropped since 2011, it is unclear how much, if any, of this drop has been caused by the launch of TNC services in Sunnyvale in 2013. For instance, between 2014 and 2015 the number of permitted vehicles dropped by 24 (25 percent) and the number of permitted drivers dropped by 16 (18 percent). However, over the same period, two of the City's taxicab franchises were suspended by the City. These two taxicab franchises accounted for nine of the permitted drivers and nine of the permitted vehicles in 2014. Therefore, about 38 percent of the decrease in drivers and about 56 percent of the decrease in vehicles were solely due to the suspension of these two franchises. Further, it's possible that other factors unrelated to the TNC industry such as changing economic conditions could have had an impact on the number of drivers and vehicles operating in Sunnyvale over this period of time.

Number and Dollar Amount of Taxicab Fares

Data provided by Silicon Valley Checker Cab, the City's largest taxicab franchise, show that the franchise's fares and metered amounts collected decreased between August 2013 and May 2015. The data on fares (number of rides) shows an overall drop of 2,841 rides per month, a 48 percent drop from 5,965 in August 2013 to 3,124 in May 2015 as shown in Exhibit 6 below. As shown in the exhibit, dispatch fares (rides requested through the franchise's central dispatch) dropped by 2,326 monthly rides, a 51 percent decrease, while rides flagged (hailed from the street or at the Caltrain station) dropped by 515 monthly rides, a 37 percent decrease.

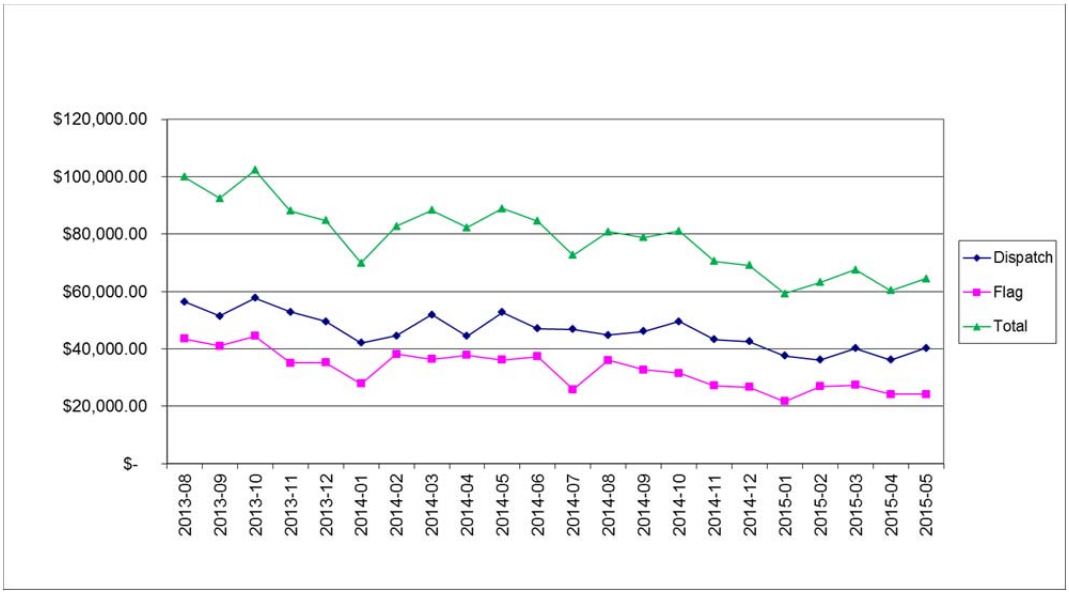
Exhibit 6: Silicon Valley Checker Cab Data on the Number of Monthly Fares
August 2013 to May 2015



Source: Silicon Valley Checker Cab Data on Sunnyvale Fares

Data provided by Silicon Valley Checker Cab on the monthly meter totals from August 2013 to May 2015 shows an overall drop of $35,390 (35 percent) in monthly collections over that time as shown in Exhibit 7 below. As shown in the exhibit, the amount of metered fares collected from flag (hail) pick-ups dropped by $19,257 (44 percent) while the amount of metered fares from dispatch pick-ups dropped by $16,133 (29 percent).

Exhibit 7: Silicon Valley Checker Cab Data on Monthly Metered Amounts
August 2013 to May 2015



Source: Silicon Valley Checker Cab data on Monthly Meter Amounts

As with the data provided by the Department of Public Safety on the number of taxicab drivers and vehicles, there is insufficient evidence to determine the cause of the decline in this franchise's number and dollar amount of fares. Although the launch of TNC services in 2013 could be one of the causes, there could also be outside factors such as general economic conditions.

June 2015 Town Hall Meeting on the Impact of TNCs

On June 18, 2015, the Department of Public Safety held a town hall meeting to gather input from residents as well as taxi and TNC drivers to help inform this study. Input was also solicited online prior to the meeting.

Many people provided feedback both online and in person at the town hall and the input received could be generally characterized as expressing a desire to continue to allow TNCs to operate in the City alongside taxicab franchises without additional regulations. Some participants expressed frustration that the City's existing fees and regulations are too burdensome for taxicab franchises and drivers as compared to the State's regulation of TNCs. Others expressed their satisfaction with the convenience and rider experiences with TNCs. The comments that the City received from its online solicitation are included at the end of this report in Attachment 1.

Fiscal Impact of TNCs on the City of Sunnyvale

It has been suggested that TNC drivers are independent contractors and might be subject to the Business License Tax (Chapter 5.04 of the Municipal Code). However, PUC Code §53714 exempts limousine services (a form of charter party carriers) from paying business license taxes unless they are domiciled or maintain a business office in the city. It could be argued that this exemption carries over to TNC's as they are categorized similarly by the PUC as charter party carriers.

Comparative Review of Sunnyvale Taxicab Requirements with Neighboring Cities

We have conducted a detailed review of Sunnyvale's taxicab franchise requirements and fees for taxicab franchises and drivers with those of the following five neighboring cities:

1. Cupertino;
2. Mountain View;
3. Palo Alto;
4. San Jose; and,
5. Santa Clara

A summary of this review is shown in Exhibits 8 and 9 below.

Review of Taxicab Franchise and Driver Fees

In order to apply consistent criteria to our review of taxicab fees, we calculated the total costs to the franchisee and/or driver applicants based on five years of costs for five drivers and five vehicles for FY 2015-16 or as published by the surveyed cities as of July 15, 2015.[19] This calculation is necessary as different jurisdictions have different permit lengths (ranging from one to five years) and contrary requirements for the minimum number of vehicles and drivers. Sunnyvale specifically requires that all taxicab franchises maintain at least five vehicles and five drivers.

The fees that we reviewed include: (1) franchise permit fees, which are required for prospective franchise owners to set up a taxicab business; (2) taxicab driver permit and testing fees; (3) taxicab vehicle permit/inspection fees, which allow specific vehicles to be used; and, (4) business license fees, which allow taxicab franchises as well as other businesses to operate in the relevant jurisdiction. Our findings from this review, which are summarized in Exhibit 8 below, are as follows:

- **Franchise Fees:** The five year total cost for a new taxicab franchise in Sunnyvale is $4,567, which is very close to the median amount and modestly below the average amount charged by the five neighboring jurisdictions surveyed. Specifically, Sunnyvale's fees are about six percent above the median and 13 percent below the average amounts for the five jurisdictions surveyed. Sunnyvale's franchise fees consist of the following:
    - A Franchise Application Fee of $1,563 for an initial two year permit.
    - A Franchise Renewal Fee of $1,502 to renew the taxicab franchise for an additional two year period.

  Total five year costs for taxicab franchises in the neighboring jurisdictions range from $729 in Cupertino to $12,956 in San Jose. The average five year cost for all jurisdictions is $5,262 and the median five year cost is $4,320.
- **Driver Permit Fees:** The five year total cost in permit fees for five drivers (assuming that all five drivers are newly permitted in the first year) in Sunnyvale is $3,230,[20] which is modestly above the median and average amounts charged by the five jurisdictions surveyed. Specifically, Sunnyvale's fees are about 22 percent above the median and 37 percent above the average amount for the five jurisdictions. Sunnyvale's driver permit fees consist of the following:
    - A driver permit fee of $178 for an initial one year permit per driver.
    - A $117 annual fee to renew the driver permit per driver.

[19] Not all jurisdictions had made their revised fees for FY 2015-16 publicly available at the time this report was prepared, but it is unlikely that any changes since July 15, 2015 would have a significant impact on our findings.
[20] This amount does not include the $56 fee, which is charged to drivers who must retake the City's taxicab driver test due to failing on the first attempt.

- **Taxicab Permit/Vehicle Inspection Fees:** The five year total cost in taxicab permit fees for five vehicles in Sunnyvale is $11,600, which is well above the median and average amounts charged by the five jurisdictions we surveyed. Sunnyvale's fees are about five times the median amount and two and a half times the average amount for the six jurisdictions. Sunnyvale's taxicab permit fees consist of the following:

    - A $116 quarterly fee ($464 total annually) per vehicle.

  Sunnyvale is the only city of the six surveyed that charges a vehicle permit or vehicle inspection fee on a quarterly basis. All other jurisdictions charge their fees on an annual or biennial basis.

  A review of the City's most recent time and motion study, which is conducted periodically by the City to determine fee amounts, showed that, for this fee, the City assumed that each vehicle required two hours of personnel time (1.00 hour from a Senior Office Assistant, 0.25 hours from a Public Safety Lieutenant, and 0.75 hours from a Public Safety Officer II) per quarter, or eight staff-hours per year. Given that vehicles are only inspected once per year and the inspection is a fairly routine exercise, the City may want to revisit the basis for this fee in its next time and motion study.

- **Business License Fees:** The five year total cost in business permit fees for a taxicab franchise in Sunnyvale is $351, which is very close to the median, but a little less than half as much as the average amount charged by the six jurisdictions we surveyed. Sunnyvale's business permit fees for a taxicab franchise with five drivers is:

    - $117 for a two year business license.

Exhibit 8: Survey of Taxicab Franchise and Driver Fees
As of July 15, 2015

Regulation/Fee	Cupertino	Mountain View	Palo Alto	San Jose	Santa Clara	Average	Median	Sunnyvale
Franchise Application Fee (New)	$331	$1,440	$1,467	$6,612	$3,281	$2,626	$1,467	$1,563
Franchise Renewal Fee	$199	$1,440	$927	$1,586	$1,645	$1,159	$1,440	$1,502
Franchise Application Fees (5 Year Cost)	**$729**	**$4,320**	**$5,022**	**$12,956**	**$3,281**	$5,262	$4,320	**$4,567**
Drivers Permit Fee- Initial	$331 (2 year permit)	$185 (2 year permit)	$144 (1 year permit)	$333 (2 year permit)	$317 (2 year permit)			$178 (1 year permit)
Drivers Permit Fee- Renewal	$199	$130	$68	$98	$39			$117
Taxicab Driver Fees (5 Year Cost for 5 Drivers)	**$3,645**	**$1,335**	**$1,060**	**$2,645**	**$3,125**	**$2,362**	**$2,645**	**$3,230**
Vehicle Inspection Fee/Taxicab Permit Fee	N/A	$205/vehicle (2 year permit)	$33/vehicle/year	$98/inspection	$58/inspection			$116/vehicle/quarter ($464/vehicle annually)
Taxicab Permit Fees (5 Year Cost for 5 Vehicles)	**$0**	**$3,075**	**$825**	**$2,450**	**$1,450**	**$1,560**	**$1,450**	**$11,600**
Business License Fee	$130/vehicle annual	$12/vehicle annual	$0	$150 annual	$15/vehicle annual			$117
Business License (5 vehicles/drivers for 5 years)	**$3,250**	**$300**	$0	**$750**	**$375**	**$935**	**$375**	**$351**

Source: Harvey M. Rose Associates and Department of Public Safety survey of neighboring jurisdictions' taxicab fee schedules

Exhibit Notes:

1. The five year cost for franchise application fees assumes that the franchise is new to the jurisdiction in the first year.
2. For comparability, all calculations assume that the applicant franchise maintains five vehicles and five drivers even if the jurisdiction requires more or less vehicles or drivers.
3. The City of Santa Clara issues five year taxicab franchise permits and charges taxicab drivers an annual business license fee of $46.
4. Driver permit fees assume that the drivers pass their exams, if applicable, on the first attempt and therefore do not include driver re-test fees.
5. All jurisdictions except for Cupertino and Mountain View conduct mandatory annual inspections of taxicab vehicles. Mountain View requires that taxicab permit holders obtain an annual mechanical safety inspection and carry a copy of the inspection report in the vehicle and be produced to the police upon request. Cupertino only requires vehicle inspections at time of permit application and renewal.

Review of Taxicab Regulations

In addition to a review of fees assessed to taxicab franchises and drivers, we conducted a review and survey of neighboring jurisdictions' taxicab codes to determine if there are any areas where Sunnyvale has more burdensome rules or regulations.

Based on this review, Sunnyvale appears to have more burdensome regulations than most or all of the five other surveyed jurisdictions in the following areas:

- Frequency of Vehicle Permit Fee Assessments
- Process for Award of Franchises
- Term of Driver Permits

Additionally, based on our review of the Sunnyvale Taxicab Code, we believe that opportunities exist for updates based on technological innovations and/or adaptations to current cultural norms in the following areas of the taxicab code:

- Daily Trip Manifest
- Uniforms
- Operable Transmitters and Receivers for Contact with the Driver's Dispatch

Our findings from this review, which are summarized in Exhibit 9 below, are as follows:

- **Minimum Number of Vehicles:** Five of the six jurisdictions surveyed require taxicab franchises to provide a minimum number of vehicles, presumably to ensure that adequate transportation services are being provided. Sunnyvale's requirement that each franchise maintain a minimum of five taxicab vehicles is equal to the average and median of the surveyed jurisdictions. Mountain View and San Jose also require a minimum of five vehicles while Santa Clara requires a minimum of 10 vehicles, Cupertino requires a minimum of three vehicles, and Palo Alto has no minimum requirement.

- **Minimum Number of Drivers:** Sunnyvale is the only city of the six surveyed that specifies a minimum number of drivers. While there is an implicit requirement in Mountain View, San Jose, Cupertino, and Santa Clara that franchises maintain a certain number of drivers (as each of those cities requires a minimum number of vehicles), there is no explicit requirement for number of drivers in municipal codes of those cities.

- **Driver Testing:** In order to obtain a taxi driver permit, Sunnyvale requires applicants to pass a test showing that they have proficient knowledge of state and City traffic laws, proficient knowledge of the streets of Sunnyvale (based on a map without assistance from a GPS device), display an ability to read, understand and communicate in English, and have the ability to properly and safely operate a taxi.

These specific requirements are consistent with taxicab code requirements for driver testing in San Jose and Santa Clara, but are not required in Cupertino, Mountain View, and Palo Alto.

- **Term of Driver Permits:** Sunnyvale issues renewable driver permits for a term of one year, unlike four of the five other jurisdictions surveyed, which issue driver permits for a term of two years. Palo Alto was the only other jurisdiction surveyed that also had a driver permit term of one year. Requiring drivers and/or taxicab franchises pay driver permit fees every year rather than every two years for driver permits is more burdensome.

- **Term of Franchise Permits:** Sunnyvale issues renewable franchise permits for a term of two years, which is in line with the average and median terms provided by the other survey jurisdictions. While Cupertino and Mountain View also provide two year franchise permits, Palo Alto and San Jose provide renewable one year permits, and Santa Clara provides renewable five year taxicab franchise permits.

- **Frequency of Vehicle Inspections:** Four of the six jurisdictions surveyed require city inspections of all taxicab vehicles on an annual basis. The only surveyed jurisdictions that differ from this annual requirement to be inspected by the local jurisdiction are Mountain View and Cupertino. Cupertino does not require annual inspections and Mountain View requires that taxicab permit holders obtain an annual mechanical safety inspection from a private vendor and carry a copy of the inspection report in the vehicle for review by the police upon request. Sunnyvale requires all taxicab vehicles to be inspected by the Department of Public Safety on an annual basis no later than the first of March.

- **Frequency of Vehicle Permit Fee Assessments:** Unlike all five of the other jurisdictions surveyed, Sunnyvale assesses vehicle inspection fees on a quarterly basis (currently $116 per quarter). While Mountain View asses a biennial (every two years) fee for vehicle permits, the other four surveyed jurisdictions assess an annual fee for vehicle permits. Sunnyvale Department of Public Safety staff and taxi franchisees report that the vehicles may not be used whatsoever in the City until the franchisee has paid the assessment for the current quarter.

- **Vehicles Required to be Outfitted with Operable Transmitters and Receivers:** Unlike three of the five other jurisdictions surveyed, Sunnyvale requires each taxicab to be equipped with "operable transmitters and receivers to provide direct reliable contact with the driver's dispatcher." San Jose and Santa Clara require two-way radio dispatching services in vehicles while Mountain View and Palo Alto have no such requirement. Given technological innovations including mobile phone and smart phone technologies, the Council may want to consider expanding this requirement to include such devices.

- **Taximeter Required:** Sunnyvale's requirement that all taxicab vehicles be equipped with a taximeter that has been inspected annually by the County Sealer of Weights and Measures is consistent with at least three of the five other jurisdictions

surveyed (Cupertino, Palo Alto, and Santa Clara). Multiple inquiries to Mountain View and San Jose regarding this requirement were not returned.

- **Daily Trip Manifest:** Sunnyvale's requirement that a daily trip manifest with details on each trip's times and pick-up/drop-off locations be maintained is consistent with requirements in Mountain View, San Jose, and Santa Clara. Cupertino and Palo Alto do not specify whether trip manifests must be kept. However, given technological advances, including electronic dispatch systems that utilize smart phone applications, the Council may want to consider revising the taxicab code to state that such records may be kept electronically by the franchise owner or a contracted third party.

- **Requirement that All Vehicles Be Owned by the Franchisee:** Consistent with three of the five other jurisdictions surveyed, Sunnyvale requires that all of the vehicles operated by the franchise be owned by the franchisee. Palo Alto's taxi code does not specify that all vehicles must be owned by the franchisee while the Mountain View taxi code infers that the owner of the taxicab vehicles may be either an individual or a taxicab company.

- **Insurance Requirements:** All six surveyed jurisdictions require taxicab franchises to carry commercial liability insurance, which are detailed in Exhibit 9 below. Sunnyvale requires $1 million in combined liability coverage per incident for each vehicle, which is consistent with the requirements in Mountain View and Santa Clara. Cupertino and Palo Alto require lower amounts of coverage and San Jose did not respond to our inquiries regarding insurance coverage requirements.

- **Process for Award of Taxicab Franchise:** Unlike four of the five other jurisdictions surveyed, Sunnyvale requires the City Council to hold a hearing to review and approve new taxicab franchises. In Cupertino and Palo Alto, the City Manager is provided authority to approve franchise applications. In San Jose and Santa Clara, the Chief of Police is the designated authority with responsibility for issuing taxicab franchise licenses. It is unclear what process the City of Mountain View follows as it is not specified in the City's municipal code and several calls to the City were not returned.

- **Process for Transfer of a Taxicab Franchise:** Unlike all five of the other jurisdictions surveyed, Sunnyvale allows for the transfer of a taxicab franchise. The Sunnyvale Taxicab Code stipulates that franchises may only be transferred by approval of the City Council in a public hearing.

- **Uniforms:** Sunnyvale is the only city of the six surveyed that requires taxicab franchises to provide a description of a proposed uniform for drivers. Further, the use of uniforms by taxi drivers in the United States is highly unusual. The only other requirements we found that relate to a dress code for taxi drivers are San Jose and Santa Clara's requirement that shoes be worn at all times. Also, San Jose's taxi code allows taxi franchise owners to require a dress code.

Exhibit 9: Survey and Review of Sunnyvale Taxicab Regulations vs. Neighboring Jurisdictions

Regulation	Sunnyvale	Cupertino	Mountain View	Palo Alto	San Jose	Santa Clara
Driver Permit Term	1 Year	2 Years	2 Years	1 Year	2 Years	2 Years
Vehicle Inspection Fee/Taxicab Permit Fee	$116/quarter ($464 annually)	See Business Permit Info	$205/vehicle (2 year permit)	$33/vehicle/year	$98/inspection	$58/inspection
Frequency of Vehicle Inspections	Annually on or before March 1st by City	No Inspection Requirement Specified	Annual Mechanical Safety Inspection by Certified Third Party	Annual by City	Annual by City	Annual by City
Requirement that all vehicles be owned and registered by franchisee?	Yes	Yes	Can be owner or taxicab company.	No	Yes	Yes
Minimum # of Vehicles	5	3	5	0	5	10
Minimum # of Drivers	5	Not Specified	Not Specified	Not Specified	Not Specified	Not Specified
Uniform	Yes	No Requirement	No Requirement	No Requirement	Not Required (Shoes must be worn at all times; owner may require a dress code).	Not required (Drivers shall be "clean and neat in appearance" and shall wear shoes at all times while on duty).
Process for Award of Franchise	City Council Hearing	City Manager Approval	Unknown: City has not responded to multiple inquiries.	Public Hearing (Held by City Manager or his/her designee)	Chief of Police issues license after application is filed with Police Dept. Denial may be appealed to the City Appeals Board.	Chief of Police issues license after application is received. Denial may be appealed to the City Manager
Process for Transfer of Franchise	City Council Resolution	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Franchise Term	2 Years	2 Years	2 Years	1 Year	1 Year	5 Years
Operable transmitters & receivers for contact with a dispatcher	Required (also required 24/7)	Not required (Franchises must maintain a phone dispatch 24/7)	Not Required	Not Required	Two-way radio dispatching services are required in every vehicle	Two-way radio dispatching services are required in every vehicle
Operation of taximeter for a limited period prior to inspection by County?	Not Allowed	Not Allowed	Unknown: City has not responded to multiple inquiries.	Not Allowed	Unknown: City has not responded to multiple inquiries.	Not Allowed
Minimum Insurance Required	A.M. Best Rating of at least A:VII; Owner & all drivers insured against liability for property & bodily injury/death; Not less than $1 million combined per incident for each vehicle.	$100k for injury/death of 1 person; $300k for injury/death of more than 1 person; $50k for property per incident	Commercial general liability/auto liability of $1 million per occurrence; Worker's Comp insurance of $1 million per accident; Insurers w/ current Best Rating of A:VII	Best's Key Rating of not less than A VII; Minimum $600k combined single limit per occurrence	Unknown: City has not responded to multiple inquiries.	A.M. Best rating of at least A VII; Minimim $1 million per incident for each vehicle

Regulation	Sunnyvale	Cupertino	Mountain View	Palo Alto	San Jose	Santa Clara
Daily Trip Manifest	Records Required: date, time, place of origin & destination of each trip.	No	Yes	No	Owner shall maintain at all times complete and accurate records of all dispatch calls received and made by owner, including the starting and destination points and times.	Owner must maintain records of driver's daily log sheets. Driver's log sheets must include times worked, time of pick-up call, pick up location, drop-off location, meter reading and amt of total fare collected.
Driver Testing (non-drug testing)	(1) Proficient knowledge of traffic laws of City & State; (2) Proficient knowledge of streets of Sunnyvale; (3) ability to read, understand, & communicate in English; and, (4) ability to properly and safely operate a taxi	(1) Evidence a proficient knowledge of traffic laws of City & State	No non-drug testing required.	No non-drug testing required.	(1) Proficient knowledge of traffic laws of City & State; (2) Proficient knowledge of streets of San Jose; (3) ability to read, understand, & communicate in English; and, (4) ability to properly and safely operate a taxi	(1) demonstrate proficient knowledge of State & City traffic laws
Driver Background Requirements	(1) At least 18 years old; (2) No felonies at all, No misdemeanors in previous 5 years; (3) No hit/run, reckless driving, dui in previous 2 years and no more than two offenses w/ previous 5 years; (3) Must have a valid California drivers license; (4) No one that has previously applied and been denied in previous 2 years; (5) Fingerprint background check.	(1) At least 18 years old; (2) No physical or moral deficiencies or unfitness to drive a vehicle in the sound discretion of the City Manager; (3) Must have a valid California drivers license; (4) Fingerprint background check.	(1) Must have a valid California drivers license; (2) No felonies and no misdemeanor conviction involving moral turpitude, larceny, theft, or sex crimes; (3) Fingerprint background check.	(1) At least 18 years old; (2) No felony or misdemeanor offense related to the operation of motor vehicles; (3) No hit and run, reckless, or dui convictions w/in 6 months or two or more w/in 5 years; (4) Valid CA driver's license.	(1) At least 18 years old; (2) No narcotics convictions in last 5 years; (3) No reckless driving or DUI's in last 5 years; (4) No convictions (and not on parole or probation) for any crime substantially related to the qualifications, functions, or duties of the taxicab business in last 5 years; (5) No parole for crime substnatially related to taxicab business; (6) No acts in last 5 years of violence, dishonesty, or fraud; (7) No individual who has had a taxi driver's permit revoked 3 years prior to date of application; (8) Must have a valid California drivers license; (9) No individual with a disorder characterized by lapses of consciousness.	(1) At least 18 years old; (2) No narcotics convictions in last 5 years; (3) No reckless driving or DUI's in last 5 years; (4) No convictions (and not on parole or probation) for any crime substantially related to the qualifications, functions, or duties of the taxicab business in last 5 years; (5) No parole for crime substnatially related to taxicab business; (6) No acts in last 5 years of violence, dishonesty, or fraud; (7) No individual who has had a taxi driver's permit revoked 3 years prior to date of application; (8) Must have a valid California drivers license; (9) No individual with a disorder characterized by lapses of consciousness; (10) No convictions requiring sex offender registration in last 5 years.

