



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, May 3, 2016

5:00 PM

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

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**Special Meeting- Closed Session- 5 PM | Special Meeting- Joint Meeting of City Council  
and the Redevelopment Successor Agency- 5:55 PM | Special Meeting- 6PM | Regular  
Meeting- 7 PM**

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

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

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

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

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

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

[16-0196](#)

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 Officers Association  
(PSOA)

Employee organization: Sunnyvale Employees Association  
(SEA)

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

#### **5:55 P.M. SPECIAL MEETING: Joint Meeting of the City Council and the Redevelopment Successor Agency**

##### **1 Call to Order in the Council Chambers (Open to the Public)**

**2 Roll Call****3 Public Comment**

- 4      [16-0444](#)      Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013

**Recommendation:** Redevelopment Successor Agency:  
Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013 as submitted.

City Council:  
Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013 as submitted.

- 5      [16-0389](#)      Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016

**Recommendation:** Redevelopment Successor Agency:  
Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016 as submitted.

City Council:  
Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016 as submitted.

**6 Adjourn Special Meeting****6 P.M. SPECIAL COUNCIL MEETING****CALL TO ORDER**

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

**ROLL CALL****SPECIAL ORDER OF THE DAY**

[16-0340](#)      SPECIAL ORDER OF THE DAY - Municipal Clerks Week

- [16-0103](#) SPECIAL ORDER OF THE DAY - Recognition of Green Businesses
- [16-0101](#) SPECIAL ORDER OF THE DAY - 2016 Earth Day Poster Contest Winners
- [16-0127](#) SPECIAL ORDER OF THE DAY - Department of Public Safety Special Awards

## **ADJOURNMENT**

## **7 P.M. REGULAR 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.*

## **SALUTE TO THE FLAG**

## **ROLL CALL**

## **CLOSED SESSION REPORT**

## **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 [16-0440](#) Approve City Council Special Meeting Minutes of April 19, 2016

**Recommendation:** Approve the City Council Special Meeting Minutes of April 19, 2016 as submitted.

- 1.B [16-0447](#) Approve City Council Regular Meeting Minutes of April 19, 2016

**Recommendation:** Approve the City Council Regular Meeting Minutes of April 19, 2016 as submitted.

- 1.C [16-0443](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

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

- 1.D [16-0229](#) Authorize the Issuance of a Purchase Order for Two Oil Distributor Trucks

**Recommendation:** Authorize the issuance of a Purchase Order in the amount of \$361,626 (\$332,531 plus sales tax in the amount of \$29,095), in substantially the same form as Attachment 1 of the report, to Herrmann Equipment, Inc. of Roseville for two oil distributor trucks.

- 1.E [16-0263](#) Award of Contract for Design and Construction Support Services for the Sunnyvale-Saratoga Road Traffic Signal, Bicycle and Pedestrian Safety Project (F16-66)

**Recommendation:** 1) Award a contract, in substantially the same form as Attachment 1 to the report and in the amount of \$113,214 to TJKM Transportation Consultants, Inc. for the subject project and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of \$11,321.

- 1.F [16-0388](#) Receive and File the City of Sunnyvale Investment Report - 1st Quarter 2016

**Recommendation:** Receive and file the City of Sunnyvale FY 2015/16 - First Quarter 2016 (Period 10) investment report (Attachment 1 of the staff report).



**1.G**     [16-0375](#)

Adopt a Resolution to Authorize the Filing of Fiscal Year 2016/17 Transportation Development Act (TDA) Article 3 Applications for Pedestrian and Bicycle Projects

**Recommendation:** Adopt a resolution requesting MTC for an allocation of \$115,088 of TDA funds for FY 2016/17 to be used as grant matching funds for the Mary Avenue Bicycle Lane Project from Iowa Avenue to Maude Avenue.

**1.H**     [16-0428](#)

Authorize the City Manager to Execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space at School Sites

**Recommendation:** Authorize the City Manager to execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space Areas at School Sites.

**1.I**     [16-0432](#)

Adopt Ordinance No. 3080-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Properties Located between Dartshire Way and Devonshire Way and Kingfisher Way and Flicker Way from R-0 (Low Density Residential) Zoning District to R-0/S (Low Density Residential/Single-Story) Zoning District

**Recommendation:** Adopt Ordinance No. 3080-16.

**1.J**     [16-0433](#)

Adopt Ordinance No. 3081-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property Located at 1111 Lockheed Way From MP-I (Moffett Park-Industrial) To MP-TOD (Moffett Park - Transit Oriented Development)

**Recommendation:** Adopt Ordinance No. 3081-16.

- 1.K [16-0434](#) Adopt Ordinance No. 3082-16 Amending Chapter 19.37 (Landscaping, Irrigation and Usable Open Space) and Section 19.48.090 (Pools and Spas) of Chapter 19.48 (Fences, Distances between Buildings and Extensions into Yards) of Title 19 (Zoning) of the Sunnyvale Municipal Code to Update the Water-Efficient Landscaping Regulations Pursuant to California State Law

**Recommendation:** Adopt Ordinance No. 3082-16.

### **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      [16-0197](#)      FILE #:      2016-7068  
Location:      160 Aries Way (APN 209-07-007)  
Proposed Project:      DOWNTOWN SPECIFIC PLAN  
AMENDMENT INITIATION: Request to study a change to the land use designation of a portion of Block 1a of the Downtown Specific Plan from very high density residential to retail and office, as well as increase the allowable height from 85 feet to 100 feet.  
Applicant/Owner:      Andy Kasik  
Environmental Review: Exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3) because the mere initiation of a study is not a project with the potential to cause a significant impact on the environment.

**Recommendation:** Alternatives 1 and 2: 1) Initiate a study to consider amending a portion of Block 1a of the Downtown Specific Plan to change the primary land use designation to office including a possible increase in the height limit, prepare draft development standards, evaluate impacts to the Downtown parking district, evaluate project alternatives and prepare related Zoning Code amendments; and 2) Study an alternative land use scenario for a mixed use residential, office and retail use with potential R3 and R4 residential density including evaluating impacts to the Downtown parking district.

- 3      [16-0041](#)      Consider Draft 2016 Housing and Urban Development (HUD) Action Plan

**Recommendation:** Alternative 1: Approve the 2016 Action Plan as presented in Attachment 1 to the report, and authorize the City Manager to execute all required assurances and forms for submittal to HUD.

- 4      [16-0163](#)      Authorize the City Manager to Execute a Concession License Agreement between the City of Sunnyvale and KemperSports Management (dba KSM Sunnyvale, LLC.) for Certain Facilities at Sunnyvale Golf Course

**Recommendation:** Alternative 1: Authorize the City Manager to execute a concession license agreement for operation of certain areas and facilities at Sunnyvale Golf Course with KSM Sunnyvale, LLC, with three additional five-year renewal options, in substantially the same form as in Attachment 1 of the report.