Regulation	Sunnyvale	Cupertino	Mountain View	Palo Alto	San Jose	Santa Clara
Driver Drug Testing	Required (Must conform to Part 40 of Title 49 of the Code of Federal Regulations and California Government Code Section 53075.5)	Required (Must conform to Part 40 of Title 49 of the Code of Federal Regulations and California Government Code Section 53075.5)	Drivers must submit a certificate showing he/she passed a drug test within the previous 12 months prior to obtaining a driver's permit.	Required (Must conform to Part 40 of Title 49 of the Code of Federal Regulations and California Government Code Section 53075.5)	Not specified in the City's taxicab regulations, but there are multiple references to drivers not being habitual drug users or using alcoholic liqours excessively.	Required (Must conform to Part 40 of Title 49 of the Code of Federal Regulations and California Government Code Section 53075.5)

Source: Harvey M. Rose Associates and Department of Public Safety survey and review of neighboring jurisdictions' taxicab codes and interviews with the jurisdictions' staff with responsibility for regulation of taxicab franchises.

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TNC Regulatory Developments in Other Jurisdictions

Cities and counties in California are limited in their ability to regulate the operations of TNCs due to the CPUC's preemptive authority. Although CPUC regulations outline general TNC operational requirements (e.g. insurance liability coverage, background checks, etc.), the CPUC's regulations prohibit access to local airports without approval from the appropriate local authority. Local governments are also adopting or considering adopting measures regulating access to other local public domains such as curb space in commercial and residential zones and other staging areas such as bus, train, and port terminals. In addition, some local governments in California are adjusting taxi franchise regulatory requirements to "level the playing field" in the transportation industry due to the rapidly expanding TNC industry and its much looser regulatory framework.

Numerous jurisdictions across the nation are taking action or considering action to regulate TNCs including state legislatures establishing statewide TNC oversight similar to California. In the absence of statewide regulations, local jurisdictions across the nation have adopted their own ordinances. States and local jurisdictions are also updating and streamlining taxi regulations as they consider the implications of the expanding TNC industry. There are local governments setting up regional agreements to make the permitting process of for-hire transportation services more efficient and cost effective, which may be of interest to the City of Sunnyvale and other local governments within the County of Santa Clara. Noteworthy developments in California and across the United States are discussed below.

City of Long Beach

In response to the growth of TNC services and their minimal operational requirements set forth by the CPUC, on May 12, 2015, the Long Beach City Council voted to update the City's taxi franchise rules and regulations in order to alleviate some of the regulatory burden on the City's sole taxi franchise. The Council's action discontinued minimum taxi fare requirements and allows the taxi franchise to offer free or discounted rides; however, maximum rates are still set by the City. In addition to pricing adjustments, the taxi franchise was permitted to increase its fleet size from a maximum of 175 to 199 vehicles and to implement a mobile application similar to TNCs that will allow the Long Beach community to instantly hail taxis from their mobile devices.

City of Santa Monica

On March 17, 2015, the Santa Monica City Council directed city staff to review its ordinances and rules and regulations as they apply to its taxi franchise program and in-city non-taxi vehicles, such as local shuttle programs. Although the City's operational regulations will not apply to TNCs due to the state's preemptive authority, staff will be considering the allotment of curb space in downtown Santa Monica for all for-hire vehicles, inclusive of TNC drivers. Since the City Council directed staff to prioritize the

allotment of curb space to vehicles subject to local control, TNC drivers may face limitations regarding their ability to park and wait for passenger pick-up requests. A staff report with updates was not available prior to the publication of this study.

California Airports

The CPUC prohibits TNCs from accessing California airports without first obtaining permission from the respective airport authority. In the fall of 2014, San Francisco International Airport (SFO) became the first airport in the state to settle on an agreement for a pilot ground transportation permit program with the largest TNCs. TNCs agreed to pay a flat rate fee for each ride originating at SFO in addition to back-paying ride fees not collected from the time SFO made permits available to the time of this agreement. Going forward, TNCs are required to use an electronic geofence system that tracks whenever a TNC driver enters SFO's premises and provide a monthly update on ridership volumes originating at SFO.

Since SFO established its TNC permit program, other airports have adopted similar programs requiring a per trip fee, geofence tracking, and monthly reports including San Diego International Airport (SAN), Orange County John Wayne Airport (SNA), and Mineta San Jose Airport (SJC). Although SAN signed an agreement with Opoli[21] to launch on June 1, 2015, the larger TNCs did not start until July 2015 after additional negotiations with SAN administration led to the repeal of the airport's fingerprint background check requirement for most of its ground transportation providers. Similarly, although SJC recently adopted TNC regulations, TNCs currently prohibit passengers from requesting a ride in protest of the airport's requirements for mandated fingerprint background checks of all drivers. It is important to note that the San Jose City Council, which approves SJC regulations, is the only local government to date to apply an operational requirement more stringent than CPUC requirements with the passage of the airport TNC permit program.

The County of Sonoma adopted a revised Commercial Vehicle Ordinance in December of 2014 permitting TNCs to access Charles M. Schultz Sonoma County Airport; however, TNCs currently do not permit their drivers to pick up at that airport.[22] Exhibit 10 below provides an overview of the rates charged per trip at each airport currently operating TNC permit programs.

[21]Opoli is a newer transportation company that offers application-based on-demand services similar to the TNC operational model; however, all of Opoli's drivers are commercially licensed and insured Transportation Charter Party drivers as regulated under the CPUC. More information can be found on the company's website: https://opoli.com/faq/

[22]TNC airport regulations are found under Sonoma County Municipal Code Chapter 3, Article IV: Commercial Vehicle Operations; a review of Uber, Lyft, and Sidecar applications show that passengers are prohibited from requesting rides at the airport.

Exhibit 10: Survey of Rates Charged per Trip at Airports Operating TNC Permit Programs

Airport	Rate per Trip
SFO	$3.85
SNA	$2.25
SAN*	$0.97 or $1.62
SJC	$2.30

**SAN offers a lower rate for alternative fuel vehicles and clean air vehicles.*

In addition, the Los Angeles World Airports Board of Airport Commissioners recently approved a TNC permit program, similar to what is in place at SFO for Los Angeles International Airport. The program is due to be adopted as early as late August 2015.

City of Seattle and King County, Washington

On July 14, 2014, the Seattle City Council established a permanent ordinance regulating TNC operations and adjusting taxi operations within the City after repealing a preliminary ordinance just a few months prior. Unlike California, the State of Washington has not asserted authority over TNCs so regulations have been adopted at the local level by cities and counties. The ordinance passed by City Council addresses many of the same public safety concerns. Some highlights of the ordinance code include:

- TNC vehicles must pass a uniform vehicle safety inspection by a City approved mechanic and drivers must permit a City inspector to evaluate a vehicle upon request;
- TNCs must conduct background checks of drivers through the State/FBI fingerprint check or by a third party vendor approved by the City;
- TNCs must maintain commercial insurance coverage for whenever a driver is active on the application/dispatch system with minimum coverage of $100,000 per person and $300,000 per accident for bodily injury and uninsured motorists, and $25,000 for property damage; and,
- TNC drivers must pay a $0.20 fee per ride originating in the City of Seattle ($0.10 is a general fee paid to the City, the latter $0.10 goes to the City's Wheelchair Accessible Surcharge Fund).

Many of the TNC regulations adopted by the City, such as insurance coverage, vehicle inspection, and background checks, are equivalent to the City's requirements for taxicabs and other for-hire vehicles. The ordinance also raised the maximum number of taxicab licenses issued by the City while placing no cap on the number of TNC drivers.[23]

[23] Seattle Municipal Code, Title 6, Subtitle IV, Chapter 6.310: Taxicabs and For-Hire Vehicles

In September of 2014, the Metropolitan King County Council also passed an ordinance regarding TNCs and streamlining taxi service regulations. King County administers the licensing process for all for-hire vehicles in the County's unincorporated territory, the Port of Seattle, and 16 other cities who participate in an interlocal agreement with the County. This ordinance essentially mirrored the same operational requirements outlined in Seattle's regulations which will now be applicable to all for-hire vehicles operating within those jurisdictions participating in the County's interlocal agreement, including a $0.35 fee per trip requirement for all TNCs. Although Seattle resides within King County and is a member of the interlocal agreement, any differences in the City's ordinance code addressing for-hire transportation will supersede the County, such as its fee per trip for TNCs.

State of Colorado

One June 5, 2014, the State of Colorado adopted SB 14-125, placing statewide TNC oversight under the purview of the State's Public Utilities Commission, though with only limited authority conferred on the Commission. Affective February 4, 2015, the Commission outlined the following TNCs regulations:

- Liability insurance must be provided by either the TNC or TNC driver for a minimum of $1 million in coverage per occurrence involving a prearranged pickup, and, minimum coverage for whenever a driver is logged into the TNC application but not involved in a prearranged pickup equivalent to $50,000 per person per occurrence, $100,000 per occurrence for all persons involved, and $30,000 for property damage;
- Restricting the length of time TNC drivers may be logged into a TNC application to 12 consecutive hours, not to be logged in again until eight hours after a 12 hour shift; and,
- Adoption of federal vehicle inspection laws as they apply to commercial motor carrier vehicles.

The legislation and rulemaking did not address the regulation of taxicabs and other for-hire vehicles in the state; however, SB 14-125 does permit taxicab companies to transition to a TNC model or establish an affiliate or subsidiary classified as a TNC.[24]

City of Portland, Oregon

On April 9, 2015, the City's Private For-Hire Transportation Program Innovation Task Force issued recommendations to permit the operations of TNCs within the City. Adopted by the City, these recommendations include a 120-day pilot program during which the City would allow TNCs to apply for for-hire transportation permits, taxi regulations would be evaluated and modified, and for-hire market data would be collected and analyzed. The following requirements stand out in the City's TNC regulations:

- TNC drivers must drive for only one TNC;

[24]SB 14-125 and the Colorado Public Utilities Commission's subsequent rules can be found on the Department of Regulatory Affairs website: http://cdn.colorado.gov/cs/Satellite/DORA-PUC/CBON/DORA/1251655091163

- TNC drivers must go through a background check conducted by a third party vendor accredited by the National Association of Professional Background Screeners;
- TNC drivers must complete an extensive training and testing program on map-reading, relevant city laws and regulations, and Portland-area attractions, in addition to taking a driver safety training program and customer service training program approved by the City;
- TNC drivers may not drive for more than 14 hours of commercial activity with a 24-hour period;
- TNCs and their drivers must maintain Commercial General Liability for a minimum of $1 million per occurrence and $2 million aggregate for covered claims. TNC drivers must also demonstrate primary coverage during Period 1 of $50,000 per person and $100,000 per occurrence for death and injury, and $25,000 for property damage. Periods 2 and 3 must be covered by a minimum of $1 million per incident, and $1 million for under/uninsured motorists per incident.
- TNCs must submit anonymized data of user demand to the City including volumes of rides, trip origination and destination information by zip code, the number and type of accidents experienced by TNC drivers, among other information for the City to better understand the community's need for for-hire transportation services.[25]

Although Portland is currently administering its pilot program, the State of Oregon Legislature is also considering two bills (HB 2995 and 2237) which would require liability insurance to cover Period One in which a TNC driver is active on a TNC application and awaiting a call for service, similar to the requirements in Portland's pilot program.

State of New Mexico

On April 22, 2015, the New Mexico Public Regulation Commission took administrative action to regulate TNCs across the state. Treating TNCs as motor carriers separate from taxis, the Public Regulation Commission established rules requiring drug tests after TNC drivers are involved in accidents as well as mandatory car inspections conducted by licensed mechanics. Due to the regulations, Lyft ceased operations in New Mexico in May of 2015 while Uber stills remains active. Uber and a taxi company are currently petitioning the Commission's TNC regulations.

State of Michigan

In the State of Michigan there are seven cities in which one or more TNCs have signed individual operating agreements. Due to the variances in each City's operational requirements, TNCs have pushed for statewide legislation that would void local ordinances and apply a uniform TNC regulatory framework across the state. There are

[25]City of Portland: Portland Bureau of Transportation. Interim Administrative Rule for Transportation Network Companies: http://www.portlandoregon.gov/transportation/article/528139

currently seven bills being considered by the State House and Senate that could drastically alter how TNCs are regulated. Depending on which bill or bills are adopted, regulation could fall under the State's Department of Transportation with a unique classification for Transportation Network Companies with their own set of rules, similar to California's regulatory structure, or could end up being classified as motor carriers under the State's limousine regulations. While the bills differ on various aspects, they aim to establish a minimum standard of public safety including insurance coverage, background checks, and vehicle inspections.

The House Bills 4637-4641, supported by Uber, would allow the TNCs to carry a lower insurance coverage when drivers are logged in, but not engaged in prearranged rides. While drivers are logged into the application and not engaged in a prearranged ride, TNCs and their drivers would be required to maintain liability insurance for at least $50,000 per person and $100,000 per incident for death and bodily injury and $25,000 for property damage. In contrast, they would need to maintain insurance with a combined single limit of $1 million for incidents occurring while engaged in a prearranged ride.[26] This model of permitting lower insurance coverage during the period in which a driver is logged into a TNC network, but not engaged in a prearranged ride (what we refer to as Period 1 in this report), seems to be the model pushed by TNCs while working with various regulatory agencies across the country.

While the Michigan State Legislature considers uniform TNC regulations, local governments have been left the option to adopt and enforce operational requirements on TNCs. Two cities in particular, Lansing and East Lansing, took this opportunity to streamline licensing for taxis and for-hire drivers, including TNCs, on a regional basis through a joint powers authority known as the Greater Lansing Taxi Authority. After originally forming in September 2014, the Taxi Authority has since expanded to include four other adjacent jurisdictions. On June 3, 2015, the Authority adopted draft rules and regulations applying to all for-hire taxi drivers; however, TNCs are subject to less stringent operating requirements, including lower thresholds for vehicle inspections and substance abuse testing.[27]

Policy Options for Consideration by the City Council

Based on the findings of this report, we offer the following policy options for consideration by the City Council:

1. The City Council could consider lowering the vehicle inspection fee charged to taxicab franchises to an amount that is closer to the average or median of the surveyed neighboring jurisdictions.

[26]Michigan House Bill 4637

[27]The City Clerk for the City of East Lansing was assigned to act as the Authority's "recording secretary" in charge of the Authority's records. Information, including the Authority's charter and draft regulations can be found on the City Clerk's website: https://www.cityofeastlansing.com/1550/Greater-Lansing-Taxi-Authority

2. The City Council could consider revising the schedule of vehicle inspection charges from the current charge of $116 per quarter to an annual fee, which could be prorated. Shifting this charge from a quarterly payment to an annual fee would reduce the regulatory burden on taxicab franchises and provide an opportunity for greater administrative efficiency for the Department of Public Safety.
3. The City Council could consider extending the length of the driver's permit from one year to two years, which would be consistent with four of the five neighboring jurisdictions that we surveyed. This revision would reduce the regulatory burden on taxicab franchises and drivers.
4. The City Council could consider requesting the Director of Public Safety and the City Manager to participate in a regional effort to establish a single set of regulatory requirements in the area by advocating for the County of Santa Clara to regionalize taxicab franchise regulatory requirements. This would reduce the regulatory burden on taxicabs, and increase efficiencies across the County.
5. The City Council could consider revising the City's process for awarding and transferring taxicab franchises by extending the length of franchise awards and delegating renewal authority to the Director of Public Safety. Delegating responsibility for pre-determined renewal periods would make the City's process for awarding taxicab franchises consistent with other cities in Santa Clara County, could reduce the regulatory burden on prospective taxicab franchisees, and reduce administrative costs associated with work performed by City staff and City Council when reviewing applications for taxicab franchises that have expired.
6. The City Council could consider requesting the City Finance Director or City Manager or City Attorney to investigate whether TNCs and TNC drivers based in Sunnyvale meet the requirements to pay business license tax in the City of Sunnyvale.
7. The City Council could consider directing staff to study or consider the allotment of downtown curb space for all for-hire vehicles including TNCs and whether vehicles regulated by the City should receive priority spaces. As part of this study, the City Council could direct staff to also contact Caltrain to determine if additional enforcement is necessary for the taxi stand at the two Sunnyvale Caltrain stations.
8. The City Council could consider lowering the minimum number of taxicabs required to be maintained by each franchisee from five vehicles to lower the barrier to entry into the market for prospective taxicab franchisees.
9. The City Council could consider other revisions to the City's taxicab code to reflect current technologies and cultural norms, including:
    a. Revising the requirement for operable transmitters and receivers for contact with the driver's dispatch to include mobile phones and/or smart phone applications.
    b. Advising that the daily trip manifest could be kept in an electronic or online format.
    c. Removing the requirement that a uniform be worn by the drivers of taxicabs.

Attachment 1:

Community Input Received Regarding Council Study Issue Report – Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations

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5/26/15
Companies such as Uber expand the market for taxi services and prevent discrimination. They provide better service, improve public safety and in general make people's lives easier.

Before Uber, taxis would often refuse to stop for women who are not carrying a purse, black men, or wouldn't serve certain areas. An Uber driver will because there is no need to screen passengers - they can trust Uber to collect payment and to ban problem customers. Uber rankings go both ways.

Because Uber rides are tracked, drivers are screened and those who have had multiple complaints filed against them get banned, riders can have greater confidence that they will get to their destinations safely, with less risk of unsafe driving, groping, sexual harassment or other unpleasant and dangerous driver behavior.

I would never have taken a taxi before Uber because it's so inconvenient. After starting to use Uber I am also using normal taxis because it has become part of my routine, but it's much more hassle.

There is nothing preventing other taxis companies from offering the same conveniences. Instead of improving their own service they try to retain customers by lawsuits and legislation. So let's be clear here, this is Comcast suing Netflix, the MPAA suing libraries, Nissan suing Tesla. Instead of adapting they're fighting the future.

Just FYI - I am not and I personally know no one who is employed or works with a ride sharing company.

5/26/15
Just received the following from the Sunnyvale DPS about upcoming meeting to discuss impact of Car/Ride Share business on Taxicab Franchises.

My wife and I frequently use Uber services locally and in San Francisco due to the easy access to information about available cars in the neighborhood and accurate information regarding the wait time for pickup. The visibility of the selected driver's information (photo, name, phone, license plate) and vehicle location on a smartphone app is also an added security. In addition, there is no cash or credit card transaction directly between the driver and passenger - again added security and convenience.

In San Francisco, taxi services can opt in to using the Uber platform and passengers have the choice of selecting a tax or an Uber car. This would be a great addition locally should the taxicab franchises so choose.

Anyhow, you can probably tell that we are in favor of the current availability of Uber in our great city. But, we would also welcome the taxicab franchise(s) moving into the 21st Century and offering similar or better technology and convenience to member of the local community, or even better integrating with Uber's platform.

I do not have much experience with Lyft so I won't comment further.

5/26/15
I will not be able to attend the meeting on June 18 and share my thoughts via this message:

The taxicab franchises have a unique opportunity to compete against the newcomers. After all they already have a local presence and staff. To compete though they need to improve dramatically - cabs are poorly maintained and awfully filthy.

Competition is the hallmark of Silicon Valley. The taxicab franchises need to embrace it!

5/26/15
I am not a traditional taxi driver not a TNC type driver. I use taxi service very rarely.

However the world needs to move forward with new efficient systems and the old systems will naturally fade away with time. We have to be in reality. Always the world has moved as survival of the fittest and it is natural. Inefficient old systems will not survive.

The new TNC system is very efficient, much cheaper and environmentally good as a stock of vehicles will not be dedicated as taxis.

It is a good concept for many unemployed / underemployed persons to make some money to keep the home fires burning.

Most TNC drivers keep their cars clean, up to date and also efficient on time and also courteous as they get bad stars from customers. This affect their job with the TNC as they can be suspended.

Our intention is not to kill a new good system but regulate. The TNC should have insurance.
Training-???? if the DMV has given a driving certificate then they are suitable as drivers. Drivers should have a good driving record to drive for TNC. If the drivers have 3 or more violations or serious violation then the TNC driver should be suspended.

The drivers should be security cleared. As they take many women & children at all odd hours security is a must. No felons, sexual offenders--???? Should fix a security camera in the car run by the TNC company (like San Francisco city regular cabs have cameras in their cars fitted by the taxi companies)). This will give security (evidence) to both driver and the passenger.

When you impose many of the new restrictions mentioned above, may be the difference in fares will be not too much hence the taxis will have more life to remain in business. However TNC will not be able to replace the taxi system altogether. But will be an effective competitor. Healthy competition is always good for the customer to have good service and cheaper pricing.

5/26/15
I received your email about the meeting on June 18 which I will not be able to attend. However, I wanted to add my comment.

There are many businesses that change over the years with the advent of new technologies. In fact, most businesses change. I don't understand why the question about the taxi business warrants any special treatment from a city government. If products come on the market that consumers find more attractive than previous products (think newspapers, food delivery, package/mail delivery, online vs brick and mortar shopping, books/ebooks etc. etc. etc.) why does the city get involved? What is it about taxis that makes this business any different from any other business? If the old business does not find a way to compete in the changing marketplace, shouldn't it be replaced by the new business that consumers find more attractive? If taxis are having trouble surviving, then they need to make themselves more attractive. If Uber/Lyft start to fail the public shouldn't they also improve or go out of business? Why shouldn't the consumer have many choices in the marketplace to choose from? Why does Sunnyvale offer more implied "protection" to the taxi business? I don't get it. Let the marketplace work and government's role is to regulate the businesses to make sure consumer are safe etc but not to protect one business over another.

5/27/15
Ride share companies are thriving because they are efficient, prompt and less expensive than taxis. In San Francisco a ride from SF State to North Beach is a set fee of $28 dollars. A taxi ride is over $50 dollars.

Competition is good for the economy. Why should we support one service over the other.

5/27/15
I think the genie is out of the bottle. The discussion would be how to get taxi companies to be as appealing as

Lyft and Uber.

5/27/15
The only thing I have to say about them is that I unequivocally support them. My last few taxi rides in the South Bay have been semi-terrifying ordeals with poor driving and poorly maintained cabs.

Every Uber ride I've ever had has been pleasant or better. As a consumer, I don't see a reason the city should be involving itself in this unless it's to encourage further adoption.

5/27/15
I do have a concern about these TNC like Uber services.

We recently used a taxicab from SFO to Sunnyvale during our spring break trip.

The taxicab driver mentioned about the insurance coverage is different between Uber and regular taxicab.

I am concerned about what coverage does Uber provide to the passengers who use their service?

Do you know?

5/27/15
I am unable to attend the meeting related to the study on Car/Ride Share Impacts on Taxicab Franchises and would like my views known.

"There are concerns over the increasing popularity of TNCs and that TNCs may be negatively impacting local taxicab businesses." The only groups having concerns about TNC's negatively impacting local cab businesses are local cab business and frankly, they should be concerned. If local cab businesses did a better job of providing good transportation services, they wouldn't have to worry about competing with the likes of Uber and Lyft. The only other entity that is probably concerned is the City of Sunnyvale, because they are seeing, and will continue to see local taxes from cab companies eroding. My husband and I have been using Uber in Sunnyvale for over two months now and would NEVER again consider using a cab service as long as Uber and Lyft are available to us. I have had a severe foot injury that has prevented me from walking much and we utilize Uber to get back and forth from downtown in the evenings for dinner when we don't want to drive. The transportation services we have received in the personal vehicles owned by Uber drivers has been so far above those of a taxi service it's not even worth comparing, but I will:

1. Car and driver cleanliness: The cars driven by Uber drivers have been impeccably clean and well-maintained. No more riding in remnants of vomit that the cab company driver halfheartedly cleaned up from the night before. I have not yet encountered an Uber car and driver that were less that impeccably maintained. The smell is pleasant, there is usually bottled water or mints available to me and the temperature is tailored to my specifications.
2. Language: I do not have to struggle to communicate with my Uber driver or a dispatcher that has limited English language abilities. My App dispenses the driver effortlessly and I am able to see where they are in the route to pick me up.
3. Fees: I always know within a few dollars, what I'm going to pay for my ride. The app I use with Uber allows me to get an estimate on the fare electronically before I even order the ride. I like this. I appreciate the predictability and that I don't have to worry that the cab driver is taking liberties with the route. Also, I don't have to worry about the whole tipping process. Fares are handled cleanly, electronically and with no issues.
4. Dependability: I never have to worry that an Uber driver will show up. I can see the driver's location on my smart phone and have not yet had one fail to arrive at the specified time, which is usually within 3 – 6 minutes. Average wait time with a cab is between 30 – 45 minutes, depending on the time of day. I have had occasions when a cab did not show up for a ride to the airport.

5. Feedback: Cab companies have no interest in getting feedback about their service and until Uber and Lyft, they didn't have to care about it. That is a problem. I now give an instant rating to my Uber driver and those ratings impact whether that driver will continue to provide service for Uber. What better incentive to keep the service levels up? I have never had a cab company ask me for feedback on their service. On the contrary, when I have tried to give feedback to dispatch, I am met with disinterest and, on one occasion, a hang-up.
6. Safety: I've heard all the arguments about safety concerns that the cab companies bring up about Uber and Lyft, but it wasn't long ago that the news reported on a Taxi driver picking up a friend in Fremont to sexually assault an incapacitated women in the back of his cab. That argument is designed to prey on people's fears and is unfounded. That's not to say that there aren't predators who drive for Uber and Lyft. Having used both services, I will take my chances with the Uber service over a cab any day for safety and challenge any cab company to prove that my safety is any more at risk when using Uber than a cab service.

City of Sunnyvale, don't do something stupid and consider banning Uber and Lyft in the City of Sunnyvale. If you want the tax revenue that comes from Uber drivers operating within the city limits, then work with Uber and Lyft to make that happen. Don't raise some smoke screen and false concerns about Uber and Lyft negatively impacting cab services. They need to impact a service business that has been dreadfully subpar for far too long. It's called capitalism. The cab services will need to raise their game if they are going to remain competitive while Uber and Lyft disrupt this previous unchallenged service industry. Let the market prevail and do not do anything to impede the services of Uber and lift within Sunnyvale.

Support disrupters like Uber and Lyft – they will make the market better for all of us – even cab services - in the end. It's not too late for the cab companies to get it together and retain the service market they have enjoyed (undeservedly in my opinion) over the years by raising their level of service levels. They will have to fight hard to get me to use the service again, but it isn't too late.

5/27/15
I strongly feel that the benefits of increased access to transportation due to Uber and Lyft outweigh any negative impact they have on existing taxi franchises. I hope that Sunnyvale will not burden them with onerous regulation.

5/27/15
I am unable to attend the city hall meeting, but would like to express my interest in the Car/Ride Share impacts.

I am a STRONG believer in the Uber and Lyft model of getting a car. Not only is it much easier to get access of a cab using those services, it's much safer in my opinion, safer. When I get in a cab, the driver is shady, using bad tactics to get me to pay more and use cash (like not turning on the meter, or trying to charge me for bridges). They also drive VERY aggressively so they can get their next customer ASAP. Uber and Lyft, it's all taken care of via our phones. There's no incentive to cheat or speed around. And I can rate the driver, so there's a feedback loop if they do something bad. That does not exist in the taxi world. As a consumer, I cannot choose to reject a taxi driver based on their previous reviews. But I can on uber or lyft.

Uber and Lyft are MUCH better companies in that regard. The drivers are much safer on the road than taxi drivers. They aren't slamming on the gas and swerving around to get to the destination as quick as possible.

Whenever I can, I ALWAYS try to use Uber or Lyft to get around. I would always choose them over a taxi just because of my experience. Taxi's can take forever to arrive (if they ever do), and it's a very unpleasant experience to use them.

So please, keep Uber and Lyft type services around. They are 100 times better than what the taxi companies provide.

5/27/15

We won't be able to make it to the meeting on this topic. I would just like to say that I am generally in favor of more competition. There is nothing inherently wrong with new competitors offering better service at lower prices. The city should instead focus on making sure that the competition is fair. One topic I'd like to see addressed is insurance. My understanding is that there is some ambiguity about what type of policy is necessary for ride share drivers. It would be good to make sure that the other drivers are being adequately protected.

5/27/15
Thanks for this announcement. Many job categories and careers have gone the way of the dinosaur. What I think is most important is that we help cab drivers to identify kinds of jobs that they could do well and make a living wage, within their needs (say, for schedule flexibility).

5/27/15
I will be out of state when the meeting occurs but would approve taxi cabs and companies like Uber being required to operate under the same guidelines to approach being fair. Personally, after hearing Uber's ads suggesting anyone can be an Uber driver, I would not use them. If other input is required please let me know.

5/27/15
I saw the Car/Ride Share topic on Nextdoor. I can't make the meeting so I wanted to share my thoughts by email.

I think the ride share companies are a WONDERFUL thing. I am all for competition. The taxicabs need competition to improve their pricing and service. Yes, TNC will impact the taxi companies in a good way.

And don't regulate the Ride Share companies. Let the free market work. Sunnyvale should keep its greedy fingers out of it.

Don't be pressured by the taxi companies to make regulations.

Sunnyvale should also keep it's greedy fingers out of the Airbnb business too.

5/28/15
I just wanted to say that I love using Uber and I support the business model. It is extremely convenient.

5/31/15
I will be unable to attend the meeting, but want to voice my support for Uber and Lyft, as their services will help push the technology forward, increasing availability of on-demand transportation, as well as reducing the costs.

I understand that taxicab companies don't like this, but it's the future and it would be completely inappropriate for city or state government to block the future from its populace due to political or other reasons.

If you think of where this will go in the future, Uber and Lyft will eventually go out of business as self-drive cars will replace them in another 10 years.

6/1/15
I received the email below from Sunnyvale DPS last week. Unfortunately I might not be able to attend the meeting in person but wanted to share my thoughts with you anyway. It sounds like the premise of this study is that 'negatively impacting local taxicab businesses' is a bad thing, but actually, all my friends here in Sunnyvale, and I, think that the new Uber/Lyft type services are an absolute breath of fresh air in transportation. That is actually a literal thing. Honestly, all the franchised taxi cabs that I've ridden in around the Bay Area have been old, smelly and uncomfortable vehicles, whereas the Uber/Lyft (and also Wingz - an Uber-type company that does rides to

and from the airport) vehicles have invariably been new and immaculately clean.

Here are a few reasons why we like TNC services compared to 'old-fashioned' taxi cabs:

1)The booking. With a TNC, you have great feedback and confirmation in terms of booking your vehicle and knowing when it's going to arrive. Imagine you are a lone person trying to get back from a bar late at night. You book an Uber on your app and right away you can see your ride traveling across the map to come and get you and you know how far away it is - usually just 10 minutes or so. Compared to booking a taxi cab: you phone up, there might be a language barrier so you're not sure that the person has understood you 100% correctly, you have no idea where the cab is that is meant to be coming to get you or when it will arrive, they always take ages to get there, like 30 minutes. This whole booking/waiting process is as important as the actual ride itself.

2)The ride. As I mentioned, based on personal experience, the quality and cleanliness (and almost certainly safety) of the TNC vehicles is way better than the taxi cabs. There are some horrible cabs out there and you don't have much choice in what you get. (With Uber, you don't have much choice either, but at least all the choices are good).

3)The payment. Going back to the lone person trying to get home - they probably spent all their cash in the bar. With TNCs, no cash changes hands, so it's not a problem. Vs with a taxi cab you are on the meter, you have no control over it, it's just another worry.

Finally, I don't see that franchised taxi cabs need to make a huge deal out of this. The barriers of entry to working for a company like Uber are not high. It's like being a blacksmith 100 years ago. In a short space of time you had to either go from making horse shoes to car parts, or pick a different trade. I think it's the same deal here. I suppose there's something to be said in terms of economic impact too - it could be a negative thing, to lose locally-based businesses that pay taxes to City of Sunnyvale, to big businesses based in the city. But on the other hand, having more people spending/earning money on TNC cars will generate more money for the local economy, and it's not a zero sum game, the higher quality of service that TNCs give will increase the total number of riders.

Thanks for reading this far!

6/2/15
I got the notification about the car/ride share meeting but I will not be able to attend. I just wanted to email you and provide my input.

Uber and Lyft provide a better service than a typical Taxicab. I would much rather Uber than call a taxi. It's quicker and easier, the cars are much cleaner, you can give drivers reviews, the price is clear, payment is much easier, and they don't yell at you for tips.

Especially now that those companies have been providing insurance options for their drivers (which seemed to be the main issue with them), I must ask...

Is there any clear reason why we should spend tax dollars to protect a business that doesn't provide as good a service?

If there is please let me know.

In regards to transportation I would much rather our money, time, and effort go towards better public transportation and bike lanes.

6/3/15
I am writing because I am unavailable to attend the meeting on the 18th and I want to express my support of

Transportation Network Companies (TNC), e.g. Lyft, Wingz, Uber. I am a long time Sunnyvale resident and homeowner.

I use Uber and Wingz. I have used them here in CA, TX, NY, and New Orleans. In my experience, the archaic, slow, corrupt, business model that is used by taxicab franchises is creating their own demise. In the absence of providing continuous improvement, their "service" or product should be bypassed. That is how our economy works, in particular in Silicon Valley. How can this new transportation service be a surprise? The TNCs provide reliable & timely pick-ups, clear pricing, cashless transactions and two-way feedback mechanisms. As a woman, I have always felt safe in any of the TNC vehicles. I have often felt unsafe in a taxicab. I also have no visibility to the route I am being taken when using a taxi, let alone the fare. Furthermore, I am without recourse for a complaint, and the utterly outdated and insecure credit card mechanisms the taxicabs use has been the source for identity theft and mistaken charges that took weeks to resolve. This compounded with the pressure a rider gets to pay in cash makes the taxicab "model" untenable. The TNC vehicles are spectacularly smoke-free and clean inside, as opposed to the taxicabs that I have ridden in.

Monopoly is not how we do business. Taxicab franchises are not a pure monopoly, yet it is their business model that is leading to their alleged loss of business. Choice. Consumer choice. Are we stopping solar and wind power sources because it may cause PG&E to lose some business? I didn't think so.

06/15/15
Our main concern has to do with making sure these drivers are fully licensed and insured, with sufficient general liability coverage...to match what the traditional cab companies and commercial carriers are required to have.

There have been a few cases of injuries caused by Lyft & Uber drivers, and the public needs to be reassured it has recourse in the event of accidents due to negligence resulting from such drivers. Not unlike commercial truck drivers. Does Uber provide this? Does Lyft? Does it fall on individual drivers to carry this? City of Sunnyvale should have a policy in place similar to DMV.

06/15/15
I am thrilled to have Uber in our community. It is a great service and they are much more prompt than the typical taxi and often less expensive. Uber is a great example of how technology and the use of applications has positively impacted our life.

I also believe that Uber has helped decrease the amount of individuals that are driving under the influence of alcohol. I've heard from several people that they use it over now when they go out at night, even when they are just having a tiny bit to drink. It's just so easy to use, cost effective, and timely - which can't be said of cabs.

While Uber may be taking over the business of taxis, that's what happens when the competition offers something better. Please don't make it harder for Uber to operate. We love them!

06/15/15
Unfortunately I cannot join the meeting on June 18 but please don't limit Uber, Lyft or any other ride sharing in Sunnyvale.

(1) most of the ride sharing drivers I've used from in Sunnyvale are locals from our community. So by limiting them you affect our community
(2) taxi services is Sunnyvale are much more expensive. A ride from caltrain to my house (less than 3 miles) cost me over $30 (incl tip)
(3) taxi cabs in Sunnyvale are typically older vehicles that are not as clean inside vs the cars used by ride share services.
(4) Sunnyvale wants to be the center of Silicon Valley. So don't kill innovation.
(5) with ride share services I have a better idea who my driver is vs taxis. And I get a social score (reputation) on the driver from previous clients. I don't have any idea who my taxi driver is nor what his/her reputation is.

06/15/15
I'd like to express my opinion regarding companies like Uber and Lyft competing with established companies. I don't believe it's the point of the government (local, state or federal) to be protecting existing companies from competition.

If existing companies are having trouble competing due to onerous restrictions imposed by government regulators, whether those regulations ought to exist should be discussed. it's not fair to the existing companies to have to comply to regulations if challengers don't. I suspect many of the regulations could be removed but that's a different topic.

It's more likely existing companies are interested in using government regulations in their favor to restrict competition. Hopefully the Sunnyvale City Council will understand the benefits of competition and how much Sunnyvale itself has gained from disruptive technology. It would be very disappointing to see Sunnyvale attempt to restrict innovative applications and services like Uber and Lyft. They won't go away, they'll just go underground.

06/15/15
I support other modes of transportation. Taxi drivers charge way too much. I use uber and enjoy it.

06/15/15
I am a Sunnyvale resident who has used both traditional as well as peer-to-peer ride services. I understand that traditional taxi companies are struggling due to competition, but for GOOD reason! I object to local government preventing non-traditional business models that are more efficient and less expensive from doing business in this area. When local government interferes with business competition it creates favoritism and can stifle change that often benefits the consumer.

- taxi services are about 20-40% more expensive, depending on traffic
- I am not privy to how these alternative services work, but they are reliable day or night, rain or shine, holiday
- using a traditional taxi is not as fast when arranging a ride at the last minute
- it is amazingly convenient, not to have to cough up cash!
- You have a can easily split fares with others

6/15/15
Unfortunately I am unable to attend the meeting on Thursday, June 18th but I would like to comment on the topic of Car/Ride Share Impacts on Taxicab Franchises. Before I state my opinion on this topic I do not own a smart phone. I have used the services of Uber but not often.

I am in total favor of Car/Ride Share businesses. These business came about because the Taxi Cab industry is poorly run and totally inefficient, the vehicles are dirty, smelly and a lot of the times you don't know what language is being spoken by the drivers of Taxi Cabs. Taxi Cabs are not timely and the wait is very often long, unless you pick one up at an airport, and they difficult to flag down. Businesses like Uber, Lyft and Sidecar came about because the Taxi Cab industry would not give the public what they were looking for; accessable, clean, professional and reliable service.

Instead of Taxi Cab companies looking for protections from City Governments they should be investing in the same technology the TNC's developed. This is not technology with a big mote around it preventing the Taxi Cab companies from competing with TNC's. Government should stay out of this and let the free market do it's job. Taxi Cab companies should either lead, follow or get out of the way.

06/16/15
I have never used one of these services and plan not to in future. The reason is the lack of regulation of such items as insurance coverage, driver screening, in-car cameras, and fare regulation.

I am currently visiting Ottawa, and took a $45 cab ride to get to my destination. The driver discussed with me how the local Uber drivers jack up their fairs during prime time, which regulated taxis are not allowed to do. He also showed me his in-car camera, and mentioned that his recordings have been used in a couple of cases to settle customer complaints.

I have noted that young people think Uber is great, and are happy to use it all the time. However, I don't think they are as concerned about the above issues as some of us older citizens.

Thanks for considering my input. My wife is of like mind.

6/16/15
I cannot attend the community meeting on 6/18 but would like to give my input on the impact of TNCs in Sunnyvale.

I'm a Sunnyvale resident and am in favor of TNCs in Sunnyvale. Their service is better than taxi cabs.

They offer cheaper fares for consumers, don't require payment exchange in the car, and have friendlier drivers.

6/22/15
See attached.

7/11/2015

As a resident, I value their convenience. Uber drivers are much better than taxi's -- I feel WAY more safe taking Uber and have even allowed my daughter to take rides by herself which I would never do with a taxi.

- I enjoy not having to sit in a smoke filled car when taking Uber. The taxi cabs typically smell of smoke.
- Uber drivers are more professional and courteous and seem like they really enjoy doing what they are doing.
- In my experience, Uber drivers drive much safer than taxi drivers.
- Uber provides a way for residents to make money if extra income is needed. The taxi drivers that I have driven with would be out of business if driving with Uber because of poor reviews -- which is what we want as a town -- safer drivers!
- For those who are from out-of-town, Uber drivers make the stay better by providing tips and places to go/see (read increased revenue for the city)

Please do not ruin this industry by taxing it and/or regulating it further. It works!

7/12/2015

I am a 7-year Sunnyvale resident, 48 years old. I am unable to drive because of vision issues. I am sorry I missed the June 18th meeting because I wanted to give some feedback.

Much of the time, due to where I live in Sunnyvale, I can walk or take the 22, 26, 55 or 522 bus. I do have a Disable Transit Card which is great. However, as you know, once you get out of the core downtown it becomes harder to get around without a car.

Twice I have used an app called "Curb" (formerly TaxiMagic) to arrange a registered taxi ride and have been abandoned by the taxi driver, who, for whatever reason, took the dispatch and then changed their mind and DIDN'T LET ME KNOW. The dispatcher said that, "Oh, it is at their discretion" and when I asked them to send another cab, said "We don't have any in Sunnyvale right now". I then used Uber and got a ride in 5 minutes.

I have used Uber to go to and from work (also in Sunnyvale), to Kaiser for doctor's appointments, to get to CalTrain station and grocery shopping and other errands. May cab driver do not like there "short hop" fares, and will not take the fare, hoping for a bigger one, like to the airport.

If Uber were to be forbidden in Sunnyvale, my quality of life would be hugely impacted; also, what if someone were to take Uber from Santa Clara to Mountain View...would they not be allowed to drive through Sunnyvale? If the taxis were plentiful and reliable, I could understand re-considering Uber or Lyft, but they are not (seven years of experience here).

Thank you, and please let me know if there will be other opportunities for citizens to weigh in on this report.

07/20/15

The City Council should stand up for the public interest by refusing to pass laws that protect taxi companies at the expense of Uber and Lyft.
Uber and Lyft provide a fantastic service at a very reasonable price.
The taxi companies offer bad service at a high price.
That's how the opportunity for Uber and Lyft came about in the first place.
If the taxis can't compete, the Sunnyvale City Council should let them fail.
Either way, the public interest is best served by the City government getting out of the way.
Please don't hamper Uber and Lyft's ability to continue providing their superb service.
Let the taxi guys compete if they can.
If they can't, tough luck. It's really none of the City government's business.

I am in no way affiliated with Uber, Lyft, or any other such company.
I'm just a Sunnyvale resident, and a very satisfied customer.

If it's not too late, I'd appreciate it if you could pass along my email to the City Council.

Thank you for your time.

7/24/15

As you are aware, the transportation industry has drastically changed over the past few years. In Sunnyvale, as well as many other parts of the country, ride sharing companies are expanding and pushing Taxi companies out of profit and in some cases out of business. This email is intended to simple ask: Where does the city stand as far as helping Taxi companies survive in today’s market? We

believe that through a joint effort, we can establish remodeled previsions that allow the playing field between ride sharing companies and taxi companies to be even. Below are a few of the key changes we would like to see made:

- Decrease the annual cab inspection fee. (Sunnyvale has one the highest inspection fees in Northern California)
- Increase the driver permit length to a minimum of 2 year (Sunnyvale currently requires yearly renewal one of only a few places in Northern California that does so)
- Permits should be granted to drivers without any formal written test.
- Decrease the required insurance amount to $300,000 (Similar cities, like San Jose, the required insurance amount to $300,000 and have no issues)
- Allow B rated carriers. (This will allow for us to have more carriers to choose from. Currently we are very limited in carrier options which are problematic in terms of rate negotiation.)
- We recommend the city of Sunnyvale, Santa Clara, and San Jose run a joint program which will handle the processing of all permits and licenses.
- Place limit on ride sharing companies, requiring business licenses from the City of Sunnyvale.
- Require ride sharing companies to obtain permits, just as cab drivers are required to do.
- Work with taxi companies to update out current business model. It is outdated and fails to utilize technological advances as ride sharing companies do.

The provisions listed above are imperative to the survival of the taxi industry in Sunnyvale. This is not the first time we have expressed the need for change. At this point, our concerns must be heard and the city of Sunnyvale must be proactive in order to ensure taxi companies remain in the city. If the City is not willing to make any changes we will be forced to take a voluntary suspension and stop all operations within the city.

ATTACHMENT 2

City of Sunnyvale

Agenda Item

15-0102 **Agenda Date:** 1/30/2015

2015 COUNCIL STUDY ISSUE

NUMBER
DPS 15-02

TITLE Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations

BACKGROUND
Lead Department: Public Safety
Support Department(s): Office of the City Attorney

Sponsor(s):
Councilmembers: Griffith, Larsson

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

SCOPE OF THE STUDY
What are the key elements of the study?
This study would compare the profiles of the Sunnyvale taxicab franchises with those of car/rideshare businesses, including the differences, benefits and challenges, and risks; assess the impact of car/rideshare businesses on Sunnyvale taxicab franchise businesses; and review and compare regulatory developments that have taken place in other jurisdictions. This study will also review and compare the City's current taxicab franchise requirements with that of neighboring cities and research potential policy options such as the deregulation of taxicab franchises.