- 5      [16-0258](#)      Accept the Climate Action Plan Biennial Progress Report 2016 and Find that the Action is Exempt from Environmental Review under CEQA Guidelines Section 15378(b)(5)

**Recommendation:** Alternatives 1 and 2: 1) Find that the action is exempt from environmental review under CEQA Guidelines Section 15378(b)(5) and accept the Climate Action Plan Biennial Progress Report 2016; and 2) Approve the recommended changes to the CAP reduction measures and performance indicators as shown in Attachment 2

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

#### **NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

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

- |                                |   |
|--------------------------------|---|
| <a href="#"><u>16-0317</u></a> | Tentative Council Meeting Agenda Calendar                                   |
| <a href="#"><u>16-0274</u></a> | Information/Action Items  |
| <a href="#"><u>16-0394</u></a> | Notice of Public Works Director's Decision on Final Maps (Information Only) |
| <a href="#"><u>16-0453</u></a> | Update on Response to Twin Pines Manor Fire                                 |
| <a href="#"><u>16-0441</u></a> | Board/Commission Meeting Minutes  |

**ADJOURNMENT****NOTICE TO THE PUBLIC**

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

*PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.*

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

**Planning a presentation for a City Council meeting?**

*To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available at [Presentations.inSunnyvale.com](http://Presentations.inSunnyvale.com).*

**Planning to provide materials to Council?**

*If you wish to provide the City Council with copies of your presentation materials, please provide 12 copies of the materials to the City Clerk (located to the left of the Council dais). The City Clerk will distribute your items to the Council.*

**Upcoming Meetings**

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

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

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



# City of Sunnyvale

## Agenda Item

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**16-0196**

**Agenda Date: 5/3/2016**

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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 Officers Association (PSOA)

Employee organization: Sunnyvale Employees Association (SEA)



# City of Sunnyvale

## Agenda Item

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**16-0444**

**Agenda Date:** 5/3/2016

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### **SUBJECT**

Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013

### **RECOMMENDATION**

Redevelopment Successor Agency:

Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013 as submitted.

City Council:

Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013 as submitted.



**DRAFT MINUTES  
SUNNYVALE CITY COUNCIL  
AND  
SUNNYVALE REDEVELOPMENT SUCCESSOR AGENCY  
TUESDAY, APRIL 30, 2013, 5:30 P.M.**

**CALL TO ORDER**

Councilmember Whittum called the meeting to order in the West Conference Room.

**ROLL CALL**

**PRESENT:**

Mayor Anthony (Tony) Spitaleri  
Councilmember Christopher Moylan  
Councilmember David Whittum  
Councilmember Pat Meyering  
Councilmember Tara Martin-Milius  
Councilmember Jim Davis

**ABSENT:**

Vice Mayor Jim Griffith

Public Hearing opened at 5:30 p.m.

No speakers.

Public Hearing closed at 5:30 p.m.

**CONVENE TO CLOSED SESSION** – Closed Session pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel, Initiation of Litigation: one potential case.

**ADJOURNMENT**

The meeting was adjourned at 5:55 p.m.

**CLOSED SESSION REPORT**

The following report out of the closed session was given:

“Direction to initiate litigation, if necessary, has been given, and the action, defendants and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless doing so would jeopardize our ability to effectuate service or negatively impact any settlement negotiations.”



# City of Sunnyvale

## Agenda Item

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**16-0389**

**Agenda Date: 5/3/2016**

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### **SUBJECT**

Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016

### **RECOMMENDATION**

Redevelopment Successor Agency:

Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016 as submitted.

City Council:

Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016 as submitted.



# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, April 12, 2016

6:00 PM

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

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### **Special Meeting: Joint Meeting of Council and the Redevelopment Successor Agency Immediately Followed by Special City Council Meeting**

#### **6 P.M. SPECIAL MEETING**

#### **Joint Meeting of the City Council and the Redevelopment Successor Agency**

##### **1 Call to Order in the Council Chambers (Open to the Public)**

Mayor / Board Member Hendricks called the Joint Meeting of the City Council and Redevelopment Successor Agency to order in Council Chambers.

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

Present: 7 - Mayor / Board Member Hendricks  
Vice Mayor / Board Member Larsson  
Councilmember / Board Member Griffith  
Councilmember / Board Member Meyering  
Councilmember / Board Member Martin-Milius  
Councilmember / Board Member Davis

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

None.

##### **4 Closed Session Reports for a) April 30, 2013 (revised report out) and b) February 23, 2016**

City Attorney / Agency Counsel John Nagel stated on April 30, 2013, the City Council and the Successor Agency Board ("Board") held a properly noticed special joint meeting to consider the initiation of litigation. Upon the adjournment of that special meeting, the City Council and the Board reported out their approval of the initiation of litigation. The City Council again reported out its approval of the initiation of the litigation during the course of its regular meeting on April 30, 2013. The City Council and Board reported out the following: Direction to initiate litigation, if necessary, has been given, and the action, defendants and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless doing so would jeopardize our ability to effectuate service or negatively impact any settlement negotiations. The vote on April 30, 2013 action was: Board

members/Councilmembers Davis, Martin-Milius, Spitaleri, Whittum, Meyering and Moylan voting yes and Board member/Councilmember Griffith being absent. The litigation authorized to be filed was related to the dissolution of the former Redevelopment Agency of the City of Sunnyvale. As a result of the April 30 action on May 23, 2013, the Successor Agency to the Redevelopment Agency of the City of Sunnyvale and the City of Sunnyvale sued Ana J. Matosantos, in her official capacity as Director of the State of California Department of Finance and Vinod K. Sharma, in his official capacity as Auditor-Controller of the County of Santa Clara (Case No. 34-2013-80001499). Michael Cohen subsequently replaced Ana Matosantos as Director of the State of California Department of Finance and as the named party in the lawsuit. Not all of the claims brought under Case No. 34-2013-80001499 were deemed ripe for adjudication, and the Successor Agency was directed to exhaust its administrative remedies prior to judicial review of such claims. Following such exhaustion, based on the authority granted on April 30, 2013, on April 14, 2015, the Successor Agency to the Redevelopment Agency of the City of Sunnyvale and the City of Sunnyvale sued Michael Cohen, in his official capacity as Director of the State of California Department of Finance (Case No. 34-2015-80002067). Case No. 34-2015-80002067 was officially brought as a case related to Case No. 34-2013-80001499, because it involves the same parties and is based on the same or similar claims. Specifically, the Successor Agency seeks to receive relief for the claims initially brought under Case No. 34-2013-80001499 that were previously dismissed.

On February 23, 2016, the City Council and the Successor Agency Board held a properly noticed joint special meeting regarding Successor Agency to the Redevelopment Agency of the City of Sunnyvale and the City of Sunnyvale authorizing to appeal the Superior Court ruling in Case No. 34-2015-80002067. Inadvertently, the City Council and the Successor Agency Board did not report out their decision to file a Notice of Appeal in this matter. The vote on the February 23, 2016 was: Board members/Councilmembers Davis, Martin-Milius, Larsson, Whittum, Meyering, Griffith and Hendricks voting yes.

## **5 Consent Calendar**

MOTION: Councilmember / Board Member Griffith moved and Vice Mayor / Board Member Larsson seconded the motion to approve the Consent Calendar.