What precipitated this study?
Car/ride share businesses have evolved over the past several years. Of the more commonly known businesses, or Transportation Network Company (TNC) services, Uber and Lyft use smartphone applications to receive ride requests and connect passengers with drivers who provide the services in their personal vehicles. The taxicab industry is raising concerns over the increasing popularity of such programs and the negative impacts TNCs are having on their businesses. While the City regulates taxicab franchises per SMC Section 5.36 to ensure reasonable assurance of driver, passenger safety and risk reduction, and a predictable fee structure, the City does not set regulations for TNCs. TNCs are regulated at the State level by the Public Utilities Commission (PUC).

Mayor Griffith, when sponsoring the study, indicated that he has heard feedback from local franchise taxi operators with concerns that their businesses are being impacted by car sharing services such as Uber and Lyft. Additionally, in a recent meeting Mayor Griffith had with taxicab franchise owners, they indicated that the City's requirements are much more rigorous than other cities and those the PUC places on TNCs, therefore potentially deterring taxicab drivers from continuing operation in

Sunnyvale.

Planned Completion Year: 2015

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost): Minor

Amount of funding above current budget required: $25,000

Funding Source: Will seek grant funding. If grant funding is unavailable, will seek a budget supplement.

Explanation of Cost:
Due to current staff vacancies in the Department of Public Safety, the process would require the assistance of a consultant experienced in conducting such studies. There could also be additional staff costs associated with managing the study, conducting additional research, and presenting the final Report to Council.

Cost to Implement Study Results

Unknown. Study would include assessment of potential costs.

EXPECTED PARTICIPATION IN THE PROCESS

Council-approved work plan: No
Council Study Session: No
Reviewed by Boards/Commissions: No

STAFF RECOMMENDATION

Position: Support

Explanation: The popularity and number of TNCs will likely increase over time. In anticipation of its continued growth, this study would help to determine if and how the City's current taxicab franchise regulations are impacting taxicab franchise owners' abilities to remain competitive and potentially deterring interest in continuing operations in Sunnyvale.

Prepared by: Nancy Thome, Senior Management Analyst
Reviewed by: Frank Grgurina, Director, Department of Public Safety
Reviewed By: Robert A. Walker, Assistant City Manager
Approved By: Deanna J. Santana, City Manager

City of Sunnyvale

Agenda Item

15-0821 **Agenda Date:** 10/13/2015

REPORT TO COUNCIL

SUBJECT
Adopt a Resolution to Approve the Annexation of the Butcher Property and Find the Project Categorically Exempt under the California Environmental Quality Act

BACKGROUND
On August 27, 2013, the City Council initiated a request to the Local Agency Formation Commission (LAFCO) to annex the Butcher property, an over 5-acre county "island" located at the intersection of East El Camino Real, South Wolfe Road and East Fremont Avenue, with LAFCO offering to assume the cost for processing that annexation (RTC 13-201). Around the same time, the property owner, De Anza Properties, submitted a concept plan (Preliminary Review) to redevelop the property.

LAFCO accepted the City's initiation of annexation, and on October 8, 2013, the City Council considered a draft resolution to complete the annexation of the Butcher property. At the request of the property owner and residents, the City Council decided to postpone the annexation to allow the property owner to further develop plans and share them with the community for input.

On July 28, 2015, the City Council directed staff to move forward with the annexation process independent of and prior to action on the pending rezoning and development applications. In addition, the City Council deferred consideration of the two-year "changed circumstance" finding until action on the rezoning and development applications (Attachment 4, Meeting Minutes from the July 28, 2015 City Council Public Hearing).

Staff recommends that the City Council approve Alternatives 1 and 2: find that the annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to guideline 15319(a), and adopt a resolution to approve the annexation of the Butcher property (Attachment 1, Resolution to Adopt the Annexation of the Butcher Property Island Area). Annexation does not change the City's existing General Plan or zoning designations for the property, and no Council action on the proposed project is being considered at this time.

EXISTING POLICY
Sunnyvale: General Plan

Policy LT-4.1 - Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

Goal HE-4 - Provide adequate sites for the development of new housing through appropriate land use and zoning to address the diverse needs of Sunnyvale's residents and workforce.

Santa Clara LAFCO: Island Annexation Policies

Policy 1. - In order to fulfill the intent of the state legislature and implement the joint urban

development policies of the cities, County and LAFCO, and in the interests of efficient service provision and orderly growth and development, the cities should annex unincorporated urban islands.

ENVIRONMENTAL REVIEW

The annexation is categorically exempt under CEQA Guideline 15319(a) since it does not constitute any form of development approval and, thus, would not result in any environmental impacts.

An Environmental Impact Report (EIR) is being prepared for the proposed rezoning and development applications. The Draft EIR is expected to be available for public review in January 2016. Public hearings to consider certification of the Final EIR are expected in May 2016.

DISCUSSION

Annexation Process

LAFCO encourages cities to annex island areas that are currently unincorporated but within the Urban Service Areas (USA), such as the Butcher property. The following steps are required to complete the annexation of the island areas into the City of Sunnyvale:

1. A public hearing to adopt resolutions to initiate the annexation process for two sites *(completed on August 27, 2013)*.
2. A second public hearing to adopt a resolution approving the annexations *(action associated with this RTC)*.
3. Sending the signed resolutions to LAFCO.
4. Recordation of Certificates of Completion (within 7-10 days after receiving the resolution) by LAFCO. This step results in the formal incorporation into the City of Sunnyvale.

Butcher Property

The unincorporated island is comprised of six parcels and is currently developed with two residential homes, several accessory structures and mature landscaping. Four of the parcels within this island are privately-owned by De Anza Properties, and total just over 5 acres in size. The remaining two parcels are City-owned right-of-way and are located at the northeast edge of the Butcher property. The City-owned parcels total approximately 1,200 square feet and are currently paved as a part of the sidewalk and street (Wolfe Road) (Attachment 2, Information and Map from LAFCO).

The four De Anza Properties parcels are prezoned Residential Medium Density/Precise Plan for El Camino Real (R-3/ECR) and designated Residential High Density (RHI) in the General Plan. The site is also within the area designated as a Node in the Precise Plan for El Camino Real. Since the October 2013 Council meeting, it has been determined that the two City-owned parcels are part of the roadway system which are not subject to zoning regulations. No action to change the General Plan designation or rezone the parcels is proposed at this time.

Annexation does not pre-approve a project. If the Butcher properties are annexed into Sunnyvale, the prezoning designations would remain. Separate actions and public hearings are required for any rezoning or development applications. The Cortese-Knox-Hertzberg Act, governing annexation, provides that any change to the zoning of the property, within two years of annexation requires a finding that there has been “substantial change” in circumstances that “necessitate a departure from the prezoning.” As stated previously, Council has deferred consideration of this finding until the review process on the proposed rezoning and development applications, and this finding is independent of action on annexation.

The primary benefit of annexing the Butcher property is that it would secure and clarify that the City of Sunnyvale has land use authority over future development of the property. Annexation allows for more efficient delivery of services, such as fire and police. If annexation is not approved and the property remains unincorporated, land use authority over the property would remain with Santa Clara County (see further discussion in Attachment 3, Report to Council from the July 28, 2015 City Council Public Hearing).

FISCAL IMPACT

The County of Santa Clara has agreed to cover all of LAFCO's costs related to the island annexation because they wish to incorporate the land into the appropriate USA. No additional fees are required to complete the annexation process. Should the Butcher parcels be annexed into the City, the City would receive property taxes and utility user tax.

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. In addition, the public hearing notice was placed in the newspaper at least 21 days before the hearing. Notices were also sent to all property owners and tenants within 2,000 feet of the site, to nearby neighborhood associations (SunnyArts, Braly Corners, Ponderosa, Stratford Gardens, Gavello Glen, Wisteria Terrace, Raynor Park, Birdland, Panama Park, and Ortega Park), and to the pending planning application (2014-7373) project mailing list.

ALTERNATIVES

1. Find that the project is categorically exempt from CEQA pursuant to guideline 15319(a).
2. Adopt the resolution to approve the annexation of the Butcher property.
3. Do not adopt the resolution to annex the Butcher property and take no further action at this time.

STAFF RECOMMENDATION

Alternatives 1 and 2: 1) Find that the project is categorically exempt from CEQA pursuant to guideline 15319(a); and 2) Adopt the resolution to approve the annexation of the Butcher property.

Prepared by: Noren Caliva-Lepe, Associate Planner
Reviewed by: Hanson Hom, Director, Community Development
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Resolution to Adopt the Annexation of the Butcher Property Island Area
2. Information and Map from LAFCO
3. Report to Council from the July 28, 2015 City Council Public Hearing
4. Minutes of July 28, 2015 City Council Public Hearing

DRAFT 9/9/15 JB

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE APPROVING THE ANNEXATION OF SIX PARCELS LOCATED NEAR THE INTERSECTION OF WOLFE ROAD, AT EL CAMINO REAL AND FREMONT AVENUE, COMMONLY KNOWN AS "BUTCHER'S CORNER" AND INCLUDING TWO CITY-OWNED PARCELS

WHEREAS, the Cortese Knox Hertzberg Government Reorganization Act of 2000 (Govt. Code §§56000 et seq.) creates countywide Local Agency Formation Commissions (LAFCO) to oversee local government territorial organization, prescribes the process for the annexation of unincorporated property into cities, and sets forth a streamlined process (Govt. Code §56375.3) for cities to annex certain unincorporated "island" pockets that are completely surrounded by a city's lands; and

WHEREAS, the City Council of the City of Sunnyvale desires to conduct proceedings pursuant to Section 56375.3 for the annexation of an unincorporated island to the City; and

WHEREAS, the island territory (the Property) that the City desires to annex, more particularly depicted on Exhibit "A" attached hereto and incorporated herein, is located within the unincorporated area of Santa Clara County near the intersection of Wolfe Road at El Camino Real and Fremont Avenue, and includes four parcels privately owned (commonly known as "Butcher's Corner") and two small parcels owned by the City of Sunnyvale, collectively designated by the County as "Parcel SV-03;" and

WHEREAS, the Property has a pre-zoning designation of R-3 and is consistent with the City's adopted General Plan. Pursuant to provisions of Section 56375(e) of the Act, the pre-zoning designation shall remain in effect for two years following annexation unless specific actions are taken by the City Council; and

WHEREAS, as provided in Government Code Section 56757, the City Council is the conducting authority for the annexation, and on August 27, 2013, the City Council held a duly noticed public hearing, considered a staff report and written and oral public testimony, and adopted Resolution No. 610-13 to initiate annexation of the Property; and

WHEREAS, the County Surveyor has found the attached Exhibit "A" map for the territory to be in accordance with Government Code Section 56757, the boundaries to be definite and certain, and the proposal to be in compliance with LAFCO's annexation policies; and

WHEREAS, the City Council has complied with the California Environmental Quality Act incident to its consideration of the annexation, as described below.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. The City Council finds that the annexation of this island is a Class 19 exempt project pursuant to Article 19 of the CEQA Guidelines (Guideline 15319). The parcels are developed, consistent with both the County zoning and the City's pre-zoning of the area.

SECTION 2. The City Council makes the following findings and determinations:

a. The territory is less than 150 acres, is contiguous to and surrounded by the City and is within the City's urban service area and sphere of influence;

b. Based on the facts that public utility services are available to the territory to be annexed, public improvements are present, and physical improvements are present upon the parcels making up the territory, the City Council finds and determines that the territory is substantially developed or is developing;

c. The territory does not include prime agricultural lands;

d. The territory will benefit from the annexation or is receiving benefits from the City;

e. The annexation does not split lines of assessment or ownership and will not create islands or areas which in which it would be difficult to provide municipal services;

f. The territory meets all the requirements of Section 56375.3 and Section 56757 of the Act.

SECTION 3. The City Council of the City of Sunnyvale hereby approves annexation of the territory to the City of Sunnyvale and concurrent detachment of the territory from any special districts which territory is identified in Exhibit "A" attached hereto and incorporated herein by reference, effective _____, 2015.

Adopted by the City Council at a regular meeting held on _____, 2015, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

_____
City Clerk
(SEAL)

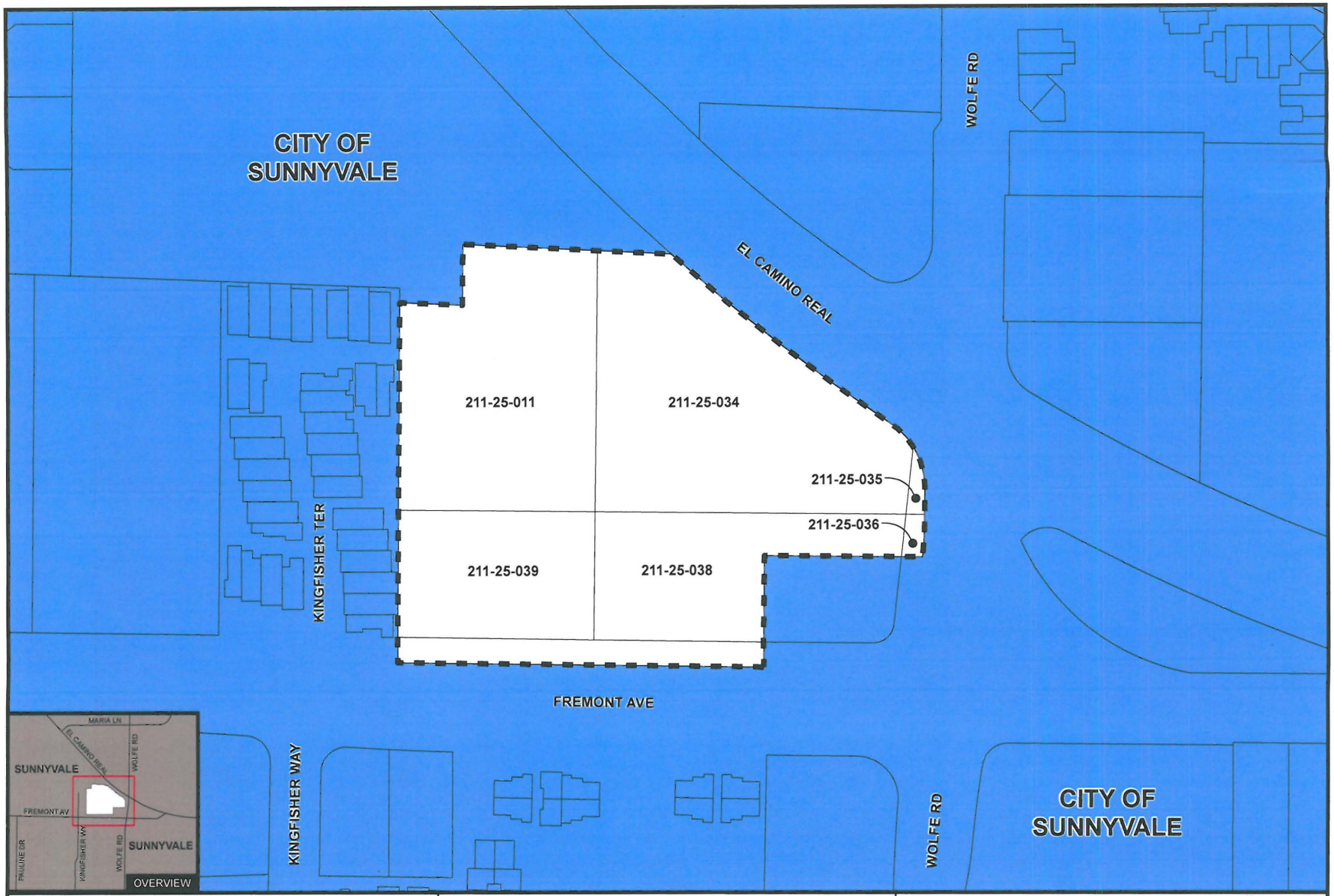
APPROVED:

_____
Mayor

APPROVED AS TO FORM:

_____
City Attorney

ATTACHMENT 1



County of Santa Clara
Department of Planning and Development
Office of the County Surveyor

County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110

TITLE:

EXHIBIT "A"
Sunnyvale Pocket Annexation No. 1
SV03 - Butcher's Corner
5.5 Acres +/-

Prepared by the Office of the County Surveyor
April 15, 2015
Gwendolyn Gee, County Surveyor

LEGEND:
- Area of Annexation
- Sunnyvale Incorporated Lands
- Unincorporated Lands
- 211-25-011 Assessor's Parcel Number

N W E S
0 25 50 75 100 Feet

Sheet 1 of 1

ATTACHMENT 2

County of Santa Clara

Planning and Development

Office of the County Surveyor

County Government Center
70 West Hedding Street, E. Wing, 7th Floor
San Jose, California 95110
(408) 299-5730

April 15, 2015

Ms. Neelima Palacherla, Executive Officer
LAFCO
70 W. Hedding Street
11th Floor, East Wing
San Jose, CA 95110

SUBJECT: **Sunnyvale Pocket Annexation No. 1 "SV03 - Butcher's Corner"**

The attached Exhibit "A" dated April 15, 2015 of the territory proposed to be annexed to the City of Sunnyvale entitled:

Sunnyvale Pocket Annexation No. 1 "SV03 - Butcher's Corner"

is in accordance with Government Code Section 56757 (c)(2). The boundaries of said territory are completely surrounded by the City of Sunnyvale and are definite and certain. The proposal is in compliance with the Local Agency Formation Commission's road annexation policies.

Per the Local Agency Formation Commission and the State Board of Equalization, this Pocket annexation does not require a legal description.

PROFESSIONAL LAND SURVEYOR
WILLIAM F. SLEPNIKOFF
5701
STATE OF CALIFORNIA

William F. Slepnikoff, PLS
Deputy County Surveyor

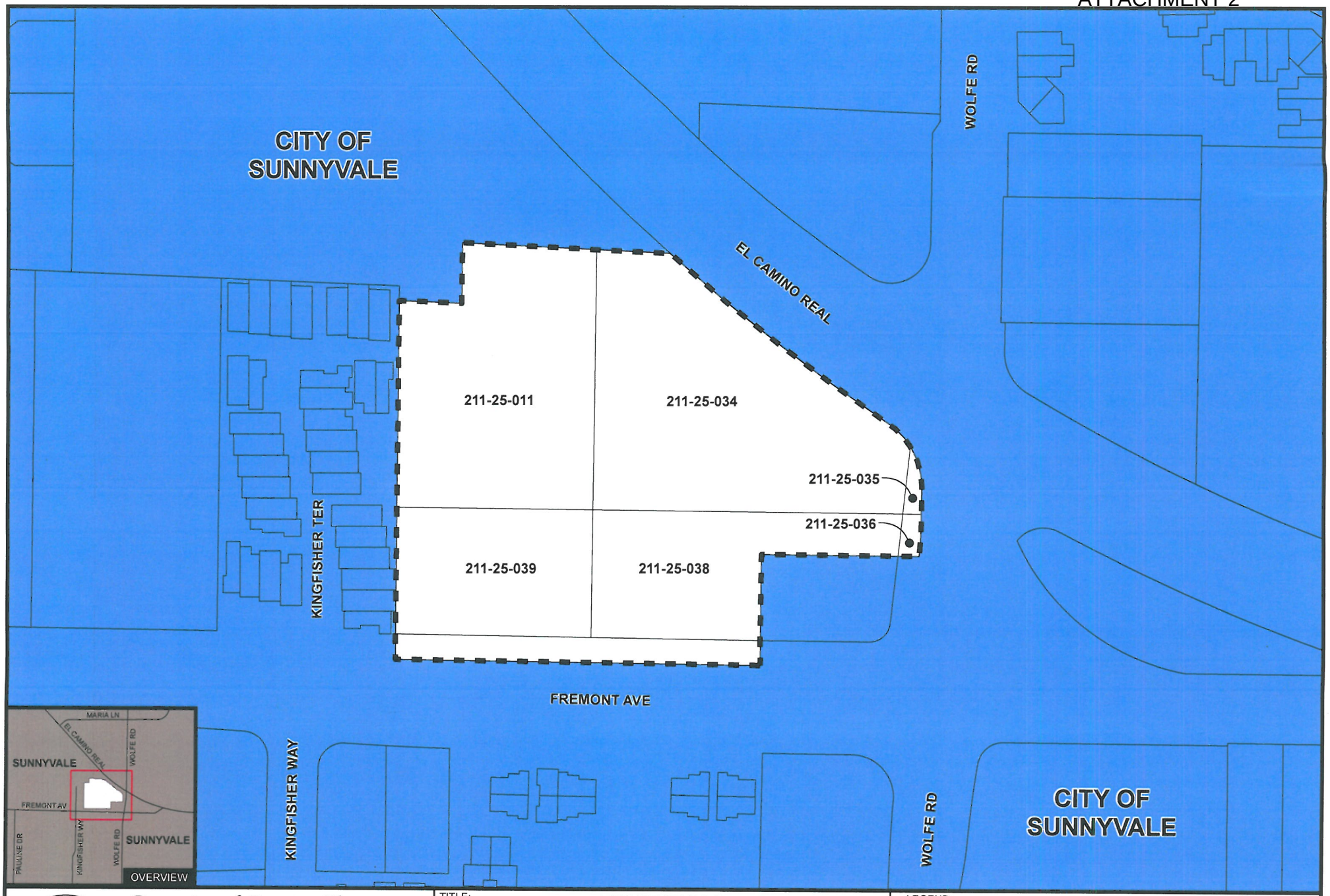
Date signed: April 15, 2015

RECEIVED
JUN 29 2015
PLANNING DIVISION

Attachments:
Exhibit "A" (PSV-1)

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

ATTACHMENT 2



County of Santa Clara
Department of Planning and Development
Office of the County Surveyor

County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110

TITLE:

EXHIBIT "A"

Sunnyvale Pocket Annexation No. 1
SV03 - Butcher's Corner
5.5 Acres +/-

Prepared by the Office of the County Surveyor
April 15, 2015
Gwendolyn Gee, County Surveyor

LEGEND:

- Area of Annexation
- Sunnyvale Incorporated Lands
- Unincorporated Lands
- 211-25-011 Assessor's Parcel Number

N W E S

0 25 50 75 100
Feet

Sheet 1 of 1

City of Sunnyvale

Agenda Item

15-0655 **Agenda Date:** 7/28/2015

REPORT TO COUNCIL

SUBJECT
Approve a Process for the Butcher Property Annexation and Discuss Status of Development Applications, with No Action on a Proposed Project

REPORT IN BRIEF
Over the past months, there appears to be some confusion on staff's actions to implement the City Council's direction relative to annexation at Butcher's Corner. In an effort to ensure that we are implementing the process that the Council directed, the purpose of this agenda item is for the City Council is to confirm its former direction or to provide alternative direction to staff on the process and to establish timing for annexation of the Butcher property. This agenda item pertains to the annexation process for the Butcher property, a 5.1-acre county "island" located at the intersection of East El Camino Real, South Wolfe Road and East Fremont Avenue. Approximately two years ago, Council initiated annexation of this property but chose to postpone the final action. Staff believes it is beneficial to revisit this item at this time, before completion of the draft environmental impact report (DEIR) for the proposed rezoning and development applications. If the City Council decides to discontinue the city-initiated annexation, this would inform the property owner that he needs to initiate the annexation through the Local Agency Formation Commission (LAFCO).

No actions on the rezoning or development applications are being considered by the City Council tonight. This agenda item is for Council to confirm or provide alternative direction on the annexation process for the Butcher property. However, the status of the project proposal is provided for context in discussing the overall process for the annexation, rezoning and development applications.

Staff recommends that the City Council adopt Alternatives 1 and 3: direct staff to continue the City-initiated annexation process independent of and prior to action on the rezoning and development applications, and direct staff to schedule for Council action the resolution for annexation; and defer consideration of the two-year changed circumstance finding until action on the rezoning and development applications.

BACKGROUND
On August 27, 2013, the City Council initiated a request to the Local Agency Formation Commission (LAFCO) to annex the Butcher property (RTC-13-201), with LAFCO offering to assume the cost for processing the annexation. At the same time, the property owner, De Anza Properties, submitted a concept plan (Preliminary Review) for a 211-unit residential project on the Butcher property with heights between three stories and ten stories.

LAFCO accepted the City's initiation of annexation, and on October 8, 2013, the City Council considered a draft resolution to annex the Butcher property. However, the City Council decided to postpone the annexation at the request of the property owner and residents to allow the property

owner to further develop its plans and share them with the community for further input. The City Council also directed staff to not require 25 percent of the property as commercial use, which is typically required for properties located within a Node (areas identified for a higher concentration of mixed uses) per the Precise Plan for El Camino Real. The staff report and minutes of that Council meeting are contained in Attachment 1 and 2, respectively.

Since then, the property owner has revised the proposed project and submitted a formal application for a reduced project consisting of 153 dwelling units. An Environmental Impact Report (EIR) is being prepared to address the redevelopment of the site. Attachment 3 includes an update on the development applications, including staff's comments on the latest project plans. Staff also presented an update on the proposed project to the Planning Commission at a study session on July 13, 2015. A summary of staff's presentation, Planning Commission comments, and comments from the public are included in Attachment 4. No Council action on the proposed project is being considered or proposed at this time.

ENVIRONMENTAL REVIEW

An EIR is being prepared for the development applications. Environmental impacts being studied as part of the EIR include aesthetics, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hydrology and water quality, land use and planning, noise, public services (fire, police, schools), transportation and traffic, and utilities and service systems. Several technical studies to evaluate the above impacts are underway, including a traffic study that will identify potential project impacts and mitigation measures to reduce impacts, such as road improvements. The Draft EIR is expected to be available for public review in October 2015. Public hearings to consider certification of the Final EIR are expected in March 2016.

The EIR could incorporate the required annexation into the project description if annexation will be considered at essentially the same time as the rezoning and development applications. Alternatively, the City can choose to annex the property independent of the rezoning and development applications. If annexation occurs separately prior to action on the proposed project, this sole action could be considered exempt from CEQA since it does not constitute any form of pre-development approval and, thus, would not result in any environmental impacts (CEQA Guideline 15319(a))**.**

DISCUSSION

The purpose of this agenda item is for the City Council is to confirm its former direction or to provide alternative direction to staff on the process and to establish timing for annexation of the Butcher property. It is not to make a final decision on annexation.

The key issues pertaining to annexation are as follows:

- City or property owner-initiated annexation; and
- Finding to allow rezoning of the property within two years of annexation.

Current General Plan and Zoning Designations

State law requires cities to plan for all properties within their city limits, including "island" areas (property with a county's jurisdiction which is surrounded on all sides by a city's jurisdiction). The Butcher property currently has a General Plan designation of Residential High Density. The Residential High Density designation allows for consideration of residential development with the

density range of 27 to 45 dwelling units per acre.

The corresponding zoning designation that would be most consistent with the current General Plan designation is High Density Residential (R-4), which allows up to 36 dwelling units per acre. However, the Butcher property is currently pre-zoned Medium Density Residential/Precise Plan for El Camino Real (R-3/ECR), which allows up to 24 dwelling units per acre.

City or Property Owner-Initiated Annexation

The Local Agency Formation Commission (LAFCO) of Santa Clara County is empowered by the State to review proposed boundary changes to cities. In this case the Butcher property is an unincorporated part of Santa Clara County. With potential boundary changes such as this, LAFCO ensures that municipal services such as utilities, fire, police and recreation can be served adequately by the municipality that will annex the land. LAFCO encourages cities to annex island areas that are currently unincorporated but within the Urban Service Areas (USA), such as the Butcher property. The Butcher property is completely surrounded by land within the City of Sunnyvale's jurisdiction. Annexations are generally initiated either by a city or by a property owner, but island annexations are generally initiated by cities at county request. The general procedure and timeline are similar for either a city or property owner initiated annexation, but there is a streamlined process for island annexations.

In 2011 LAFCO submitted a request asking the City of Sunnyvale to annex existing island parcels, including the Butcher property, and to encourage the process, offered to absorb the fees. The City Council conducted a series of public hearings in 2013 and initiated the process for annexation. The next action would have been for the City Council to adopt a resolution asking LAFCO to approve the annexation. On October 8, 2013, the Council approved annexation of several other residual parcels, but decided to postpone annexation of the Butcher property at the request of the property owner and residents.

In this case, if the property owner directly petitioned LAFCO to approve the annexation, LAFCO has indicated they would refer the matter back to the City. If the City declined to initiate or approve the annexation, LAFCO would have to conduct the public hearings and make a decision on the annexation. According to LAFCO, however, this is not encouraged or consistent with their practices, and they are not aware of it ever having occurred in Santa Clara County. In this instance, LAFCO staff has indicated that they would likely approve the annexation with or without the City's concurrence, given that the property is an island located within the City's USA and is completely surrounded by the City. LAFCO staff prefers that the City complete the annexation process that was previously initiated by the Council rather than shift to a property owner-initiated process.

Implications on Land Use Authority: Annexation does not pre-approve a project. In this case, the Butcher's property if annexed to Sunnyvale would continue to be zoned R-3/ECR. Separate actions and public hearings are required for the annexation and development applications. The primary benefit of annexing the Butcher property is that it would secure and clarify that the City of Sunnyvale has land use authority over the future development of the property.

If annexation is not approved and the property remains unincorporated, land use authority over the property would remain with Santa Clara County. Staff has consulted with LAFCO and the County of Santa Clara Planning Department. If the City of Sunnyvale does not annex the property, the property owner could submit rezoning and development applications to the County. While County Planning

staff would strongly prefer that the City annex the property and decide the rezoning and development application, the County could potentially process the applications and approve the project if it is consistent with the Sunnyvale General Plan.

As previously discussed, the General Plan designation for the Butcher property is Residential High Density, which allows for consideration of residential development with the density range of 27 to 45 dwelling units per acre. The current proposed density of the Butcher property project is 30 dwelling units per acre, which is consistent with Sunnyvale's General Plan. While the County could theoretically approve a project based on local General Plan conformance, the property is also pre-zoned R-3/ECR, which restricts development to a lower density of up to 24 dwelling units per acre. This inconsistency between the City's General Plan and the pre-zoning would need to be considered by the County if it were to act on a development application. An additional benefit of annexation, other than clarifying land use authority, is it that the City would take the lead to resolve this land use inconsistency rather than having the County possibly assume this role.

Timing for Annexation

Residents may perceive that annexation of the property indicates receptiveness to the project as currently proposed, or that with the City initiating annexation it will facilitate development of the property. In response to these community concerns and continuing requests to postpone annexation, the City Council may consider continuing to defer the annexation and consider it concurrently with the project proposal. However, as discussed above, annexing the property does not pre-approve any project; rather, it secures the City's land use authority and control over the property, and requires the property to submit applications to the City, rather than potentially obtaining County approval.

Staff recommends that Council continue the City-initiated annexation process independent of and prior to action on the rezoning and development applications. If this is the Council direction, staff would return to the Council with a resolution for annexation (Alternative 1).

The Council could also discontinue the City-initiated annexation process (Alternative 2). The property owner would then have the option to initiate the annexation through LAFCO.

Two Year Rezoning Finding

The Cortese-Knox-Hertberg Act governing annexation provides that a change in General Plan or zoning designations of annexed property may not occur for a period of two years after the annexation unless the legislative body makes a finding that there has been a "substantial change" in circumstances that "necessitate a departure from the pre-zoning." While "substantial change" is not defined in the state law, it appears the provision was intended to prevent sudden or dramatic changes in land use policies on newly annexed properties. What constitutes a change of circumstances would likely require comparison of conditions at the time of pre-zoning compared to current conditions. For example, factors such as the critical shortage of available housing for workers in Sunnyvale and the desire to locate housing along transit corridors in order to reduce greenhouse gas emissions might be changed circumstances that would support the need for higher-density housing on ECR consistent with the General Plan/Precise Plan policies.

If the City Council makes such a finding, the property owner's proposal to rezone the property from R-3/ECR to R-4/ECR could be considered without having to wait two years. If the finding is not made, the property owner would have several options:

- Withdraw or postpone the rezoning and development applications until the time Council could consider them (two years after the annexation);
- Amend the development application by re-designing the project to comply with the current pre-zoning density allowed under R-3/ECR; or
- Maintain the current proposed density and exceed the R-3/ECR density by using the Sunnyvale green building incentive and the State's affordable housing density bonus program.

Although not required for the annexation process, if the Council does not wish to consider rezoning the property from R3/ECR, a determination to not make the two-year rezoning finding could be considered along with the action to annex the property. No formal action is actually needed, but early policy direction could be provided to the property owner (Alternative 4).

Alternatively, if the Council believes that making the finding is inconclusive at this time, the Council may defer consideration of the two-year changed circumstance finding until action on the rezoning and development applications (Alternative 3).

FISCAL IMPACT

No fiscal impacts are anticipated as part of the action at this time. Fiscal impacts associated with the development applications will be analyzed during the entitlement process.

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. In addition, notices were sent to residents and property owners within 2,000 feet of the project site, neighborhood associations within the vicinity (SunnyArts, Braly Corners, Ponderosa, Stratford Gardens, Gavello Glen, Wisteria Terrace, Raynor Park, Birdland, Panama Park, and Ortega Park), and to the interested parties list. Information was also provided on the project webpage at ButchersCorner.InSunnyvale.com.

ALTERNATIVES

1. Direct staff to continue the City-initiated annexation process independent of and prior to action on the rezoning and development applications, and direct staff to schedule for Council action the resolution for annexation.
2. Direct staff to discontinue the City-initiated annexation process.
3. Defer consideration of the two-year changed circumstance finding until action on the rezoning and development applications.
4. Consider whether there are changed circumstances at the same time as when the annexation is considered.

STAFF RECOMMENDATION

Alternatives 1 and 3: 1) Direct staff to continue the City-initiated annexation process independent of and prior to action on the rezoning and development applications, and direct staff to schedule for Council action the resolution for annexation; and 3) Defer consideration of the two-year changed circumstance finding until action on the rezoning and development applications.

Staff recommends that the Butcher property annexation proceed as a city-initiated annexation to

ensure the City's land use authority and control over the property. Annexation does not indicate tacit or pre-approval of any rezoning or development application. Separate City Council and Planning Commission public hearings and actions are required to consider any land use/zoning change or proposed project. Finally, staff recommends deferring the two-year changed circumstance finding until it reviews the rezoning and development applications. The merits and basis for this finding would more appropriately be considered at that time.

Prepared by: Noren Caliva-Lepe, Associate Planner
Reviewed by: Hanson Hom, Director, Director of Community Development
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Report to Council, Dated October 8, 2013
2. City Council Public Hearing Minutes, Dated October 8, 2013
3. Update on Development Applications
4. Planning Commission Study Session Summary, Dated July, 13, 2015
5. Project Plans, Dated June 15, 2015

REPORT TO MAYOR AND COUNCIL **NO:** 13-240

Council Meeting: October 8, 2013

SUBJECT: Discussion and Possible Action on Adoption of Resolutions to Approve the Annexation of Two Island Areas Located within the City of Sunnyvale Urban Service Area but Currently under the County of Santa Clara's Jurisdiction (Central Expressway and Butcher's Corner), and a Finding of Categorical Exemption Under the California Environmental Quality Act

BACKGROUND

The Local Agency Formation Commission (LAFCO) of Santa Clara County and the County of Santa Clara Planning Division are encouraging the City of Sunnyvale to annex island areas that are currently unincorporated but within the Urban Service Area (USA) of Sunnyvale.

On August 27, 2013 the City Council adopted two resolutions to initiate the annexation process for two island areas located within the City of Sunnyvale Urban Service Area but currently under the County of Santa Clara's jurisdiction (Central Expressway and Butcher's Corner); RTC 13-201.

On September 10, 2013 the City Council and Planning Commission held a joint study session to discuss the Butcher's Corner island area general plan and zoning designations. At this study session staff presented information on the proposed annexations and site information for Butcher's Corner. Staff also discussed potential development standards that may be allowed on the site based on the General Plan Designation (Residential High Density), Precise Plan for El Camino Real (ECR) policies and zoning (R-3/ECR, Medium Density Residential with the ECR combining district).

EXISTING POLICY

Land Use and Transportation Element

Policy LT-4.1 – Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

Housing Element

Goal HE-4 Adequate Housing Sites – Provide adequate sites for the development of new housing through appropriate land use and zoning to address the diverse needs of Sunnyvale's residents and workforce.

ENVIRONMENTAL REVIEW

The annexations are categorically exempt under CEQA Guideline 15319(a) as they are annexations of existing facilities.

DISCUSSION

Staff has received the necessary (corrected) documentation from LAFCO (Attachment D & E) to process the annexations for two island areas (Central Expressway and Butcher's Corner).

The following steps are required to complete the annexation of the island areas into the City of Sunnyvale:

1. A public hearing to adopt resolutions to initiate the annexation process for two sites (*completed on August 27, 2013)*.
2. A second public hearing to adopt a resolution approving the annexations (*action associated with this RTC*).
3. Sending the signed resolutions to LAFCO.
4. Recordation of Certificates of Completion (within 7-10 days after receiving the resolution) by LAFCO. This step results in the properties formal incorporation into the City of Sunnyvale.

Central Expressway Island Area

The first site is a 4.3 acre segment of Central Expressway (Attachment D) known as SV01 on the LAFCO letter (Attachment F). This site is (and will continue to be) owned and maintained by the County of Santa Clara. The annexation of this site merely cleans up the incorporated area within the USA boundary for Sunnyvale.

To the north of this site are properties within the City of Mountain View; Residential Mobile Home (RMH) and Medium Density Residential/Planning Development (R-3/PD) zoned properties within the City of Sunnyvale are to the south. Since the road is public right-of-way, and will remain as such, it does not need to be designated under a specific zoning district.

Butcher's Corner Island Area

The second island site, SV03 (Attachment E), is 5.3 acres and referred to as Butcher's Corner by City staff. This site contains six parcels and is currently developed with two residential homes, several accessory structures and an orchard. Four of the parcels within this island site were owned by the Butcher family (the parcels were recently purchased by De Anza Properties). The remaining two parcels are City owned and are located on the east edge of the site adjacent to the public right-of-way and developed with asphalt paving next to the Wolfe Road sidewalk.

The four De Anza Properties parcels are pre-zoned Residential Medium Density/Precise Plan for El Camino Real (R-3/ECR) and designated Residential High Density (RHI) in the General Plan. The site is also within the area

designated as a Node in the Precise Plan for El Camino Real. The two City-owned parcels, totaling 1,200 square feet, are pre-zoned Residential High Density/Precise Plan for El Camino Real (R-4/ECR) and designated Residential High Density (RHI) in the General Plan. No action to change the General Plan designation or rezone the parcels is necessary with the annexation.

General Plan Initiation

At the September 10, 2013 study session meeting the City Council discussed studying the Butcher's Corner parcels to determine what the appropriate zoning and General Plan designations would be for those parcels. The Cortese-Knox-Hertzberg Act states that a change in General Plan or zoning designations of annexed property may not occur for a period of two years unless the City Council makes a finding that a substantial change has occurred in circumstances that necessitate a departure from the pre-zoning in the application to LAFCO. This provision is in the law to protect property owners from sudden or dramatic changes in land use policies on newly annexed properties. For example, the City Council may find that the change of ownership and owner's interest in resolving the policies constitute a substantial change to proceed with amending General Plan and Precise policies or zoning for the property.

The Council also discussed the ECR combining district in that location. There are approximately 25 parcels located within the Eastern Node of the Precise Plan for El Camino Real with various General Plan and zoning designations ranging from Low Density Residential to Highway Commercial. Based on this range of designations and the concerns raised in the study session, if the Council were to initiate a General Plan Amendment study, it would be appropriate to study the entire Eastern Node vs. only the Butcher's Corner parcels. A map of the Eastern Node properties has been provided (Attachment C).

FISCAL IMPACT

Annexation

The County of Santa Clara has agreed to cover all of LAFCO's costs related to the annexation of these island parcels (if the annexations are completed before the end of 2013) because they wish to incorporate the land into the appropriate USA (Attachment F). Recent discussions held between City and LAFCO staffs indicate that LAFCO would waive the already incurred fees for preparation of the documents; however, they are unsure at this time if additional funds will be budgeted in 2014. Fees could range from $1,000 to $5,000. As the County and LAFCO are preparing the documentation needed to process the annexations, minimal staff time should be required. Additionally, should the Butcher parcels be annexed into the City, the City would receive property taxes and utility user tax. Because the properties have been essentially agricultural (including two homes) and have been owned by the same family for well over 100 years, these revenues would be minimal. As the property was sold recently, there will be a

reassessment of the property increasing the property tax estimate; if the property is redeveloped there will be a reassessment.

General Plan Amendment Study

A General Plan Amendment study, if initiated by the City Council, has both fiscal and timing implications. If the study is conducted as a city-sponsored study, staff would charge time to the Policy Planning budget resulting in less staff time available for other policy items such as Study Issues. It may also affect the timing of the study as staff already has other Study Issues and policy projects they are currently working on. If an EIR is required, the City would need to allocate at least $250,000. However, if the owner of the Butcher's Corner parcels wants to accelerate the study and pay the fees for an applicant sponsored General Plan Amendment study, staff could charge time to the Development Services portion of the Planning Budget, the property owner would finance the EIR (managed by city staff). Similar to a city-sponsored study, a property owner initiated study would affect the timing of other studies. If the owner agreed to pay for the EIR, it would most likely cover the possible General Plan changes and include the proposed project on the Butcher's Corner parcels.

PUBLIC CONTACT

Public contact was made in the following ways:

1. Posting of 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;
2. Making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site;
3. Publication of a notice in the newspaper 21 days prior to both hearings;
4. Meeting notices were sent to all property owners within 300 feet of the parcels to be annexed into the City prior to both hearings; and
5. Neighborhood Associations were notified of the hearing.

In early 2013 staff discussed the annexation with representatives from the Butcher family who indicated that the family had no objection to the City proceeding with the annexation of the properties. The current owner (John Vidovich of De Anza Properties), does not object to annexation, but recently requested that it be deferred (Attachment H).

In addition, 13 members of the public spoke at the September 10, 2013 study session. Twelve of those speakers live in neighborhoods surrounding the Butcher's Corner parcels and voiced their concerns regarding traffic, loss of views, school overcrowding, parking, density, and safety mainly in regards to the preliminary project that had been submitted to the City for the Butcher's Corner parcels. The new property owner also spoke at the meeting and stated that he plans to work with the surrounding neighborhoods before submitting an application for development to the City.

ALTERNATIVES

1. Find that the project is categorically exempt from CEQA pursuant to guideline 15319(a).
2. Adopt the resolution to approve the annexation of the Central Expressway Island Area (SV01).
3. Adopt the resolution to approve the annexation of the Butcher's Corner Island Area (SV03).
4. Postpone the annexation of the Butcher's Corner Island Area.
5. Do not adopt one or either of the resolutions and take no further action on either of the annexations at this time.

RECOMMENDATION

Staff recommends the City Council adopt Alternatives 1, 2 and 4 to find that the project is categorically exempt from CEQA, approve the annexation of the Central Expressway island area and postpone the decision on the Butcher's Corner annexation.

Regarding the Butcher's Corner island area, the applicant and residents have expressed a desire to defer annexation until further discussion can occur on the development options for the property. Staff previously recommended proceeding with the annexation (Alternative 3) as it is generally accepted that a municipality should assume primary land use authority over all properties within its jurisdiction. The County also supports this position by offering to assume the fees for annexation. The Council has the authority to approve the annexation; however, proceeding with the annexation is not time sensitive, and the Council could adopt Alternative 4 to postpone action on that annexation at this time.

Independent of the decision on annexation, the City Council could direct staff to schedule for a future Council meeting initiation of a General Plan Amendment study for the properties within the Eastern Node.

Reviewed by:

Hanson Hom, Director, Community Development Department
Reviewed by: Trudi Ryan, Planning Officer
Prepared by: Amber El-Hajj, Senior Planner

Approved by:

Gary M. Luebbers
City Manager

Attachments

A. Resolution to Adopt the Annexation of the Central Expressway Island Area
B. Resolution to Adopt the Annexation of the Butcher's Corner Island Area
C. Map of the Eastern Node of the Precise Plan for El Camino Real
D. Information and Map from LAFCO on the Central Expressway Island Area
E. Information and Map from LAFCO on the Butcher's Corner Island Area
F. Letter from LAFCO dated May 2, 2011
G. Meeting Minutes from the September 10, 2013 Joint City Council/Planning Commission Study Session
H. Letter from the Butcher's Corner Property Owner, John Vidovich of De Anza Properties

Attachment A

RESOLUTION NO. _____-13

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO APPROVING ANNEXATION OF A PORTION OF CENTRAL EXPRESSWAY FROM BERNARDO AVENUE TO MIDDLEFIELD AVENUE

WHEREAS, the City Council of the City of Sunnyvale desires to conduct proceedings pursuant to the Cortese Knox Hertzberg Government Reorganization Act of 2000 (Act), commencing with Section 56000 of the Government Code, for the annexation of an unincorporated island to the City and the concurrent detachment from any special districts presently providing services to the subject property; and

WHEREAS, the unincorporated island that the City desires to annex is depicted on Exhibit "A" attached hereto and incorporated herein by reference, and is designated as Parcel SV-01, and

WHEREAS, the territory has a zoning designation of P-F and is consistent with the City's adopted General Plan. Pursuant to provisions of Section 56375(e) of the Act, this zoning designation shall remain in effect for two years following annexation unless specific actions are taken by the City Council; and

WHEREAS, the City Council of the City of Sunnyvale desires to conduct proceedings pursuant to the Cortese Knox Hertzberg Government Reorganization Act of 2000 (Act), commencing with Section 56000 of the Government Code, for the annexation of an unincorporated island to the City; and

WHEREAS, the unincorporated island that the City desires to annex is depicted on Exhibit "A" attached hereto and incorporated herein by reference, and is located within the unincorporated area of the County consisting of a portion of Central Expressway from Bernardo Avenue to Middlefield Avenue, referred to as "Parcel SV-01")' and

WHEREAS, the annexation of the territory would constitute an annexation which does not exceed 150 acres, and at a duly noticed public hearing on August 27, 2013 the City Council initiated the annexation proceedings for the territory pursuant to Government Code Section 56375.3; and

WHEREAS, as provided in Government Code Section 56757, the City Council of the City shall be the conducting authority for the reorganization, and at the duly noticed public hearing on October 8, 2013 the City Council approved annexation of the territory pursuant to Government Code Section 56375.3; and

WHEREAS, the County Surveyor has found the attached Exhibit "A" map for the territory to be in accordance with Government Code Section 56757, the boundaries to be definite and certain, and the proposal to be in compliance with LAFCO's annexation policies; and

WHEREAS, the City Council has complied with the California Environmental Quality Act incident to its consideration of the annexation, as described below.