FRIENDLY AMENDMENT: Following discussion regarding attendance at the April 30, 2013 Closed Session, Vice Mayor / Board Member Larsson offered a friendly amendment to remove Consent Calendar Item 5.A Joint Meeting of the City Council and the Redevelopment Successor Agency Minutes of April 30, 2013 from the motion.

Councilmember / Board Member Griffith accepted the friendly amendment.

The motion carried by the following vote:

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

No: 1 - Councilmember / Board Member Meyering

**A**      [16-0361](#)      Approve Joint City Council and Redevelopment Successor  
Agency Meeting Minutes of April 30, 2013

This item was removed from the Consent Calendar and will be brought back for consideration at a later date. No action taken.

**B**      [16-0379](#)      Approve Joint City Council and Redevelopment Successor  
Agency Meeting Minutes of December 10, 2015

Redevelopment Successor Agency: Approve the Joint City Council and Redevelopment Successor Agency Meeting Minutes of December 10, 2015 as submitted.

**C**      [16-0378](#)      Approve Joint City Council and Redevelopment Successor  
Agency Meeting Minutes of February 23, 2016

Redevelopment Successor Agency: Approve the Joint City Council and Redevelopment Successor Agency Meeting Minutes of February 23, 2016 as submitted.

**D**      [16-0343](#)      Approve the First Amendment to Outside Counsel Agreement  
with Goldfarb & Lipman LLP for Litigation Services Pertaining  
to the Three Lawsuits Related to the Dissolution of the  
Redevelopment Agency

City Council:

Authorize the City Attorney to execute a First Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Goldfarb Lipman to extend the term of the Agreement until May 19, 2019 and to increase the not to exceed amount by \$60,000, for a new not to exceed contract amount of \$160,000.

Redevelopment Successor Agency:

Authorize the Agency Counsel to execute a First Amendment, in substantially the

same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Goldfarb Lipman to extend the term of the Agreement until May 19, 2019 and to increase the not to exceed amount by \$60,000, for a new not to exceed contract amount of \$160,000.

## **6 Adjourn Joint Meeting of the City Council and Redevelopment Successor Agency**

Mayor Hendricks adjourned the Joint Meeting of the City Council and Redevelopment Successor Agency meeting at 6:14 p.m.

### **SPECIAL CITY COUNCIL MEETING (Immediately Following Joint Meeting of the City Council and Redevelopment Successor Agency)**

#### **CALL TO ORDER**

Mayor Hendricks called the meeting to order in Council Chambers at 6:15 p.m.

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

Mayor Hendricks led the salute to the flag.

#### **ROLL CALL**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

#### **PRESENTATION**

[16-0355](#) PRESENTATION - PG&E Pipeline Safety Program  
(Rescheduled from March 29, 2016)

Following action on Item 7, Rabiah Khalid, Local Government Relations Representative, PG&E and Darren Klein, PG&E provided a presentation regarding the Community Pipeline Safety Initiative.

#### **ORAL COMMUNICATIONS**

Mayor Hendricks announced the upcoming State of the City event on July 9 on the City Hall campus.

Councilmember Davis announced upcoming vacancies on boards and commissions and an application deadline.

Councilmember Davis announced a call for nominations for Sunnyvale Community Awards.

Councilmember Davis announced applications are being accepted for Community Event and Neighborhood Grant programs.

Councilmember Martin-Milius announced the winners of the iGreen April Eco-Challenge.

Maria Pan addressed the Council.

### **CONSENT CALENDAR**

Councilmember Meyering requested to pull Items 1.A, 1.B, 1.C and 1.D.

**1.A**     [16-0344](#)     Approve City Council Meeting Minutes of March 29, 2016

Public Hearing opened at 6:26 p.m.

No speakers.

Public Hearing closed at 6:26 p.m.

MOTION: Councilmember Meyering moved to amend the minutes to include a summary of the dissenting points of view.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of March 29, 2016 as submitted.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**1.B**     [16-0348](#)     Approve the List(s) of Claims and Bills Approved for Payment  
by the City Manager

Public Hearing opened at 6:27 p.m.

No speakers.

Public Hearing closed at 6:27 p.m.

MOTION: Councilmember Meyering moved to deny payment until such time as bills are provided on request to Councilmembers.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the list(s) of claims and bills.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**1.C**      [16-0312](#)      Award of Bid No. PW16-21 for the Slurry Seal 2016-B Project and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Public Hearing opened at 6:27 p.m.

No speakers.

Public Hearing closed at 6:27 p.m.

MOTION: Councilmember Meyering moved to deny recommendation number 3.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Make a finding of CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 (Class 1, Existing Facilities) as it relates to the rehabilitation of existing streets involving negligible or no expansion of existing use; 2) award a construction contract, in substantially the same format as Attachment 2 to the report and in the amount of \$277,000 to VSS International Inc.; and 3) approve a 10% construction contingency in the amount of \$27,700.

The motion carried by the following vote:

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



**No: 1 - Councilmember Meyering**

- 1.D**      [16-0342](#)      Award of Bid No. PW16-15 for the Concrete, Sidewalk, Curbs, Gutters and Driveway Approaches 2016-17 Project and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Public Hearing opened at 6:28 p.m.

No speakers.

Public Hearing closed at 6:28 p.m.

MOTION: Councilmember Meyering moved to deny recommendation number 3. The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Make a finding of CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 (Class 1, Existing Facilities) as it relates to the rehabilitation of existing streets involving negligible or no expansion of existing use; 2) award a construction contract, in substantially the same format as Attachment 2 to the report and in the amount of \$867,728 to Spencon Construction Inc.; 3) approve a 10% construction contingency in the amount of \$86,773; and 4) determine that the bid submitted by JJR Construction, Inc. is non responsive.

The motion carried by the following vote:

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

**No: 1 - Councilmember Meyering**

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [16-0046](#)      Introduce an Ordinance to Award a Non-Exclusive Taxicab Franchise to Silicon Valley Taxi Drivers, Inc. DBA Green Cab

Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 6:31 p.m.

No speakers.

Public Hearing closed at 6:31 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Introduce an Ordinance to Award a Non-exclusive Taxicab Franchise to Silicon Valley Taxi Drivers, Inc. DBA Green Cab and authorize the City Manager to execute the franchise agreement.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 0

- 3**      [16-0181](#)      Introduce an Ordinance to Award a Non-Exclusive Taxicab Franchise to Silicon Valley Cab Co., Inc. DBA Silicon Valley Cab

Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 6:33 p.m.

No speakers.

Public Hearing closed at 6:33 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Introduce an Ordinance to Award a Non-exclusive Taxicab Franchise to Silicon Valley Cab Co., Inc. DBA Silicon Valley Cab and authorize the City Manager to execute the franchise agreement.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 0

- 4**      [16-0373](#)      Appoint a Councilmember to the Valley Transportation Authority El Camino Real Rapid Transit Policy Advisory Board to Serve as a Voting Member and if necessary Appoint an Alternate Member

City Manager Deanna Santana provided the staff report.

Public Hearing opened at 6:34 p.m.

No speakers.

Public Hearing closed at 6:34 p.m.

NOMINATION: Councilmember Davis nominated Mayor Hendricks.

Mayor Hendricks respectfully declined the nomination.

Vice Mayor Larsson expressed interest in serving on the policy advisory board.

MOTION: Councilmember Martin-Milius moved and Councilmember Davis seconded the motion to nominate Vice Mayor Larsson to serve on the VTA El Camino Real Rapid Transit Policy Advisory Board.

Vice Mayor Larsson accepted the nomination.

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to appoint the nomination.

Mayor Hendricks determined the motion had been made by the previous motion.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

Following action on Item 4, Council considered Item 7.

- 5**      [16-0090](#)      Introduce an Ordinance Amending Sunnyvale Municipal Code Chapter 9.86 and Title 19 to Expressly Prohibit Medical Marijuana Cultivation, Commercial Activity, Distribution, and Delivery; Exempt from CEQA Pursuant to CEQA Guidelines

Sections 15060(c)(2) and 15061(b)(3)

Director of Public Safety Frank Grgurina provided the staff report and stated an updated version of the ordinance has been provided to Council which includes the complete definition of "Delivery." City Manager Deanna Santana and Assistant City Attorney Melissa Tronquet provided additional information.

Councilmember Griffith proposed a study issue regarding a R&D exemption so long as the marijuana never leaves the site.

Councilmember Martin-Milius stated support for a study issue.

Public Hearing opened at 7:52 p.m.

Tony Spitaleri spoke in support of consideration of an exemption for research and development in the case where the product is destroyed following the research.

Jennifer Ong provided background and information regarding a company which is in the business of indoor grow industries and plant growth systems.

Public Hearing closed at 8:04 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve Alternative 1: Introduce an ordinance amending Chapter 9.86 and Title 19 (Zoning), Section 19.62.010 and Tables 19.24.030, 19.28.080, 19.18.030, 19.20.030, 19.29.050, and 19.22.030, of the Sunnyvale Municipal Code relating to an express prohibition on medical marijuana cultivation, commercial activity, distribution, delivery and other activities, and find that the adoption of the ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3).

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment to add a personal exemption for people who have cards.

Councilmember Davis accepted the friendly amendment.

Mayor Hendricks suggested the original motion be left as-is and allow staff to look at clarifying language.

Councilmember Davis accepted Mayor Hendricks' suggestion and the friendly amendment was removed from the motion.

City Manager Santana provided comments regarding the process and timing of staff returning to Council.

AMENDMENT: Councilmember Meyering moved to amend the motion to create an

exception for outdoor cultivation of no more than one plant for personal, prescribed medical use.

The motion to amend died due to lack of a second.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

- 6**      [16-0151](#)      Introduce an Ordinance Amending Section 3.80.040 of the Sunnyvale Municipal Code to increase the City's Minimum Wage to \$15 by 2018

Economic Development Manager Connie Verceles provided the staff report. City Manager Deanna Santana provided additional information.

Public Hearing opened at 8:31 p.m.

Former Mayor and County Assessor Larry Stone spoke in support of an increase in the minimum wage.

Irene Murphy, Fibbar Magee's, stated restaurants are requesting additional time for the increase.

Ram, owner of a small business in Sunnyvale, stated it is a drastic increase for small businesses and requested an incremental approach. Ram spoke in support of waiting until 2020.

Julia Blom, owner of a small business, requested a slower increase due to the impact on the operations of the business and the ability to pay increased health care costs. Blom spoke in support of waiting until 2020.

Rene Blom stated that an increase from \$10.30 to \$15 in 18 months is too much and will impact the ability to pay health costs and keep their business going. Blom requested a compromise and go to 2020.

Emad Ibrahim, owner of Dish Dash, stated that it has never been more challenging

to run a business than the last several years, requested further discussion regarding tipped employees, and requested a slower increase to 2020.

Ravi, small restaurant owner, requested consideration of lengthening the implementation to 2022.

Kalidoss, small business owner in Sunnyvale, stated the rate increase would be very difficult and requested a smaller increase.

Deborah Olson, owner of C.J. Olson Cherries, spoke in agreement with the Governor's plan. Olson expressed concern with the City's proposed increase, and stated small businesses will be forced to cut employees, prices will have to increase and businesses may be forced to close down. Olson urged slowing the increase.

Joe Antuzzi, owner of Il Postale and Chair of the Downtown Association, shared comments from other Downtown business owners opposed to an increase by 2018.

Kirk Vartan, Slice of New York, stated his biggest concern is that the issue is not being reviewed with a regional focus and requested consumer education.

Louise Auerhahn, Working Partnerships, spoke regarding the huge need and the challenge of housing affordability, and the need to make sure people make enough to work where they live, and urged adoption of the ordinance.

Margaret Abe-Koga, Raise the Minimum Wage Coalition, spoke regarding the growing affordability gap in the region, and stated Mountain View adopted an ordinance to increase the minimum wage to \$15 in 2018.

Michael O'Brian, engineer, spoke in support of an increase in the minimum wage.

Christa Shaw speaking on behalf of Faultline Brewing Company, provided information regarding the impact of the 2015 increase on the business and requested consideration of the concept of total compensation and tipped employees.

Alison Hicks spoke in support of \$15 by 2018 and stated Governor Brown's \$15 by 2022 will not be a significant increase if current conditions continue.

Christopher Doan spoke in support of an increase in minimum wage to \$15 by 2018.

Meghan Freeley, Raise the Wage South Bay and Peninsula Coalition, stated there is a regional movement to raise the minimum wage and encouraged offering education and support to business owners.

Tony Spitaleri spoke in support of the minimum wage of \$15 an hour and asked that it be extended to 2020 to support small businesses to allow them time to adjust.

Jessica Lynam, California Restaurant Association, spoke in opposition to the increase by 2018, and asked the City to work with small businesses to extend the increase a few years.

Susyn Almond spoke in support of the minimum wage increase.

Caitlyn Jullivan speaking for Marie Bernard, Executive Director, Sunnyvale Community Services, read a letter in support of an increase in the minimum wage.

Public Hearing closed at 9:31 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve Alternative 1: Introduce an Ordinance Amending Section 3.80.040 of the Sunnyvale Municipal Code to increase the City's Minimum Wage to \$15 by 2018.

AMENDMENT: Councilmember Meyering moved to amend the motion to include a provision that allows the Council to vote to postpone a pending minimum wage increase if citywide employment has dropped over the preceding year.  
The motion to amend died due to lack of a second.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

**Yes:** 4 - Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Davis

**No:** 1 - Mayor Hendricks

**Abstain:** 1 - Councilmember Meyering

Council recessed at 10:05 p.m.

Council reconvened at 10:15 p.m. with all Councilmembers present.

Council resumed with Public Hearings/General Business Item 8.

- 7**      [16-0030](#)      Approve the Issuance of Request for Proposals to Develop a New Affordable Housing Project on City Property Located on Charles Street (Block 15)

Council considered this item following Item 4.

Assistant City Manager Hanson Hom provided the staff report.