THE CITY COUNCIL OF THE CITY OF SUNNYVALE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. As Lead Agency under CEQA, the City finds that the annexation of this island is a Class 19 exempt project pursuant to Article 19 of the CEQA Guidelines (Guideline 15319). The parcels are developed, consistent with both the County zoning and the City's pre-zoning of the area.

SECTION 2. The City Council makes the following findings and determinations:

a. The territory is less than 150 acres, is contiguous to and surrounded by the City and is within the City's urban service area and sphere of influence; and
b. Based on the facts that public utility services are available to the territory to be annexed, public improvements are present, and physical improvements are present upon the parcels making up the territory, the City Council finds and determines that the territory is substantially developed or is developing; and
c. The territory does not include prime agricultural lands; and
d. The territory will benefit from the annexation or is receiving benefits from the City, and
e. The annexation does not split lines of assessment or ownership and will not create islands or areas which in which it would be difficult to provide municipal services; and
f. The territory meets all the requirements of Section 56375.3 and Section 56757 of the Act.

SECTION 3. The City Council of the City of Sunnyvale hereby approves annexation of the territory to the City of Sunnyvale and concurrent detachment of the territory from any special districts identified in Exhibit "A" attached hereto, effective October _____, 2013.

Adopted by the City Council at a regular meeting held October 8, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

Joan A. Borger, City Attorney

Attachment B

RESOLUTION NO. _____-13

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO APPROVE ANNEXATION OF SIX PARCELS LOCATED NEAR THE INTERSECTION OF WOLFE ROAD, AT EL CAMINO REAL AND FREMONT AVENUE, KNOWN AS THE "BUTCHER PROPERTY" (AND ALSO INCLUDES TWO CITY-OWNED PARCELS)

WHEREAS, the City Council of the City of Sunnyvale desires to conduct proceedings pursuant to the Cortese Knox Hertzberg Government Reorganization Act of 2000 (Act), commencing with Section 56000 of the Government Code, for the annexation of an unincorporated island to the City; and

WHEREAS, the unincorporated island that the City desires to annex is depicted on Exhibit "A" attached hereto and incorporated herein by reference, and is located within the unincorporated area of the County near the intersection of Wolfe Road at El Camino Real and Fremont Avenue, and includes four parcels privately owned, known as the Butcher's Corners" and two small parcels owned by the City of Sunnyvale, collectively referred to as "Parcel SV-03")' and

WHEREAS, the territory is consistent with the City's adopted General Plan, and has been pre-zoned by the City with the designation R-3, which zoning will take effect upon annexation. Pursuant to provisions of Section 56375(e) of the Act, pre-zoning designation shall remain in effect for two years following annexation unless specific actions are taken by the City Council; and

WHEREAS, the annexation of the territory would constitute an annexation which does not exceed 150 acres, and at a duly noticed public hearing on August 27, 2013 the City Council initiated the annexation proceedings for the territory pursuant to Government Code Section 56375.3; and

WHEREAS, as provided in Government Code Section 56757, the City Council of the City shall be the conducting authority for the reorganization, and at the duly noticed public hearing on October 8, 2013 the City Council approved annexation of the territory pursuant to Government Code Section 56375.3; and

WHEREAS, the County Surveyor has found the attached Exhibit "A" map for the territory to be in accordance with Government Code Section 56757, the boundaries to be definite and certain, and the proposal to be in compliance with LAFCO's annexation policies; and

WHEREAS, the City Council has complied with the California Environmental Quality Act incident to its consideration of the annexation, as described below.

THE CITY COUNCIL OF THE CITY OF SUNNYVALE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. As Lead Agency under CEQA, the City finds that the annexation of this island is a Class 19 exempt project pursuant to Article 19 of the CEQA Guidelines (Guideline

15319). The parcels are developed, consistent with both the County zoning and the City's pre-zoning of the area.

SECTION 2. The City Council makes the following findings and determinations:

a. The territory is less than 150 acres, is contiguous to and surrounded by the City and is within the City's urban service area and sphere of influence; and
b. Based on the facts that public utility services are available to the territory to be annexed, public improvements are present, and physical improvements are present upon the parcels making up the territory, the City Council finds and determines that the territory is substantially developed or is developing; and
c. The territory does not include prime agricultural lands; and
d. The territory will benefit from the annexation or is receiving benefits from the City, and
e. The annexation does not split lines of assessment or ownership and will not create islands or areas which in which it would be difficult to provide municipal services; and
f. The territory meets all the requirements of Section 56375.3 and Section 56757 of the Act.

SECTION 3. The City Council of the City of Sunnyvale hereby approves annexation of the territory to the City of Sunnyvale and concurrent detachment of the territory from any special districts which territory is identified in Exhibit "A" attached hereto and incorporated herein by reference, effective _____, 2013.

Adopted by the City Council at a regular meeting held on October ____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

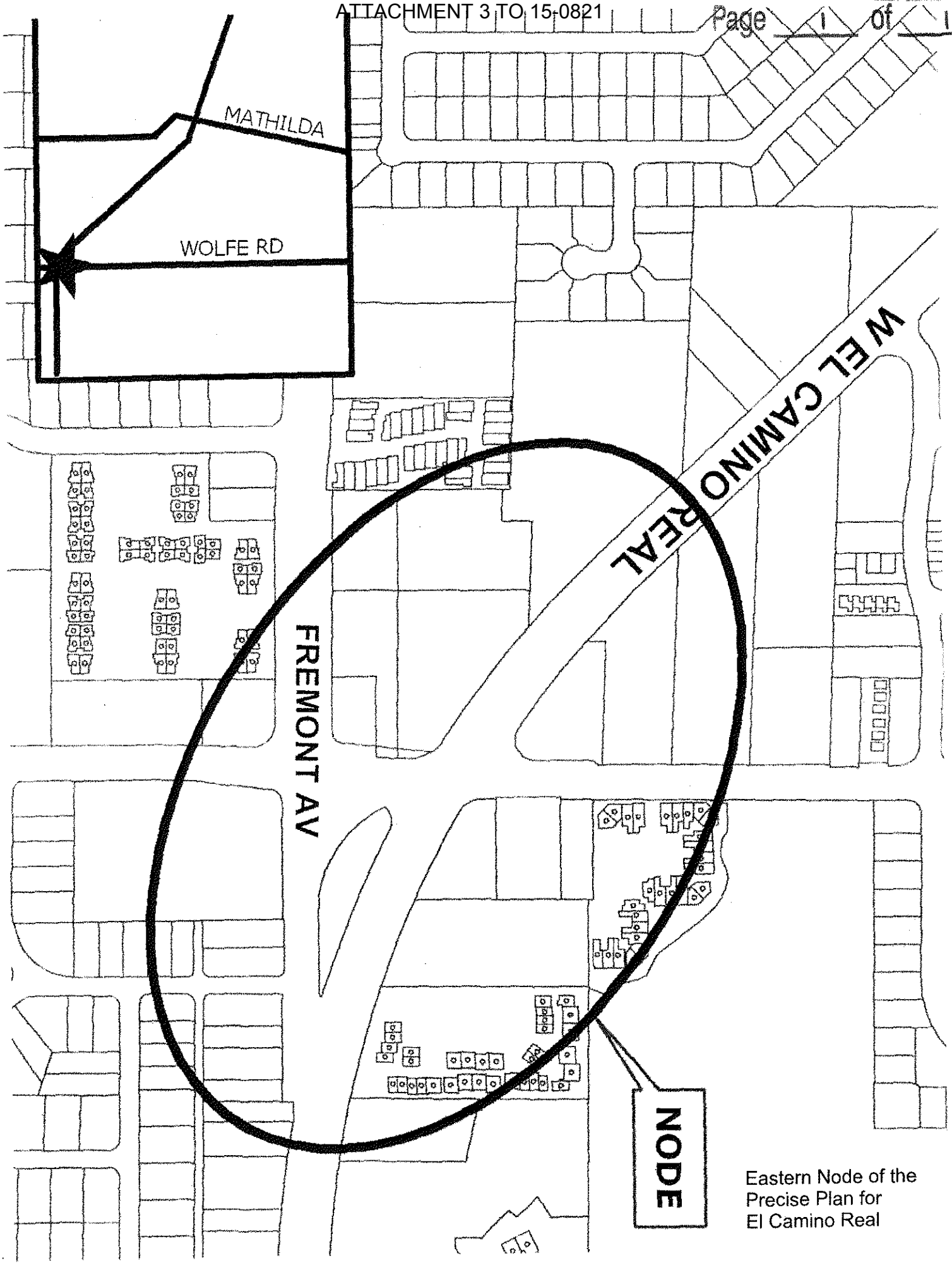
_____
City Clerk
(SEAL)

_____
Mayor

APPROVED AS TO FORM:

_____
Joan A. Borger, City Attorney

Attachment C



Eastern Node of the Precise Plan for El Camino Real

Attachment D

County of Santa Clara
Planning and Development
Office of the County Surveyor
County Government Center
70 West Hedding Street, E. Wing, 7th Floor
San Jose, California 95110
(408) 299-5730

RECEIVED
SEP 10 2013
PLANNING DIVISION

September 5, 2013

Ms. Neelima Palacherla, Executive Officer
LAFCO
70 W. Hedding Street
11th Floor, East Wing
San Jose, CA 95110

SUBJECT: **Sunnyvale Pocket Annexation No. 2 "SV01 - Central Expressway"**

The attached Exhibit "A" dated June 24, 2013 of the territory proposed to be annexed to the City of Sunnyvale entitled:

Sunnyvale Pocket Annexation No. 2 "SV01 - Central Expressway"

is in accordance with Government Code Section 56757 (c)(2). The boundaries of said territory are completely surrounded by the City of Sunnyvale and City of Mountain View and are definite and certain. The proposal is in compliance with the Local Agency Formation Commission's road annexation policies.

Per the Local Agency Formation Commission and the State Board of Equalization, this Pocket annexation does not require a legal description.

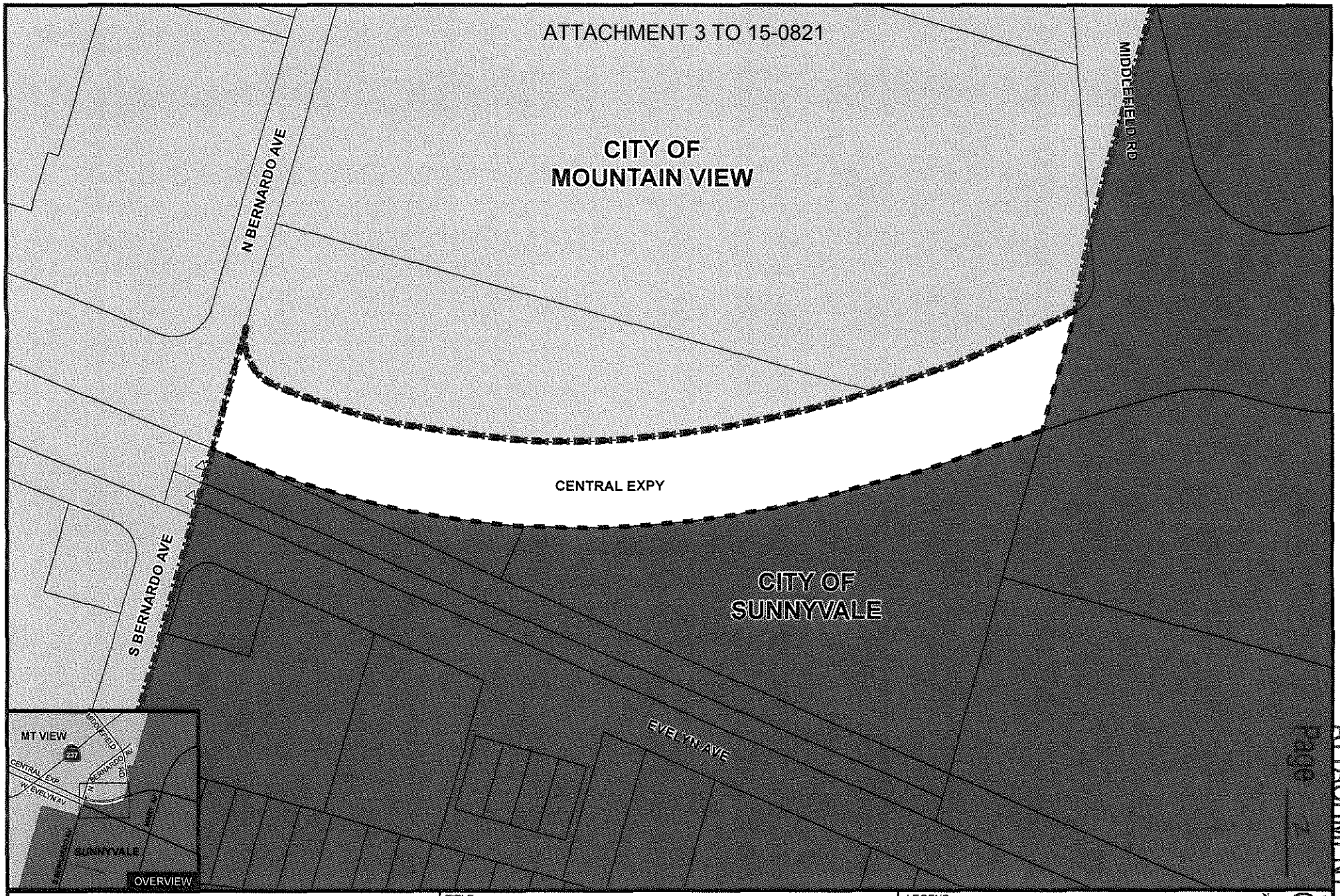
PROFESSIONAL LAND SURVEYOR
WILLIAM F. SLEPNIKOFF
5701
STATE OF CALIFORNIA

William F. Slepnikoff, PLS
Deputy County Surveyor

Date signed: September 5, 2013

Attachments:
Exhibit "A" (PSV-2)

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith



County of Santa Clara
Department of Planning and Development
Office of the County Surveyor

County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110

TITLE:

EXHIBIT "A"

Sunnyvale Pocket Annexation No. 2
SV01 - Central Expressway
4.3 Acres +/-

Prepared by the Office of the County Surveyor
June 24, 2013
Gwendolyn Gee, County Surveyor

LEGEND:
- Area of Annexation
- Sunnyvale Incorporated Lands
- Mountain View Incorporated Lands
- Unincorporated Lands
- Sunnyvale U.S.A./S.O.I.

N W E S
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Feet

Sheet 1 of 1

Attachment E

County of Santa Clara
Planning and Development
Office of the County Surveyor
County Government Center
70 West Hedding Street, E. Wing, 7th Floor
San Jose, California 95110
(408) 299-5730

RECEIVED
SEP 10 2013
PLANNING DIVISION

August 30, 2013

Ms. Neelima Palacherla, Executive Officer
LAFCO
70 W. Hedding Street
11th Floor, East Wing
San Jose, CA 95110

SUBJECT: **Sunnyvale Pocket Annexation No. 1 "SV03 - Butcher's Corner"**

The attached Exhibit "A" dated June 24, 2013 of the territory proposed to be annexed to the City of Sunnyvale entitled:

Sunnyvale Pocket Annexation No. 1 "SV03 - Butcher's Corner"

is in accordance with Government Code Section 56757 (c)(2). The boundaries of said territory are completely surrounded by the City of Sunnyvale and are definite and certain. The proposal is in compliance with the Local Agency Formation Commission's road annexation policies.

Per the Local Agency Formation Commission and the State Board of Equalization, this Pocket annexation does not require a legal description.

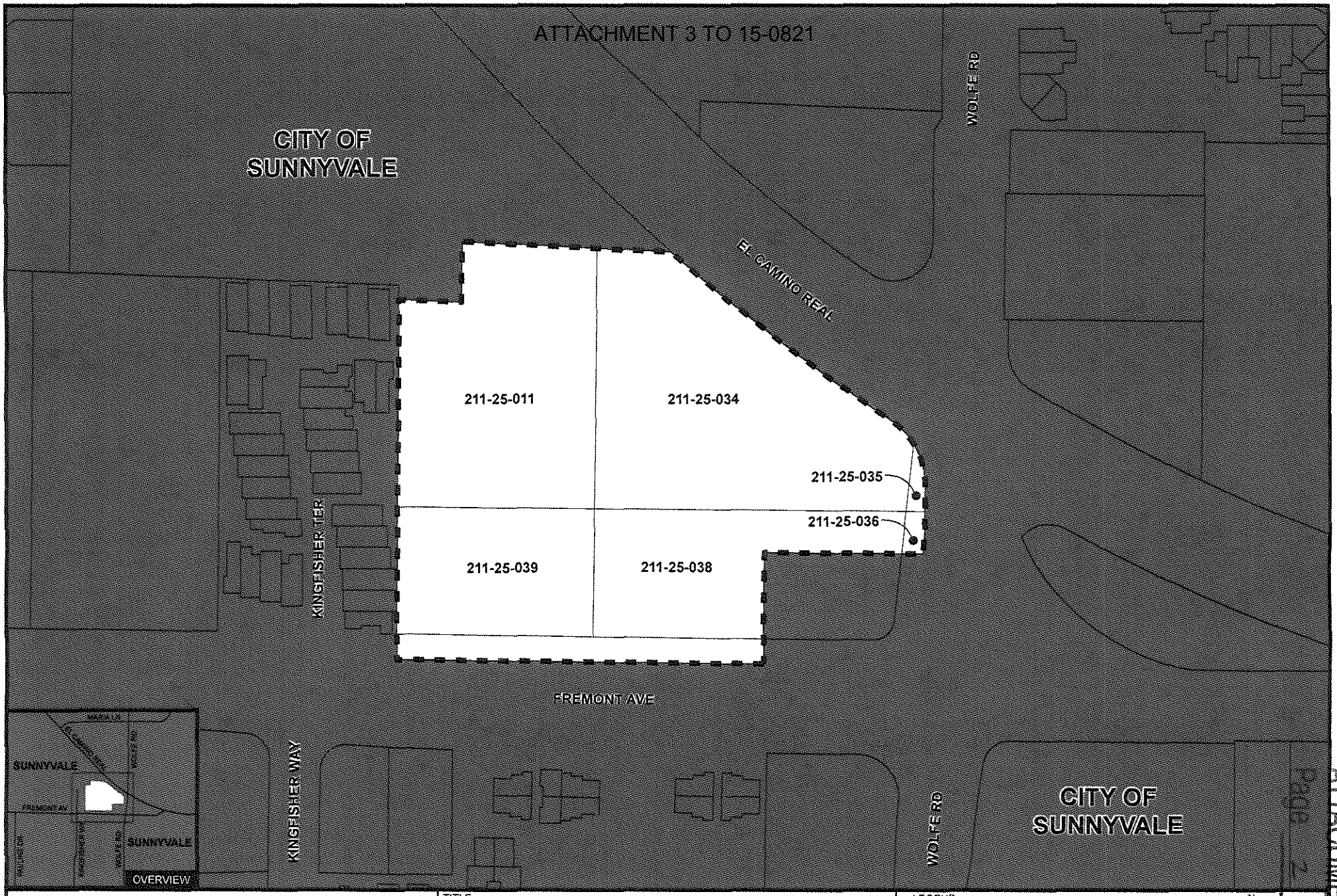
PROFESSIONAL LAND SURVEYOR
WILLIAM F. SLEPNIKOFF
5701
STATE OF CALIFORNIA

William F. Slepnikoff, PLS
Deputy County Surveyor

Date signed: August 30, 2013

Attachments:
Exhibit "A" (PSV-1)

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith



County of Santa Clara
Department of Planning and Development
Office of the County Surveyor
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110

TITLE:

EXHIBIT "A"
Sunnyvale Pocket Annexation No. 1
SV03 - Butcher's Corner
5.5 Acres +/-

Prepared by the Office of the County Surveyor
June 24, 2013
Gwendolyn Gee, County Surveyor

LEGEND:
- Area of Annexation
- Sunnyvale Incorporated Lands
- Unincorporated Lands
- 211-25-011 Assessor's Parcel Number

N W E S
0 25 50 75 100 Feet

Sheet 1 of 1

ATTACHMENT E
Page 2 of 2

Attachment F

LAFCO
Local Agency Formation Commission of Santa Clara County

May 2, 2011

Hansom Hom
Director of Community Development
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088-3707

RE: Status of Unincorporated Lands within the City of Sunnyvale's Urban Service Area Boundary (i.e. Unincorporated Islands)

Dear Mr. Hom:

In late October 2010, the Local Agency Formation Commission (LAFCO) of Santa Clara County directed its staff to develop an inventory of the remaining unincorporated islands and to report back to the Commission on each city's plans regarding its islands.

Three Unincorporated Islands Remains in the City of Sunnyvale

The City has three unincorporated islands within its Urban Service Area (USA). See table below and attached maps.

SUNNYVALE	
Island ID #	**No. of Acres**
SV01	4.3
SV02	12.0
SV03	5.3
Total	**21.6**

Annex Islands that Qualify for the Streamlined Annexation Process

Island SV01 consists of a segment of Central Expressway. Island SV02 consists of a segment of the Caltrain/Union Pacific railroad tracks and right-of-way. Island SV03 consists of residential development. All three islands are eligible for annexation through the streamlined annexation process. Islands such as these are substantially developed

70 West Hedding Street • 11th Floor, East Wing • San Jose, CA 95110 • (408) 299-5127 • (408) 295-1613 Fax • www.santaclara.lafco.ca.gov
COMMISSIONERS: Pete Constant, Liz Kniss, Margaret Abe-Koga, Mike Wasserman, Susan Vicklund-Wilson
ALTERNATE COMMISSIONERS: Sam Liccardo, Al Pinheiro, George Shirakawa, Terry Trumbull
EXECUTIVE OFFICER: Neelima Palacherla

and create inefficiencies / confusion in terms of provision of emergency and other municipal services. Furthermore, residents of such islands are politically disenfranchised from the city government that surrounds them.

Annexation of such islands is a high priority for LAFCO and the County. In order to encourage these annexations, LAFCO continues to waive its fees for island annexations and the County continues to provide financial incentives including covering the costs for preparing Assessor and Surveyor reports and maps, paying the State Board of Equalization filing fees, and budgeting for road improvements in islands approved for annexation. As you may be aware, the law streamlining the annexation process for qualified unincorporated islands sunsets on January 1, 2014.

We encourage the City to take advantage of this process and the incentives currently being offered by both the County and LAFCO for such annexations. Please provide us with an update on the City's plans and time-line for annexing these three islands.

A Response from the City is Greatly Appreciated

LAFCO staff is willing to work with and assist the City in resolving these island issues. We would appreciate knowing the City's annexation and/or urban service area amendment plans for these islands as soon as possible and no later than June 10, 2011. If you have any questions or concerns or would like to meet to discuss the City's plans, I can be reached at (408) 299-5127 or at neelima.palacherla@ceo.sccgov.org or you may contact Dunia Noel, LAFCO Asst. Executive Officer, at (408) 299-5148/ dunia.noel@ceo.sccgov.org. Thank for you for your time and consideration.