Public Hearing opened at 6:59 p.m.

No speakers.

Public Hearing closed at 6:59 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Davis seconded the motion to approve Alternative 2: Approve the Issuance of the Request for Proposals (RFP) to Develop New Affordable Housing Project on City Property Located on Charles Street (Block 15), with a modification to change the scoring sheet to add incentive for homeless veterans and developmentally disabled seniors, and increase the points to 10 points.

The motion carried by the following vote:

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

**No:** 0

**Abstain:** 1 - Councilmember Meyering

Following action on Item 7, Council resumed the order of the agenda and received the Presentation by PG&E.

- 8**      [16-0301](#)      Introduce an Ordinance to Amend Titles 3 (Revenue and Finance) and 19 (Zoning) of the Sunnyvale Municipal Code related to the Transportation Impact Fee and Housing Impact Fees in Conjunction with the Study Issue to Evaluate the Timing of Park Dedication In-lieu Fee Calculation and



Payment (2015-7151) (Continued from March 15 and March 29, 2016)

Director of Community Development Trudi Ryan provided the staff report.

Public Hearing opened at 10:20 p.m.

No speakers.

Public Hearing closed at 10:20 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve Alternative 1: Introduce an Ordinance to Amend Titles 3 (Revenue and Finance) and 19 (Zoning) of the Sunnyvale Municipal Code related to the Transportation Impact Fee and Housing Impact Fees to calculate fees at the time of building permit submittal.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**9**      [15-1031](#)      Consideration of Options for Implementation of an Auxiliary Restroom at the Las Palmas Park / Tennis Center

Superintendent of Parks and Golf Jim Stark provided the staff report. Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 10:35 p.m.

No speakers.

Public Hearing closed at 10:35 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to approve Alternative 3: Direct staff to defer the auxiliary restroom for consideration as part of the community outreach process for the Las Palmas Park Renovation and Enhancement project in FY 2023/24 and increase the project budget during the next capital project budget cycle to reflect the additional restroom scope.

The motion carried by the following vote:

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

**No:** 0

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

Councilmember Martin-Milius reported her attendance at a meeting of the League of California Cities Environmental Quality Policy Committee and a meeting of LAFCO.

Vice Mayor Larsson reported his attendance at a meeting of BAWSCA Board Policy Committee in which he was selected to serve as Vice Chair for the coming year.

Councilmember Davis reported his attendance at a meeting of the League of California Cities Public Safety Policy Committee.

Councilmember Griffith announced the upcoming inaugural meeting of the Silicon Valley Clean Energy Authority.

Mayor Hendricks reported his attendance at a meeting of the VTA Board.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

Vice Mayor Larsson spoke regarding advocacy and inquired if there is more Council can do to be effective in advocacy by setting strategic priorities. Mayor Hendricks suggested it may be an item for the next Council strategic session.

Vice Mayor Larsson reported his attendance at CityAge conference, a CCE conference and a kickoff event for Measure AA Save the Bay.

Councilmember Meyering inquired about the Information Only report on the agenda regarding Envision Silicon Valley.

Director of Public Works Pineda, City Manager Santana and Mayor Hendricks provided a response.

Councilmember Meyering requested information relating to Plaza del Rey regarding the financial hardship policy effective date and the number of residents who have received a hardship benefit since it has been in effect.

City Manager Santana stated a response would be provided via the City Manager's Bi-Weekly Report.

Mayor Hendricks stated a Council Study Session is scheduled for June 28 and that he will be attending a meeting at Plaza del Rey in the coming weeks.

Mayor Hendricks reported he and Councilmember Davis traveled to Washington, D.C. with Silicon Valley Leadership Group and met with various representatives and staff.

#### **-City Manager**

City Manager Santana announced the interview date for the Executive Assistant to City Council position and noted on the Tentative Council Meeting Agenda Calendar the Declaration of Vacancy and Calling a Special Election will be considered at the next Council meeting.

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

- |                                |   |
|--------------------------------|---|
| <a href="#"><u>16-0351</u></a> | Tentative Council Meeting Agenda Calendar   |
| <a href="#"><u>16-0324</u></a> | Information/Action Items  |
| <a href="#"><u>16-0359</u></a> | Update on City Position as Part of Envision Silicon Valley and the Proposed 2016 Transportation Ballot Measure (Information Only) |
| <a href="#"><u>16-0352</u></a> | Board/Commission Meeting Minutes  |

#### **ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 11 p.m.



# City of Sunnyvale

## Agenda Item

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**16-0340**

**Agenda Date: 5/3/2016**

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SPECIAL ORDER OF THE DAY - Municipal Clerks Week



# City of Sunnyvale

## Agenda Item

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**16-0103**

**Agenda Date: 5/3/2016**

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SPECIAL ORDER OF THE DAY - Recognition of Green Businesses



# City of Sunnyvale

## Agenda Item

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**16-0101**

**Agenda Date: 5/3/2016**

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SPECIAL ORDER OF THE DAY - 2016 Earth Day Poster Contest Winners



# City of Sunnyvale

## Agenda Item

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**16-0127**

**Agenda Date: 5/3/2016**

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SPECIAL ORDER OF THE DAY - Department of Public Safety Special Awards



# City of Sunnyvale

## Agenda Item

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**16-0440**

**Agenda Date: 5/3/2016**

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**SUBJECT**

Approve City Council Special Meeting Minutes of April 19, 2016

**RECOMMENDATION**

Approve the City Council Special Meeting Minutes of April 19, 2016 as submitted.





# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, April 19, 2016

6:55 PM

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

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### Special Meeting

#### 1 Call to Order in the Council Chambers (Open to the Public)

Mayor Hendricks called the meeting to order in Council Chambers.

#### 2 Roll Call

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

#### 3 Public Comment (on Matters on the Special Meeting Agenda Only)

None.

#### 4 Public Hearing / General Business

[16-0422](#) Approve Urgency Measures to Assist Residents Displaced by  
Fire at Twin Pines Manor Apartments and Approve Budget  
Modification No. 32

City Manager Deanna Santana provided the staff report. Housing Officer Suzanne  
Ise provided additional information.

Public Hearing opened at 7:06 p.m.

Marie Bernard, Executive Director of Sunnyvale Community Services, provided an  
update on the services provided by Sunnyvale Community Services to residents  
and families displaced by the fire at Twin Pines Manor Apartments.

Jeanine Stanek urged support of the proposed urgency measures.

Public Hearing closed at 7:13 p.m.

MOTION: Councilmember Griffith moved and Councilmember Davis seconded the motion to approve Alternative 1: Approve the following urgency measures to assist residents displaced by fire:

- A. Approve Budget Modification No. 32 to: appropriate \$150,000 in Housing Mitigation Funds for Temporary Housing Support and appropriate \$30,000 from the General Fund Budget Stabilization Fund for additional recreation fee waivers; and
- B. Authorize the City Manager to: i) execute an amendment to the existing HPRR Agreement with Sunnyvale Community Services to increase the contract limit by \$250,000 and extend the term through June 30, 2018; and ii) to make direct payments for emergency procurements (e.g., food, water, necessary supplies and motels that were procured on April 18) and iii) to take other actions as needed to provide this assistance to the displaced households, including awarding the \$150,000 of Housing Mitigation Funds for Temporary Housing Support and transferring this duty, motel voucher program, to SCS for motel vouchers through May 8, 2016 or as the HPRR program services allow, and as determined by SCS; and
- C. Direct staff to work with the Department of Housing and Urban Development and Congressman Honda to explore options for using federal funds, such as Community Development Block Grant or other available funds, to provide any additional eligible assistance that may be needed by the displaced residents.
- D. Direct staff to work with the County of Santa Clara and various local agencies and/or private donors to identify additional resources and sources of assistance for the displaced residents.
- E. Direct staff to return to Council on May 3 with a status report and presentation from SCS on its progress in addressing the needs of the displaced residents, and any additional staff recommendations related to this matter; and in addition
- "F:" 1) Give the Director of Library and Community Services authority to waive fines or fees involving fire victims as related to library or other services, and 2) Direct staff to prepare an after incident report to be presented to Council by the end of the year.

The motion carried by the following vote:

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

**No: 0**

## **5 Adjourn Special Meeting**

Mayor Hendricks adjourned the special meeting at 7:27 p.m.



# City of Sunnyvale

## Agenda Item

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**16-0447**

**Agenda Date: 5/3/2016**

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**SUBJECT**

Approve City Council Regular Meeting Minutes of April 19, 2016

**RECOMMENDATION**

Approve the City Council Regular Meeting Minutes of April 19, 2016 as submitted.



# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, April 19, 2016

6:15 PM

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

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

### **6:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

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

Vice Mayor Larsson called the meeting to order.

#### **2 Roll Call**

Present: 6 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Meyering (arrived at 6:19 p.m.)  
Councilmember Martin-Milius  
Councilmember Davis

#### **3 Public Comment**

None.

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

Vice Mayor Larsson reported the Closed Session has been announced and convened to Closed Session.

[16-0393](#)

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 Officers Association  
(PSOA)

Employee organization: Sunnyvale Employees Association  
(SEA)

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

Vice Mayor Larsson adjourned the meeting at 6:53 p.m.

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

#### **CALL TO ORDER**

Mayor Hendricks called the meeting to order in Council Chambers at 7:32 p.m.

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

Mayor Hendricks led the salute to the flag.

#### **ROLL CALL**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

#### **CLOSED SESSION REPORT**

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

#### **ORAL COMMUNICATIONS**

Councilmember Martin-Milius announced the upcoming Fit & Fun Fair.

Kirk Vartan stated a public comment should be included online with the agenda packet for transparency to the public.

Deborah Marks, Sunnyvale Urban Forest Advocates, extended an invitation to attend an upcoming presentation regarding Urban Forestry and presented a PowerPoint presentation.

Joel Wyrick extended an invitation to two upcoming events by the Sunnyvale Downtown Association, Magic of Sunnyvale and Wine Stroll.

Holly Lofgren spoke regarding the open swim rates at the Fremont High School Pool. Lofgren made a Public Records Act request for the rate survey and requested a public hearing at the next Council meeting.

#### **CONSENT CALENDAR**

Mayor Hendricks stated a member of the public requested to speak regarding Item 1.K.

Councilmember Meyering requested to pull Items 1.A, 1.B, and 1.E, 1.F, 1.G and 1.J and requested to record a No vote on Item 1.L.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Consent Calendar Items 1.C, 1.D, 1.H, 1.I and 1.L.

The motion carried by the following vote:

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

**No: 0**

**1.A**     [16-0350](#)     Approve City Council Meeting Minutes of April 5, 2016

Public Hearing opened at 10:37 p.m.

No speakers.

Public Hearing closed at 10:37 p.m.

MOTION: Councilmember Meyering moved to approve the minutes with an amendment to include a 25-word description of the dissenting vote explanation. The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of April 5, 2016 as amended.

The motion carried by the following vote:

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

**No: 1 -** Councilmember Meyering

**1.B**     [16-0374](#)     Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 10:38 p.m.

No speakers.

Public Hearing closed at 10:38 p.m.

MOTION: Councilmember Meyering moved to deny the claims until such time as Councilmembers are provided copies of bills upon request.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the list(s) of claims and bills.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**1.C**     [16-0278](#)     Approve 2016 Board and Commission Master Work Plans

Approve the 2016 master work plans as submitted.

**1.D**     [16-0048](#)     Approve Drought Grant Reimbursement Agreement between the City of Sunnyvale and Santa Clara Valley Water District (SCVWD) for Receipt and Administration of State Grant Funds for the Sunnyvale Continuous Recycled Water Production Facilities and Wolfe Road Pipeline project and approval of Budget Modification No. 24

1) Authorize the City Manager to execute the drought grant reimbursement agreement between the City of Sunnyvale and Santa Clara Valley Water District (SCVWD) for receipt and administration of state grant funds for the Sunnyvale Continuous Recycled Water Production Facilities and Wolfe Road Pipeline project; and 2) Approve Budget Modification No. 24 to appropriate the grant funds to the WPCP Chlorine Conversion Project.

**1.E**     [16-0319](#)     Approve Loan Agreements with Crescent Terrace, Inc. to Rehabilitate Crescent Terrace Apartments

Housing Officer Suzanne Ise provided information. City Attorney John Nagel provided additional information.



Public Hearing opened at 10:17 p.m.

Peter Villareal, MidPen Housing Corporation, provided information regarding the rehabilitation.

Public Hearing closed at 10:19 p.m.

MOTION: Councilmember Meyering moved and Vice Mayor Larsson seconded the motion to Approve Loan Agreements with Crescent Terrace, Inc. for \$500,000 in Community Development Block Grant Funds and \$550,000 in HOME Investment Partnerships Program Funds, in substantially the form provided in Attachments 1 and 2 of the report, and authorize the City Manager to execute the Agreements in a final form approved by the City Attorney.

The motion carried by the following vote:

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

**No:** 0

Following action on Consent Calendar Item 1.E, Council considered Public Hearings/General Business Item 6.

**1.F**      [16-0371](#)      Modify an Existing Contract for Temporary Staffing for the Information Technology Department (F16-109)

Director of Information Technology David Jensen provided information.

Public Hearing opened at 10:40 p.m.

No speakers.

Public Hearing closed at 10:40 p.m.

MOTION: Councilmember Meyering moved and Councilmember Davis seconded the motion to approve 1) Authorize the City Manager to execute a Second Amendment to an existing contract with Robert Half Technology in substantially the same form as Attachment 1 to the report, by extending the contract through December 31, 2016 and increasing the not to exceed value from \$90,000 to

\$190,000; and 2) Delegate authority to the City Manager to extend the contract for an additional period of time not to exceed one year, if operationally necessary and subject to the availability of funds.

The motion carried by the following vote:

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

**No:** 0

**1.G**      [16-0372](#)      Approve the Second Amendment to Outside Counsel Agreement with Bertrand, Fox & Elliot for Litigation Services

Public Hearing opened at 10:42 p.m.