Sincerely,

Neelima Palacherla
LAFCO Executive Officer

Attachment:
Maps of Unincorporated Islands in City's Urban Service Area prepared by the Santa Clara County Planning Office

Cc:
Gary Luebbers, City Manager, City of Sunnyvale
Sunnyvale City Council Members
Jody Hall Esser, Director, Dept. of Planning & Development, Santa Clara County
LAFCO Members

Attachment G

CITY OF SUNNYVALE
CITY COUNCIL JOINT STUDY SESSION WITH PLANNING COMMISISON
REVISED SUMMARY
Discuss General Plan and Zoning of the "Butcher" Property at El Camino Real / Wolfe Road / Fremont Avenue
Location: West Conference Room
September 10, 2013

The City Council and Planning Commission met in joint study session at City Hall in the Council Chambers Room, 456 W. Olive Avenue, Sunnyvale, California on September 10, 2013, with Mayor Spitaleri presiding.

City Councilmembers Present:
Mayor Anthony (Tony) Spitaleri
Vice Mayor James Griffith
Councilmember Christopher Moylan
Councilmember David Whittum
Councilmember Jim Davis
Councilmember Tara Martin-Milius
Councilmember Patrick Meyering

City Councilmembers Absent:
None

Planning Commissioners Present:
Maria Dohadwala, Chair
Russell Melton, Vice Chair
Ken Olevson

Planning Commissioners Recused:
Glenn Hendricks
Gustav Larsson

Planning Commissioners Absent:
Bo Chang

City Staff Present:
City Manager, Gary Luebbers
City Attorney, Joan Borger
Assistant City Manager, Robert Walker
Director of Community Development, Hanson Hom
Planning Officer, Trudi Ryan
Senior Planner, Shaunn Mendrin
Senior Planner, Amber El-Hajj
Director of Public Works, Kent Steffens

Visitors/Guests Present:
Members of the public

Call to Order:
Mayor Spitaleri called the meeting to order at 5:48 p.m.

Study Session Summary:
Community Development Director, Hanson Hom presented information about the General Plan and Zoning of the former Butcher property, using a PowerPoint slide presentation.

Councilmembers asked questions, made comments and requested additional information; summarized below.

- Development scenarios under current county zoning and City R-3 zoning
- County deadline and fees association with island annexations
- Overview of the processes for a General Plan Amendment study, development review application and environmental analysis
- Clarification of Project Review Committee (PRC) and terms used to provide feedback to applicants
- Review of the R-3 zoning district and El Camino Real (ECR) combining zoning district development standards including number of housing units and maximum height
- Comments on the Grand Boulevard Initiative
- Clarification of what preliminary plan means in terms of details
- Review of the non-residential Floor Area Ratio (FAR) requirements for ECR
- Discussion of features that contribute to an "attractive street"
- Clarification on the genesis of the annexation effort

Public Comment:
Fourteen members of the public spoke about the Butcher property. Residents of nearby neighborhoods expressed concerns with the preliminary plans they had seen including: height, potential for graffiti, noise, effect on nearby property values, traffic quantity, flow & safety, effect of retail on Fremont Avenue, access to property from El Camino Real, distance to schools, impact to school enrollment, 300 year old oak tree, cumulative effects with other projects (e.g. Apple campus further south), and lack of transit friendly features. Residents suggested the Council: defer annexation, buy the property for a city park, revise the Precise Plan for El Camino Real and rezone to R-2. A couple of speakers expressed concern that there are other areas of the city where residents were ignored and noted that the issue is an intersection of rights (property owner and community). The property owner spoke expressing a desire to work with the community to achieve a plan that the community is satisfied with.

Adjournment:
Mayor Spitaleri adjourned the meeting at 7:07 p.m.

Respectfully submitted,
Trudi Ryan, Planning Officer

Attachment H

De Anza Properties

September 23, 2013

City of Sunnyvale
Honorable Mayor and City Council
456 W. Olive Avenue
Sunnyvale, CA 94088

Re: Butchers Corner

Dear Mayor Spitaleri and City Council Members:

I have met with the neighborhood. 75 people attended our weekend meetings; these people represented hundreds of residents from at least 5 or 6 associations. A unanimous consensus was reached on two items in particular. One is that Annexation should be delayed until the neighborhood understood its implications. My opinion is that this is a trust issue and granting the neighborhood the delay is a goodwill gesture. I, as the property owner request the same and I expect your thoughtful and kind consideration in this matter. Secondly all the neighbors strongly object to the requirement that commercial (retail) be mandated on this property. They think it creates undue traffic, does not fit this portion of El Camino and is just plain inappropriate for the site. Lastly they recognize that the commercial component increases the density, height, and bulk of the building.

I appreciate the opportunity to work with the neighbors. I think any council action to accommodate the items above will help us all move forward. The project we will apply for is going to change from our preliminary design and I ask that the city staff and council give us time to work out all other aspects of the project. As part of the next phase we intend on meeting with the directly impacted neighbors next door (King Fisher) to discuss the reduction in height, movement east of buildings and/or the entry and any shadow effect. This group is generally considerate and reasonable and I expect to make good progress.

While it is unusual the entire group wants to understand the traffic and they are asking us to provide technical studies. I think as the project changes we will provide this information. This neighborhood is well organized and very much together on reviewing this project. If the council unanimously accommodated both the reinterpretation of the commercial requirement and the annexation I think it would be a positively neutral political move that would earn appreciation for the present pro-business city Council. They all understand jobs, progress, and the eventual build out of the Butcher property.

Sincerely,

John Vidovich

960 N. San Antonio Road • Suite 114 • Los Altos, California 94022 • Phone: 650/209-3232

3. City Manager Recruitment Update by Avery Associates

Paul Kimura, Principal, Avery Associates, presented a report.

MOTION: Councilmember Meyering moved to delete the paragraph regarding salary, delete the benefits and deferred compensation, delete the paragraph that the city manager has to interact with and have positive engagement with the development community, delete the requirement that all applicants should have municipal management experience and add a bullet point regarding restoring the neglected infrastructure of transportation, law enforcement and parks.
Motion died for lack of a second.

4. RTC 13-240 Discussion and Possible Action on Adoption of Resolutions to Approve the Annexation of Two Island Areas Located within the City of Sunnyvale Urban Service Area but Currently under the County of Santa Clara's Jurisdiction (Central Expressway and Butcher's Corner), and a Finding of Categorical Exemption Under the California Environmental Quality Act

Director of Community Development Hanson Hom presented the staff report.

Councilmember Whittum disclosed he attended two community meetings and visited the site.

Public Hearing opened at 8:21 p.m.

John Vidovich, property owner, requested a delay in annexation to allow time to work with the neighborhood and requested Council make commercial optional and not required.

Steve Smith reiterated the points presented by John Vidovich.

Art Kushner expressed concerns regarding traffic congestion, school overcrowding and lack of compatibility with the surrounding neighborhood, and recommended postponing annexation.

Ed Cramer spoke in support of postponement of the annexation and optional commercial use.

Steve Sarette spoke in support of doing traffic studies and reducing the commercial FAR requirements, and recommended delaying annexation.

Holly Lofrgren spoke in support of staff's recommendation to delay annexation and asked Council to direct staff to make non-residential optional.

Lenora Montoya-Heuchert, representing Ortega Park neighborhood, expressed concerns regarding traffic impacts in the area and at neighboring schools, and requested Council delay annexation and make non-residential optional for the property.

Dwight Davis spoke regarding the poor planning of LinkedIn, suggested 2,000 foot notification Citywide, and requested pictures of future buildings be put online.

Galen Davis stated agreement with earlier speakers regarding traffic impacts, the need for re-signalization, and impacts to school capacity. Davis stated he disagreed with earlier speakers with regard to commercial use of the property and spoke in support of commercial use with pedestrian infrastructure.

Mei-Ling Stefan urged Council to delay annexation until a study is done to revise the El Camino Real Precise Plan to include the option of removing the retail requirement at Butcher's Corner.

Ann Davis spoke in support of 2,000 foot notification Citywide with pictures of proposed projects and suggested Hexagon should be removed as the preferred vendor for traffic studies.

Don Haislet stated he doesn't believe the project applies to the El Camino Real Precise Plan, as Fremont is the road that would be impacted.

Tap Merrick suggested Council redo the node concept and suggested solving the traffic at El Camino and Fremont with a traffic circle.

Neil Citraro spoke regarding the difficulty of working with ECR zoning and spoke in support of adopting the policy and how to interpret the precise plan, and having applications reviewed on an individual basis.

Greg Malley spoke regarding the commercial requirement.

Steve Hoffman spoke regarding contributions by the developer to Council candidates and proposed $500 contribution limits.

Public Hearing closed at 8:51 p.m.

MOTION: Vice Mayor Griffith moved and Councilmember Davis seconded the motion to approve Alternatives 1, 2 and 4: 1) Find that the project is categorically exempt from CEQA pursuant to guideline 15319(a); 2) Adopt the resolution to approve the annexation of the Central Expressway Island Area (SV01); and 4) Postpone the annexation of the Butcher's Corner Island Area.

FRIENDLY AMENDMENT: Councilmember Davis offered a friendly amendment that the Council find that the inclusion of commercial operations at Butcher's Corner is not mandatory.

Vice Mayor Griffith expanded the motion to add an additional alternative that Council direct staff that until such a time as this can be more thoroughly studied, any zoning of residential plus ECR does not require commercial.

VOTE: 5 - 2 (Councilmembers Meyering and Moylan dissented)

Vice Mayor Griffith proposed a study issue to examine the commercial requirements or potentially lack thereof for properties zoned residential plus ECR.
Councilmember Moylan co-sponsored the study issue.

Update on Development Applications

In September 2014, the property owner submitted a formal application to redevelop the site. In response to community comments, the property owner revised the project to reduce the number of residential units from 211 to 153 (approximately thirty dwelling units per acre), with 6,936 square feet of retail/office use. The proposal includes three-story townhouses on the west side. A five-story multi-family residential building (with the retail/office on the first floor) is proposed along the frontage of El Camino Real; a multi-family residential building proposed for the Fremont Avenue frontage is seven stories. A copy of the latest plans is provided in Attachment 5 of the Report to Council.

The proposed project requires rezoning for all or a portion of the property from R-3/ECR to R-4/ECR, and approval of a Special Development Permit and Vesting Tentative Map. The applications are incomplete at this time and public hearings have not yet been scheduled. The proposed project and required approvals may change as the developer continues to update their plans.

Project Plans: While the project revisions to date have been positive, staff has remaining concerns with several aspects of the latest plans, including: 1) building heights and massing of the multi-family buildings on El Camino Real and Fremont Avenue; 2) the proposed reduced front setback along El Camino Real; and 3) the proposal to remove mature Oak trees.

> *Building Heights and Massing:* In staff's opinion, the massing of the five-story building facing El Camino Real needs to be further mitigated through a height reduction, additional wall setbacks or other architectural solutions. Additionally, the seven-story building facing Fremont Avenue does not provide an optimal step down relationship or transition with the nearby residential uses. Staff has provided suggestions to the applicant to reduce the height of the buildings to no more than four stories immediately adjacent to El Camino Real and Fremont Avenue. An additional story above four stories could be supported by staff with increased setbacks from the street to reduce the visual mass of the buildings and increase neighborhood compatibility. The applicant does not agree with staff's suggestions and has expressed interest in proceeding with the heights currently proposed.
>
> *Front Setback:* A minimum fifteen-foot front setback is required for residential structures, as measured from the back of sidewalk. For non-residential portions of buildings, no front setback is currently required. The building facing Fremont Avenue complies by providing the minimum required fifteen-foot front setback. The front setback along the retail/office portion of the building facing El Camino Real is ten feet, which is in compliance. However, the front setback for the remaining residential portion of the building is deficient and ranges from eight feet two inches to eleven feet three inches. In

staff's opinion, the front setback deficiency along El Camino Real further adds to the visual bulk and massing of the building and should be increased to minimum fifteen feet.

Trees: Staff has recommended that the applicant retain as many mature trees as possible. Perhaps the most significant tree, an existing healthy Valley Oak near the center of the site will be incorporated into the project, which is a positive feature of the project. However, the applicant proposes to remove the entire row of healthy Oak trees near the corner of El Camino Real and Wolfe Road. The City Arborist has noted that the trees appear to be mates to the Oak trees across Wolfe Road within the public right-of-way, and staff recommends that the trees be retained.

Adjacent Dental Building: The property owner has indicated that he is in under contract to purchase the adjacent two-story dental building at the corner of Wolfe Road and Fremont Avenue. The parcel is not part of the proposed project at this time. If the purchase occurs, the property owner has expressed interest in relocating the existing dental office into the designated retail/office tenant space facing El Camino Real. The property owner has submitted conceptual site and landscaping plans (see Attachment 3, Sheets A.1 and L.1), showing the dental parcel to be converted into additional usable open space. With the dental parcel, the overall density of the project would slightly decrease to twenty-nine dwelling units per acre.

Project Timeline: City Council decision on the proposed development applications would occur after the EIR has been certified (anticipated in March 2016) and after annexation is completed.

Planning Commission
July 13, 2015
7:00 p.m. – 8:00 p.m.

Study Session Summary:
Associate Planner, Noren Caliva-Lepe, presented information about the latest Butcher's Corner project plans using a PowerPoint slide presentation. Ms. Caliva-Lepe noted staff's concerns regarding building height and massing, reduced front setback along El Camino Real, and the request to remove mature Oak trees.

The applicant/property owner, John Vidovich of DeAnza Properties, noted potential benefits from the project, including possible street dedications for bike lanes on El Camino Real and a lane on Wolfe Road. Mr. Vidovich also expressed his intent to complete the purchase of the adjacent dental building at 895 E. Fremont Avenue and include the parcel as open space.

Planning Commissioners asked general questions about the annexation process and provided the following comments on the project:

- Four stories adjacent to the streets is more appropriate
- Need enhanced/distinctive architecture with varying building forms and styles
- Increase front setback on El Camino Real needed to reduce massing
- Break up building wall along El Camino Real
- Encourage oak trees to be preserved
- Plant large trees in front of the building facing El Camino Real
- Explore unbundled parking
- EIR should thoroughly analyze school impacts, including the ability for schools to accommodate new students
- Include potential school impact fees in future staff report

Public Comments:
Approximately 25 members of the public attended the Study Session. Six members of the public spoke and expressed concerns regarding building height, architecture, water, sewage, tree removal, front setback deficiency, spillover parking, school impacts, privacy impacts, historical preservation and traffic. Several residents also recommended that the City explore the option of downzoning to R-2.

BUTCHER'S CORNER

DAHLIN group

PARKING SUMMARY:

EL CAMINO BUILDING + FREMONT BUILDING - TOWERS
REQUIRED PARKING (TABLE 19.46.060 - UNDERGROUND SPACE (1) + UNASSIGNED SPACE at FACTOR BELOW)

	UNITS	FACTOR	TOTAL SPACES	ASSIGNED	UNASSIGNED
1.5 SPACES PER 1 BEDROOM UNIT	7	1.5	10.5	7	3.5
2 SPACES PER 2 BEDROOM UNIT	30	2	60	30	30
2 SPACES PER 3 BEDROOM UNIT	57	2	114	57	57
2.15 SPACES PER 4 BEDROOM UNIT	20	2.15	43	20	23
TOTAL REQUIRED PARKING SPACE:			**227.5**	**114**	114

BUILDINGS C-G - TOWNHOMES
REQUIRED PARKING (TABLE 19.46.060 - TWO FULLY-ENCLOSED GARAGE SPACES + UNASSIGNED SPACE at FACTOR BELOW)

	UNITS	FACTOR	ASSIGNED	UNASSIGNED
2 ENCLOSED SPACES PER 3 BEDROOM UNIT PROVIDED				
2 ENCLOSED SPACES PER 4 BEDROOM UNIT PROVIDED				
2 ENCLOSED SPACES PER 5 BEDROOM UNIT PROVIDED				
UNASSIGNED FOR 3-BEDROOM	20	0.5	N/A	10
UNASSIGNED FOR 4-BEDROOM	18	0.65	N/A	11.7
UNASSIGNED FOR 5-BEDROOM	1	0.8	N/A	0.8
TOTAL REQUIRED UNASSIGNED PARKING SPACES (ASSIGNED N/A = FULLY ENCLOSED GARAGE):			N/A	**22.5**

PARKING FOR MEDICAL/COMMERCIAL/OFFICE: 6936 SF
1 SPACE PER 200 SF AS PER 19.46.050 UNASSIGNED SPACES **35**

TOTAL PARKING REQUIRED ON SITE FOR MEDICAL/COMMERCIAL/OFFICE	35		
TOTAL PARKING REQUIRED ON SITE FOR RESIDENTIAL	250		
TOTAL PARKING REQUIRED ON SITE	**285**	OF WHICH **171**	ARE UNASSIGNED
		114	ARE ASSIGNED (1/UNIT)
TOTAL ACCESSIBLE PARKING REQUIRED for OFFICE (PER CBC TABLE 11B-208.1)	2		
TOTAL ACCESSIBLE PARKING REQUIRED FOR RESIDENTIAL			
ASSIGNED (114) AT 2% AS PER CBC 1109A.4	2.28		
UNASSIGNED (114+22.5) AT 5% AS PER CBC 1109A.5	6.80		
TOTAL ACCESSIBLE PARKING REQUIRED	11.1		
TOTAL ACCESSIBLE PARKING PROVIDED	12 (9 IN GARAGE, 3 ON GRADE)		

PARKING PROVIDED:

GARAGE UNDERGROUND W/O TANDEM:	241 SPACES		
ON GRADE:	31 SPACES		
MEDICAL/COMMERCIAL/OFFICE:	2 SPACES		
TOTAL PROVIDED:	274 SPACES		
GARAGE UNDERGROUND PARKING - TANDEM:	39 SPACES		
TOTAL PROVIDED WITH TANDEM:	313 SPACES	>	285 TOTAL REQUIRED SHARED

(SUNNYVALE MUNI CODE 19.46.150)

BIKE PARKING REQ'D:	28.5
BIKE PARKING PROVIDED:	47
LOCKABLE STORAGE (300 cf) REQ'D:	114
LOCKABLE STORAGE PROVIDED:	114
TOTAL COMPACTS =	10
COMPACT % = (of Unassigned Prov'd)	3% < 10% allowed per 19.46.060

BUTCHER'S CORNER

REVISED 03/09/2015

DEVELOPMENT SUMMARY (option 1):

SITE APN:	211-25-011 211-25-038		
	211-25-034 211-25-039		
ZONING:	R4-PD		
SITE AREA:	5.1 ACRES	222,083 SF	

LOT COVERAGE:

GARAGE FOOTPRINT (undergound):	56273 SF		
FREMONT BLDG FOOTPRINT (ABOVE GRADE):		18467 SF	
EL CAMINO BLDG FOOTPRINT (ABOVE GRADE):		29205 SF	
BLDG C FOOTPRINT (3-plex):	2722 SF (X3)	8166 SF	
BLDG D FOOTPRINT (duet):	1830 SF (X5)	9150 SF	
BLDG E FOOTPRINT (duet):	2381 SF (X6)	14286 SF	
BLDG F FOOTPRINT (duet):	2381 SF (X3)	7143 SF	
BLDG G FOOTPRINT (duet):	2956 SF (X1)	2956 SF	
TOTAL FOOTPRINT ALL BUILDINGS:		89373 SF	
LOT COVERAGE:		40%	
MEDICAL/COMMERCIAL/OFFICE:	6936 SF		
ATHLETIC CLUB AND ADMINISTRATIVE:	8514 SF		

UNIT SUMMARY BY TYPE

BUILDING A (FREMONT)	LEVEL 1	LEVEL 2-7	OCCURS	LEVEL 2+ SUBTOTAL	TOTAL	MIX
1 BEDROOM UNIT	1	1	6	6	7	13%
2 BEDROOM UNIT:	2	2	6	12	14	25%
3 BEDROOM UNIT:	2	4	6	24	26	47%
4 BEDROOM UNIT:	2	1	6	6	8	15%
TOTAL UNIT NUMBER:					**55**	100%

BUILDING B (EL CAMINO)	LEVEL 1	LEVEL 2+	OCCURS	LEVEL 2+ SUBTOTAL	TOTAL	MIX
2 BEDROOM UNIT:	0	4	4	16	16	27%
3 BEDROOM UNIT:	3	7	4	28	31	53%
4 BEDROOM UNIT:	0	3	4	12	12	20%
TOTAL UNIT NUMBER:					**59**	100%

COMBINED A + B UNIT COUNT		MIX
1 BEDROOM UNIT:	7	6%
2 BEDROOM UNIT:	30	26%
3 BEDROOM UNIT:	57	50%
4 BEDROOM UNIT:	20	18%
TOTAL	**114**	100%

TOWNHOMES (BUILDINGS C-G)	OCCURS	
3 BEDROOM UNIT:	20	20
4 BEDROOM UNIT:	18	18
5 BEDROOM UNIT:	1	1
TOTAL		**39**

TOTAL UNIT SUMMARY (TOWERS AND TOWNS)

		MIX
1 BEDROOM UNIT:	7	4.6%
2 BEDROOM UNIT:	30	19.6%
3 BEDROOM UNIT:	77	50.3%
4 BEDROOM UNIT:	38	24.8%
5 BEDROOM UNIT:	1	0.7%
TOTAL UNIT NUMBER:	**153**	100.00%

NUMBER OF UNITS / ACREAGE = DENSITY (DU/A): 30.0 DU/A

BUILDING HEIGHT

BUILDING	HEIGHT
FREMONT	74'-1/2"
EL CAMINO	62'-11 3/4"
C	37'-8"
D	37'-8"
E	35'-1"
F	36'-7"
G	37'-4"

CODE ANALYSIS

FREMONT BUILDING	(Type 1A)							
	Per 2013 CBC Section 502	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	6th Floor	7th Floor
	Actual Area/Floor/Deck	17,428	18,094	18,743	18,634	18,634	18,634	18,124
	Total Actual Area/Bldg.	128,291	sqft					
	Allowable Area							
	Per 2013 CBC Table 503	A_t =	unlimited	sqft				

EL CAMINO BUILDING	Building 1 (Type 1A)				Building 2 (Type VA)				Building 3 (Type VA)			
	Per 2013 CBC Section 502	1st Floor			2nd Floor	3rd Floor	4th Floor	5th Floor	2nd Floor	3rd Floor	4th Floor	5th Floor
	Actual Area/Floor/Deck	29,066			15,670	15,756	15,757	15,644	12,945	12,876	12,876	12,774
	Total Actual Area/Bldg.	29,066	sqft		62,827	sqft			51,471	sqft		
					63,508 < 87,516 complies				51,577 < 86,578 complies			
	Allowable Area											
	Per 2013 CBC Table 503	A_t =	unlimited	sqft	A_t =	12,000	sqft		A_t =	12,000	sqft	
	Per 2013 CBC Section 506.2 and 506.2.2				F =	693	ft		F =	481	ft	
	Per 2013 CBC Section 506.2				P =	773	ft		P =	561	ft	
	Per 2013 CBC Section 506.2 and 506.2.1				W =	30	ft		W =	30	ft	
	Per 2013 CBC Section 506.2				I_f =	0.647			I_f =	0.607		
	Per 2013 CBC Section 506.3				I_s =	2			I_s =	2		
	Per 2013 CBC Section 506.1				A_a =	43,758	sqft/floor		A_a =	43,289	sqft/floor	
	Per 2013 CBC Section 506.4				A_a =	87,516	sqft/bldg.		A_a =	86,578	sqft/bldg.	