No speakers.

Public Hearing closed at 10:42 p.m.

MOTION: Councilmember Meyering moved to deny the second amendment until such time as Councilmembers are provided copies of bills upon request.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to authorize the City Attorney to execute a Second Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Bertrand, Fox & Elliot to increase the not to exceed amount by \$90,000, for a new not to exceed contract amount of \$225,000.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**1.H**      [16-0399](#)      Adopt Ordinance No. 3075-16 Awarding Nonexclusive Franchise for Taxicab Service to Silicon Valley Taxi Drivers, Inc. dba Green Cab

Adopt Ordinance No. 3075-16.

- 1.I**      [16-0400](#)      Adopt Ordinance No. 3076-16 Awarding Nonexclusive Franchise for Taxicab Service to Silicon Valley Cab Co., Inc. dba Silicon Valley Cab

Adopt Ordinance No. 3076-16.

- 1.J**      [16-0401](#)      Adopt Ordinance No. 3077-16 to Amend Chapter 9.86 of Title 9 (Public Peace, Safety or Welfare) and Various Sections of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to an Express Prohibition on Medical Marijuana Cultivation, Commercial Activity, Distribution and Delivery

Public Hearing opened at 10:43 p.m.

No speakers.

Public Hearing closed at 10:43 p.m.

MOTION: Councilmember Meyering moved to adopt the ordinance with an amendment to include a provision that there can be outdoor cultivation of up to one plant by residents pursuant to doctor prescribed recommendations.

The motion died due to lack of second.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to adopt Ordinance No. 3077 16.

The motion carried by the following vote:

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

**No:** 0

**Abstain:** 1 -    Councilmember Meyering

Following action on Consent Calendar Item 1.J, Council proceeded with the Councilmembers Reports on Activities from Intergovernmental Committee Assignments portion of the agenda.

- 1.K**      [16-0402](#)      Adopt Ordinance No. 3078-16 to Amend Section 3.80.040 (Minimum Wage) of Chapter 3.80 (Minimum Wage Ordinance) to Title 3 (Revenue And Finance) of the Sunnyvale Municipal

### Code to Increase the City-Wide Minimum Wage

Public Hearing opened at 7:44 p.m.

Kirk Vartan spoke regarding the impacts of the minimum wage increase on his businesses.

Ram spoke in support of a regional approach.

Rene Blom spoke regarding the impacts of the minimum wage increase on his business and the potential loss of jobs.

Julia Blom spoke regarding the benefits and health insurance that will have to be cut and asked that the increase be slowed or to consider tips in total compensation.

Public Hearing closed at 7:55 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to Adopt Ordinance No. 3078 16.

MOTION: Councilmember Meyering moved to amend the motion to include a provision that in years where employment decreases in Sunnyvale, the issue of the minimum wage increase is brought before City Council for a vote on whether or not to postpone it.

The motion to amend died due to lack of a second.

The main motion carried by the following vote:

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

**No:** 0

**Abstain:** 1 - Councilmember Meyering

**1.L**      [16-0403](#)      Adopt Ordinance No. 3079-16 Amending Section 3.50.070 (Fee Payment) of Chapter 3.50 (Transportation Impact Fee) of Title 3 (Revenue And Finance) and Section 19.75.020 (General Applicability) of Chapter 19.75 (Housing Impact Fees) of Title 19 (Zoning)

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

the motion to Adopt Ordinance No. 3079 16.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

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

- 2      [16-0291](#)      Conduct a Public Hearing and Adopt a Resolution confirming the Downtown Sunnyvale Business Improvement District Annual Report for FY 2016/17 and to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District

Economic Development Manager Connie Verceles presented the staff report and explained the process for the public hearing and reported just prior to the meeting she received a protest letter signed by 15 business owners. On request, Economic Development Manager Verceles read the letter into the record.

Joel Wyrick, Executive Director, Sunnyvale Downtown Association, addressed some of the issues raised in the protest letter that was read by Economic Development Manager Verceles.

Public Hearing opened at 8:06 p.m.

Rich Taylor, City Place Wine Bar, expressed concern for businesses located on Washington Avenue during events on Murphy, and requested a stay on the funding until all businesses can benefit.

Public Hearing closed at 8:09 p.m.

Economic Development Manager Verceles reported the protests received account for 9 percent of the total assessment.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve Alternative 1: Adopt the Resolution confirming the Downtown Sunnyvale Business Improvement District Annual Report for FY 2016/17 and to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business

Improvement District.

SUBSTITUTE MOTION: Councilmember Meyering moved a substitute motion to continue the matter for 60 days with a request that the BID provide detailed comments in response to the de facto closing of Washington Avenue and a log of dates of communications when individuals were responded to. The substitute motion died due to lack of a second.

Joel Wyrick, Executive Director, Sunnyvale Downtown Association provided additional comments.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

- 3**      [16-0169](#)      File #: 2015-8091  
Location: 748-838 Dartshire Way and 747-837 Devonshire Way (APNs 309-28-001, 309-28-002, 308-28-003, 309-28-036)  
Zoning: R-0  
Proposed Project: Introduction of Ordinance to Rezone 36 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story)  
Applicant / Owner: Martin Griffiths  
Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (not a project that may have a significant effect on the environment).

Principal Planner Gerri Caruso presented the staff report.

Public Hearing opened at 8:19 p.m.

Applicant Martyn Griffiths provided information regarding the proposed rezone.

Public Hearing closed at 8:31 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Introduce an Ordinance to Rezone 36 contiguous single family home lots from R 0 (Low Density Residential) to R 0/S (Low Density Residential/Single Story).

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 0

- 4      [16-0358](#)      File #: 2015-7275  
Location: 1111 Lockheed Martin Way (APNs: 110-01-036 and 110-01-038)  
Proposed Project: Discussion and possible actions on related applications for a 47.4 acre parcel at 1111 Lockheed Martin Way:  
SPECIFIC PLAN AMENDMENT for two parcels from Moffett Park General Industrial (MP-I) to Moffett Park Transit Oriented Development (MP-TOD) and associated text changes;  
REZONING Introduction of an Ordinance to Rezone two parcels from MP-I (Moffett Park Industrial) to MP-TOD (Moffett Park Transit Oriented Development).  
ENVIRONMENTAL DOCUMENT: Subsequent Environmental Impact Report.  
Applicant / Owner: Jay Paul Company/ Lockheed Martin Corporation

Director of Community Development Trudi Ryan presented the staff report. Director of Public Works Manuel Pineda provided additional information.

Applicant Jay Paul and Janette D'Elia, Jay Paul Company, provided information regarding the project.

Public Hearing opened at 9 p.m.

John Cordes spoke regarding Transportation Demand Management requirements

and urged Council not to certify the supplemental EIR and to not adopt the Statement of Overriding Concerns and requested staff provide additional environmental analysis. Cordes spoke regarding the need for shuttle buses, pedestrian and bicyclist access to get to the location and the need to change planning processes and requirements to not allow additional traffic.

Gabriel Lewis, on behalf of the Santa Clara Valley Audubon Society, suggested a reduction of the use of glass where possible and the adoption of bird protective measures.