PROJECT DATA

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

DAHLIN group

JOB NO. 1148.001
DATE 06-15-15

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

T . 2

CONCEPTUAL LANDSCAPE PLAN - OPTION 1

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects • Land Planners
181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 5003

0 30' 60'
Scale: 1" = 30'

L . 1

JOB NO. 1148.001
DATE 06-15-15

N

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

CONCEPTUAL LANDSCAPE PLAN - OPTION 2 ALTERNATIVE

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

THE GUZZARDO PARTNERSHIP INC.
Landscape Architects · Land Planners
181 Greenwich Street
San Francisco, CA 94111
T 415 433 4672
F 415 433 5003

0 30' 60'
Scale: 1" = 30'

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JOB NO. 1148.001
DATE 06-15-15

N

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

ARCHITECTURAL RENDERING
CORNER OF EL CAMINO REAL
AND WOLFE ROAD

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

DAHLIN group

JOB NO. 1148.001
DATE 06-15-15

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

A.50

ARCHITECTURAL RENDERING
FREMONT AVENUE ENTRANCE

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

DAHLIN group

JOB NO. 1148.001
DATE 06-15-15

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

A.51

ARCHITECTURAL RENDERING
ENTRY ON EL CAMINO REAL

BUTCHER'S CORNER

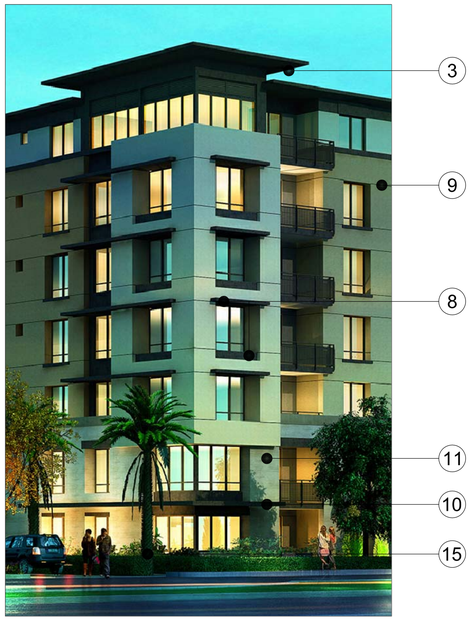
871 EAST FREMONT AVENUE, SUNNYVALE

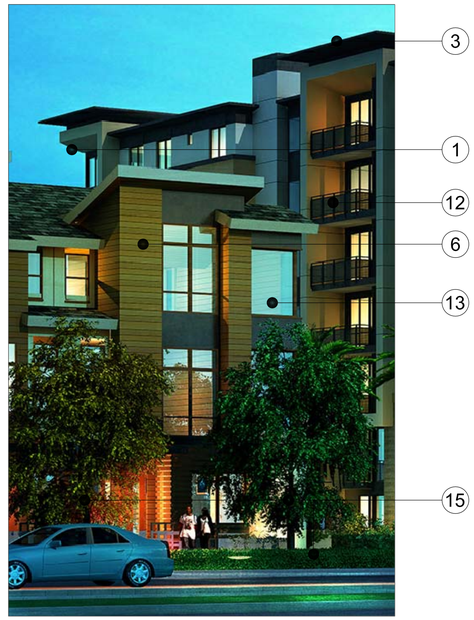
DAHLIN group

JOB NO. 1148.001
DATE 06-15-15

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

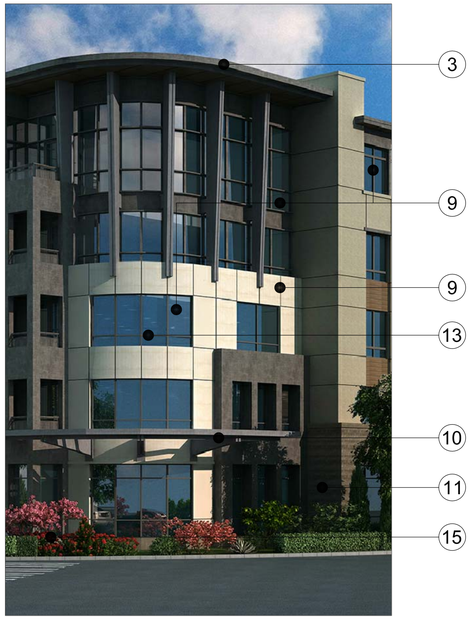
A.52





DESIGN GUIDELINE COMPLIANCE LEGEND

1. VARIATIONS IN THE ROOF LINE, ROOF HEIGHT AND THE ARCHITECTURE OF THE EAVE DETAILS ADD VISUAL INTEREST AND BREAK UP THE BUILDING MASS.
2. VARIATIONS IN WALL PLANE, COLOR AND MATERIALS BREAK UP THE BUILDING MASS AND ADD VISUAL INTEREST.
3. BROAD ROOF OVERHANGS PROVIDES DEEP SHADOWS AT THE TOP OF THE BUILDING AND AN INTERESTING SILHOUETTE AT THE ROOF LINE.
4. A STRONG BASE, MIDDLE AND TOP MATERIAL AND COLOR PALETTE GIVES A CLASSICAL CHARACTER TO THE BUILDING'S CONTEMPORARY STYLE.
5. VARIATIONS IN WINDOW SIZE, BREAK UPS AND OPERATION ADD VISUAL INTEREST TO THE FACADE.
6. THE SCALE OF TOWNHOUSES COMPLEMENTS THE SCALE OF THE NEIGHBORING MULTI-FAMILY BUILDINGS AND SERVES AS A TRANSITION TO THE TALLER MID-RISE BUILDINGS.
7. TRANSPARENT GLAZING AT THE LOBBY CORE BRIDGES THE TWO BUILDINGS AND DEFINES THE BUILDING ENTRY ALONG THE EL CAMINO CORRIDOR.
8. WINDOW HEAD AND SILL TRIM ARCHITECTURAL DETAILS AND RECESSED PANELING WITH VARYING MATERIALS ADD VARIETY, INTEREST AND A RICHNESS TO THE OVERALL FACADE.
9. STUCCO WALLS ARE RELIEVED WITH CAREFULLY PLACED REVEALS.
10. ARCHITECTURAL DETAILS SUCH AS NATURAL STONE WALL CAPS AND COPING, METAL-FACED BALCONIES AND METAL AWNINGS ADD A HUMAN SCALE AT THE STREET LEVEL.
11. A VARIETY OF NATURAL STONE AND BRICK CLADDING AT THE BASE OF BUILDING GIVES TEXTURE AND RICHNESS AT STREET LEVEL.
12. METAL MESH BALCONY RAILINGS ADD ADDITIONAL TEXTURE AND INTEREST AND HELP DEFINE THE DEEP INSET DECKS AT EACH DWELLING UNIT.
13. HIGH QUALITY CASEMENT WINDOWS AND CORNER GLAZING CAPITALIZE ON VIEWS AND ADD INTEREST TO THE FACADE WHEN IN THE OPEN POSITION.
14. A WELL-DEFINED ENTRY ADDS LIFE TO THE EL CAMINO REAL CORRIDOR.
15. TREES AND SUBSTANTIAL LANDSCAPING ALONG THE STREETFRONT PROVIDE A PLEASANT PEDESTRIAN ENVIRONMENT AND BEAUTIFY THE PROJECT TO THE PUBLIC VIEW.



DESIGN GUIDELINE COMPLIANCE

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

DAHLIN group

JOB NO. 1148.001
DATE 06-15-15

5865 Owens Drive
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A.48

COURTYARD AMENITY
PERSPECTIVE

BUTCHER'S CORNER

871 EAST FREMONT AVENUE, SUNNYVALE

DAHLIN group

JOB NO. 1148.001
DATE 06-15-15

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

A.40

2 15-0655 Approve a Process for the Butcher Property Annexation and Discuss Status of Development Applications, with No Action on a Proposed Project

Councilmember Meyering raised a point of order and stated any Councilmembers who received campaign contributions from the developer should recuse themselves from hearing this item.

City Attorney Joan Borger stated campaign contributions are not a conflict of interest under State law.

Councilmembers Hendricks, Larsson and Davis disclosed they received campaign contributions from the developer of the project. Mayor Griffith disclosed he placed a lawn sign on a De Anza property.

Director of Community Development Hanson Hom provided the staff report. City Manager Deanna Santana and City Attorney Borger provided additional information.

Public Hearing opened at 8:07 p.m.

Don Haislet, neighbor to the property, stated the proposed project is similar to an R-2 development and asked Council to listen to the concerns of residents.

Mei-Ling Stefan spoke regarding the developer's agreement to delay the project and suggested waiting to see the findings of the Environmental Impact Report. Stefan urged Council to delay annexation.

Marissa Kacmarsky expressed concerns about the zoning and asked that as the annexation goes forward the concerns of the residents be considered.

Zachary Kaufman inquired as to whether an agreement could be made with the County that they could refer the decision back to the City.

John Ray spoke in support of the staff's recommendations, and when zoning is considered, asked Council to consider quality of life regarding traffic, schools, and public safety.

Nirav Mehta, owner of the building on the corner of Wolfe and Fremont, spoke regarding consideration of a dedicated turn lane from El Camino to Fremont, and urged continuing with annexation and to delay consideration of the zoning.

Holly Lofgren spoke regarding the delay in the annexation.

Mary Brunkhorst stated she would like to see the property rezoned appropriately before it is annexed.

Hinkmond Wong spoke in support of placing conditions on the annexation and requested that if no modifications are made to the plan, the property should be rezoned.

Public Hearing closed at 8:26 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Davis seconded the motion to approve Alternatives 1 and 3: 1) Direct staff to continue the City initiated annexation process independent of and prior to action on the rezoning and development applications, and direct staff to schedule for Council action the resolution for annexation; and 3) Defer consideration of the two year changed circumstance finding until action on the rezoning and development applications.

Councilmember Meyering moved to table the motion until four weeks after the City Council of the City of Sunnyvale reviews the Environmental Impact Report. Councilmember Whittum seconded the motion.

The motion to table 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

Councilmember Meyering moved to table the motion until this document and the recommendation is run by the Sunnyvale Planning Commission. Councilmember Whittum seconded the motion.

The motion to table 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

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

3 15-0561 Revised Design Guidelines for Mixed-use Developments, known as the Toolkit for Mixed-use Developments; Find that the project is exempt under CEQA pursuant to Guidelines 15060(c)(3) and 15378(b)(5) (Study Issue)

Principal Planner Andrew Miner provided the staff report. Director of Community Development Hanson Hom provided additional information.

Public Hearing opened at 9:02 p.m.
No speakers.
Public Hearing closed at 9:02 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternative 1 and 3: 1) Find that the project is exempt from CEQA pursuant to CEQA Guidelines 15060(c)(3) and 15378(b)(5), and 3) Approve the Toolkit for Mixed-use Developments with modifications to add something, in appropriate language, to talk about being able to soften, round or terrace corners of all buildings, in particular when near the street or intersections.

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

No: 1 - Councilmember Meyering

City of Sunnyvale

Agenda Item

15-0848 **Agenda Date:** 10/13/2015

Tentative Council Meeting Agenda Calendar

City of Sunnyvale

Tentative Council Meeting Agenda Calendar

Tuesday, October 27, 2015 - City Council

Closed Session

15-0827 5 P.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session held pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT
Title: City Attorney

15-0518 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

15-0891 SPECIAL ORDER OF THE DAY - Santa Clara Valley Science and Engineering Fair 2015 Award Recipients

Public Hearings/General Business

15-0757 Introduce an Ordinance to Amend various sections of the Sunnyvale Municipal Code Title 19 (Zoning) Related to Child Care Facilities (CDD 15-11); Approve Guidelines for Commercial Child Care; and Finding of CEQA Exemption Pursuant to CEQA Guideline 15061(b)(3). (Planning File: 2015-7149) (Continued from August 25, 2015)

15-0865 File #: 2015-7259
Location: 423 E. Maude Ave. (APN: 204-21-006)
Zoning: R-3 (Medium Density Residential)
Proposed Project: Call for Review by the City Council of a decision by the Planning Commission approving related applications on a 0.59-acre site:
DESIGN REVIEW to allow 11 townhome units;
VESTING TENTATIVE MAP to subdivide one lot into 11 lots plus one common lot, and
VARIANCE to allow an average front yard setback along Maude Ave. of 18 feet 10 inches, where 20 feet average is required.
Applicant / Owner: Classic Communities / Robert Alonso Trustee
Environmental Review: Mitigated Negative Declaration

Tuesday, November 10, 2015 - City Council

Closed Session

15-0832 8 A.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session held pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT
Title: City Attorney

15-0519 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)
Employee organization: Public Safety Officers Association (PSOA)
Employee organization: Sunnyvale Employees Association (SEA)
Employee organization: Sunnyvale Managers Association (SMA)

Study Session

15-0078 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews

Public Hearings/General Business

15-0511 Policies Regarding Private Security Cameras (Study Issue)

Tuesday, November 17, 2015 - City Council

Study Session

15-0166 5 P.M. SPECIAL COUNCIL MEETING (Study Session)
Discussion of Council 2016 Intergovernmental Relations Assignments

15-0946 5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)
Civic Center Modernization Project Site Planning Opportunities and Constraints

Public Hearings/General Business

15-0079 Appoint Applicants to Boards and Commissions

15-0491 Approve Changes to Council Policies 7.4.5, 7.4.6, 7.4.7, and 7.4.8 in Council Policy Manual Chapter 7, Section 4 Regarding Council Support and Processes

15-0912 File #: 2014-7416 and 2014-7417
Location: 915 DeGuigne Drive and 936 E. Duane Avenue (APNs: 205-21-001 and 2015-21-002)

Proposed Project: General Plan Amendment to change from Industrial to Medium Density Residential for 915 DeGuigne Drive and from Industrial to Parks for 936 E. Duane Avenue; Rezoning from M-S to R-3/PD for 915 DeGuigne Drive and M-S to PF for 936 E. Duane Avenue; and discussion of Sense of Place Plan, Fiscal Impact Analysis, and Environmental Impact Report.
Applicant/Owner: Watt Investments at Sunnyvale, LLC

15-0948 Authorize the City Manager to Execute a Funding Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the Construction of Recreational Trails as Part of the Sunnyvale West Channel and Sunnyvale East Channel Project and Appropriate up to $500,000 from Park Dedication Funds for Construction of the Trail

Tuesday, December 1, 2015 - City Council

Closed Session

15-0521 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)

15-0098 5 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

Study Session

15-0860 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
Review Potential for Utility Users Tax Ballot Measure (Study Issue)

Special Order of the Day

15-0359 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members (as necessary)

Public Hearings/General Business

15-0934 Acknowledgement of the City's Operational Guidelines for the Transportation Demand Management (TDM) Program and Amend Chapter 10.6 of the Municipal Code to Add New TDM Non-Compliance Fees

15-0951 $15 by 2018 Regional Minimum Wage Goal Update

Tuesday, December 15, 2015 - City Council

Closed Session

15-0522 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)
Employee organization: Public Safety Officers Association (PSOA)
Employee organization: Sunnyvale Employees Association (SEA)
Employee organization: Sunnyvale Managers Association (SMA)

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

Study Session

15-0853 6:50 P.M. SPECIAL COUNCIL MEETING (Study Session)
Discussion of Upcoming Selection of 2016 Mayor and Vice Mayor

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)

15-0445 Civic Center Land Use and Financing Strategies

15-0945 Receive and File the FY 2014/15 Budgetary Year-End Financial Report, Comprehensive Annual Financial Report, and Sunnyvale Financing Authority Financial Report

Tuesday, January 5, 2016 - City Council

Public Hearings/General Business

16-0001	Select Mayor for 2016
16-0002	Select Vice Mayor for 2016
16-0009	Approve the 2016 City Council Meeting Calendar
16-0003	Annual Public Hearing - Discussion of Potential Council Study Issues and Budget Issues for Calendar Year 2016
16-0004	City Council 2016 Appointments to Intergovernmental and Internal Assignments, Council Subcommittees, and Community Member Appointments
16-0005	Approve the Proposed 2016 Priority Issues and Short and Long-term Legislative Advocacy Positions (LAPs)
16-0006	2016 Seating Arrangements for City Council

Tuesday, January 12, 2016 - City Council

Special Order of the Day

16-0007	SPECIAL ORDER OF THE DAY - Recognition of Outgoing Mayor
16-0008	SPECIAL ORDER OF THE DAY - Recognition of Outgoing Vice Mayor
16-0010	SPECIAL ORDER OF THE DAY - Ceremonial Oath for Incoming Mayor
16-0011	SPECIAL ORDER OF THE DAY - Ceremonial Oath for Incoming Vice Mayor

Public Hearings/General Business

15-0890	Consider Approval of Conversion Impact Report for Nick's Trailer Court, located at 1008 E. El Camino Real in Sunnyvale

Thursday, January 14, 2016 - City Council

Public Hearings/General Business

16-0013	8:30 A.M. SPECIAL COUNCIL MEETING Council Budget Overview, Update and Prioritization Session

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

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) (June 2016)

14-0429 Resolution Forming Homestead Road Underground Utility District - Public Hearing

15-0588 Peery Park Specific Plan and Environmental Impact Report

15-0603 Lawrence Station Area Plan and Final Environmental Impact Report

15-0605 Land Use and Transportation Element and Environmental Impact Report (February 2016)

15-0717 Consider Multi-family Residential Transportation Demand Management Programs

15-0785 File #: 2015-7266
Location: 825 Tamarack Lane (APN: 213-29-053)
Zoning: R0
Proposed Project:
Appeal by the applicant of a Planning Commission decision denying a Design Review Permit for a new two-story single-family home resulting in 3,117 square feet (2,717 square feet of living area and a 400 square-foot two-car garage) and 56% floor area ratio. The existing 1,374 square foot one-story single-family home will be demolished.
Applicant / Owner: Arsen Avagyan
Environmental Review: Categorical Exemption, Class 3

City of Sunnyvale

Agenda Item

15-0766 **Agenda Date:** 10/13/2015

Information/Action Items

2015 INFORMATION/ACTION ITEMS
COUNCIL DIRECTIONS TO STAFF

No.	Date Assigned	Directive/Action Required	Dept	Due Date	Date Completed
1.	1/6/15	When presenting Investment Policy to Council this coming fall, include option to preclude direct investment in fossil fuels	FIN	10/13/15	
2.	6/9/15	Ensure future presentation/discussion regarding golf operations includes analysis and process for determining golf fees	DPW	9/29/15	**9/29/15**
3.	8/18/15	Prepare an Information Only Report to Council to explain how the Mary Avenue extension project is referenced in the adopted General Plan LUTE and Moffett Park Specific Plan	DPW	TBD	
4.	8/18/15	Look for potential matching funds for the Lawrence/Wildwood project and adjust TIF assumptions as needed	DPW	March 2016	
5.	9/29/15	Provide a Biweekly Report item to discuss fees related to creation of a single-story overlay district and options for Council to reduce or waive the fees	CDD		**10/8/15**
6.	9/29/15	Provide additional information to Council on the number of rounds of golf played and the effect on City revenues.	DPW		

Revised 10/8/15

NEW STUDY/BUDGET ISSUES
SPONSORED BY COUNCIL IN 2015

No.	Date Requested	Study Issue Title	Requested By	Dept	Issue Paper Approved by City Manager
		No new Council-sponsored Study Issues.			

City of Sunnyvale

Agenda Item

15-0813 **Agenda Date:** 10/13/2015

Board/Commission Meeting Minutes

City of Sunnyvale

Meeting Minutes - Draft
Housing and Human Services Commission

Wednesday, September 23, 2015 | **7:00 PM** | **West Conference Room, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

CALL TO ORDER

Vice Chair Schmidt called the meeting to order at 7:02 p.m.

SALUTE TO THE FLAG

Vice Chair Schmidt led the salute to the flag.

ROLL CALL

Present: 5 - Commissioner Diana Gilbert
Commissioner Younil Jeong
Commissioner Dennis Chiu
Commissioner Chrichelle McCloud
Vice Chair Barbara Schmidt

Absent: 1 - Chair Patti Evans

Council Liaison Patrick Meyering (absent)
Chair Evans (excused absence)

PUBLIC ANNOUNCEMENTS

None.

CONSENT CALENDAR

1.A 15-0878 Draft Minutes of the Housing and Human Services Commission Meeting of July 22, 2015

Commissioner McCloud moved and Commissioner Chiu seconded the motion to approve the Consent Calendar which is comprised of the Draft Minutes of the Housing and Human Services Commission Meeting of July 22, 2015. The motion carried by the following vote:

Yes: 4 - Commissioner Gilbert
Commissioner Chiu
Commissioner McCloud
Vice Chair Schmidt

No: 0

Absent: 1 - Chair Evans

Abstain: 1 - Commissioner Jeong

Commissioner Jeong abstained because she was not present at the meeting of July 22, 2015.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS/GENERAL BUSINESS

2 15-0881 Review of 2014-15 Consolidated Annual Performance Evaluation Report (CAPER)

Housing Officer Suzanne Isé explained that the CAPER summarizes the city's progress toward achieving the goals for use of its CDBG and HOME funds, as set forth in the FY 2014-15 Action Plan. She briefly summarized some highlights of the CAPER, and noted that the City has met its spending deadlines for the year and has achieved most or all of its program and project goals for the year.

Vice Chair Schmidt opened and closed the public hearing at 7:18 p.m.

After some clarifying questions of staff by the Commissioners, Vice Chair Schmidt asked for a motion.

Commissioner Chiu moved and Commissioner McCloud seconded the motion to approve Alternative 1: Recommend that the Commission approve the draft CAPER as presented in Attachment 1. The motion carried by the following vote:

Yes: 5 - Commissioner Gilbert
Commissioner Jeong
Commissioner Chiu
Commissioner McCloud
Vice Chair Schmidt

No: 0

Absent: 1 - Chair Evans

3 15-0880 Annual Review of the City Code of Ethics and Conduct

Housing Officer Isé explained that this item is a regular annual reminder to review the Code of Ethics and Conduct, and noted that no formal action is needed by the Commissioners unless they would like to ask for clarification or suggest any changes to the code.

Vice Chair Schmidt opened and closed the public hearing at 7:21 p.m.

The commissioners had no additional input or any discussion.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

4 15-0879 Propose and/or review new Study Issues and Budget Issues

Housing Officer Isé gave a brief overview of the study issues process.

Vice Chair Schmidt asked if anyone had any study or budget issues to suggest.

The commissioners asked if they could propose the rent stabilization study issue (CDD15-10) again. Ms. Isé noted that they could not propose the same study issue again if it had been dropped by Council the previous year, according to Council Policy 7.3.26.4.

After some discussion, the commissioners requested that the minutes reflect that they understand that they cannot recommend the same study issue (CDD 15-10) again since it was dropped last year, but want the City Council to be aware of their concerns about rising rents, which are adversely affecting many people.

After a short brainstorming period, Commissioner Chiu moved and Commissioner McCloud seconded the motion to suggest a budget issue to index the city's general fund allocation for human services grants to the Consumer Price Index (CPI). The motion carried by the following vote:

Yes: 5 - Commissioner Gilbert
Commissioner Jeong
Commissioner Chiu
Commissioner McCloud
Vice Chair Schmidt

No: 0

Absent: 1 - Chair Evans

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Commissioner McCloud informed the rest of the commissioners that she had asked staff to forward information regarding the El Camino Real Corridor Plan (ECRPAC) meeting that she attended.

-Staff Comments

Ms. Isé reminded the commissioners of the upcoming Housing and Human Services Commission special meeting scheduled for October 14, 2015.

ADJOURNMENT

Vice Chair Schmidt adjourned the meeting at 7:52 p.m.