Janette D'Elia, Jay Paul Company, responded to comments regarding traffic.

Public Hearing closed at 9:06 p.m.

MOTION: Councilmember Martin-Milius moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1, 3 and 5: 1) Adopt a resolution certifying the Subsequent Environmental Impact Report adopting the Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program as shown in Attachment 6 and 7 to the report; 3) Adopt a resolution to amend the MPSP to change the Land Use Designation from Moffett Park Industrial to MP TOD for Lots 2 and 4 as contained in the Findings in Attachment 2 to the report and Resolution in Attachment 3 to the report, and 5) Introduce an ordinance to Rezone Lots 2 and 4 within MPSP from MP I to MP TOD as contained in the Findings in Attachment 2 and Draft Ordinance in Attachment 4 to the report.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

Council recessed at 9:27 p.m.

Council reconvened at 9:35 p.m. with all Councilmembers present.

**5**      [16-0383](#)      Adopt two Resolutions: (1) Declaring Councilmember Seat Number 4 Vacant and (2) Calling a Special Municipal Election



to be held on Tuesday, August 16, 2016 for the Purpose of Filling the Vacancy in Councilmember Seat Number 4 for the Unexpired Term, Requesting Election Services from the Santa Clara County Registrar of Voters, Providing Regulations for Candidates' Statements and Determining to Levy Costs of Candidates' Statements

City Clerk Kathleen Franco Simmons presented the staff report. City Attorney John Nagel provided additional information.

Public Hearing opened at 10 p.m.

Russ Melton provided comments in appreciation of Councilmember Whittum's service and stated he hopes there will be a formal event to thank him for his service.

Larry Klein spoke regarding the occurrence of the temporary vacancy in 2009, and regarding the impacts to candidates for Seat Number 4.

Public Hearing closed at 10:05 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Adopt two Resolutions: (1) Declaring Councilmember Seat Number 4 Vacant and (2) Calling a Special Municipal Election to be held on Tuesday, August 16, 2016 for the Purpose of Filling the Vacancy in Councilmember Seat Number 4 for the Unexpired Term, Requesting Election Services from the Santa Clara County Registrar of Voters, Providing Regulations for Candidates' Statements and Determining to Levy Costs of Candidates' Statements.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

Following action on Item 5, Council considered Consent Calendar Item 1.E

- 6**      [16-0243](#)      Steps to Achieving a Silver Level Designation in the League of American Bicyclists - Bicycle Friendly Communities (Study Issue)

Director of Public Works Manuel Pineda presented the staff report. Lola Torney, Alta Planning and Design

Public Hearing opened at 10:24 p.m.

Kevin Jackson, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of the recommendation.

John Cordes, Vice Chair, Bicycle and Pedestrian Advisory Commission, yielded his time to the Dave Jones, Chair of the Bicycle and Pedestrian Advisory Commission.

Dave Jones, Chair, Bicycle and Pedestrian Advisory Commission, support of the Bicycle and Pedestrian Advisory Commission and staff recommendation.

Public Hearing closed at 10:26 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Davis seconded the motion to approve Alternative 1: Apply to be considered as a Silver Level Bicycle Friendly Community.

The motion carried by the following vote:

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

**No:** 0

- 7**      [16-0106](#)      Introduce an Ordinance to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code (SMC) and Update the Water-Efficient Landscaping Regulations per California Governor's Executive Order B-29-15 and make a Finding that the Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15307 and 15308 (Planning File: 2016-7032)

Director of Community Development Trudi Ryan presented the staff report.

Public Hearing opened at 10:34 p.m.

No speakers.

Public Hearing closed at 10:34 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve Alternatives 1 and 2: 1) Introduce an ordinance to amend Sunnyvale Municipal Code Chapter 19.37 (Landscaping and Usable Open Space) per the State of California Governor's Executive Order B 29 15, as set forth in Attachment 1 of the report; and 2) Find that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15307 and 15308.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 0

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

Vice Mayor Larsson reported on the snow pack at Hetch Hetchy.

Councilmember Martin-Milius reported her attendance at a meeting of the Water Commission and the Silicon Valley Clean Energy Authority meeting last week as the alternate.

Councilmember Griffith reported his attendance at the inaugural meeting of the Silicon Valley Clean Energy Authority.

Councilmember Davis reported his attendance at a meeting of the Valley Transportation Authority Policy Advisory Committee.

#### **NON-AGENDA ITEMS & COMMENTS**

**-Council**

None.

**-City Manager**

City Manager Santana reported the addition of a 6 p.m. June 21 Special Council meeting. Santana noted the Information Only memo in the packet regarding the status of Town Center.

**INFORMATION ONLY REPORTS/ITEMS**

- |                                |  |
|--------------------------------|--|
| <a href="#"><u>16-0390</u></a> | Tentative Council Meeting Agenda Calendar  |
| <a href="#"><u>16-0227</u></a> | Information/Action Items   |
| <a href="#"><u>16-0405</u></a> | Town Center Status Update and Proposed Schedule of Key Milestones (Information Only) |
| <a href="#"><u>16-0346</u></a> | Board/Commission Meeting Minutes   |

**ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 10:51 p.m.



# City of Sunnyvale

## Agenda Item

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16-0443

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### **SUBJECT**

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

#### **BACKGROUND**

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

List No.	Date	Total Disbursements
811	04-03-16 through 04-09-16	\$2,030,745.72
812	04-10-16 through 04-16-16	\$3,462,752.27
813	04-17-16 through 04-23-16	\$2,676,366.68

#### **ENVIRONMENTAL REVIEW**

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

#### **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: Timothy J. Kirby, Acting Director of Finance

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

#### **ATTACHMENTS**

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

**List of All Claims and Bills Approved for Payment**

For Payments Dated 4/3/2016 through 4/9/2016

Sorted by Payment Number

<b>Payment No.</b>	<b>Payment Date</b>	<b>Vendor Name</b>	<b>Invoice No.</b>	<b>Description</b>	<b>Invoice Amount</b>	<b>Discount Taken</b>	<b>Amount Paid</b>	<b>Payment Total</b>
100279191	4/5/16	AT&T	0602010850	Utilities - Telephone	378.42	0.00	378.42	<b>\$378.42</b>
100279192	4/5/16	AT&T	000007803704	Utilities - Telephone	33.87	0.00	33.87	<b>\$19,013.73</b>
			000007803713	Utilities - Telephone	16,039.43	0.00	16,039.43	
			000007804101	Utilities - Telephone	2,907.25	0.00	2,907.25	
			000007804301	Utilities - Telephone	33.18	0.00	33.18	
100279193	4/5/16	ACCESS HARDWARE	5618892-IN	Bldg Maint Matls & Supplies	314.10	0.00	314.10	<b>\$314.10</b>
100279194	4/5/16	ALADTEC INC	13017	Miscellaneous Services	995.00	0.00	995.00	<b>\$995.00</b>
100279195	4/5/16	ALAMEDA CTY INFORMATION TECHNOLOGY DEPT	112-1602058	Software As a Service	1,222.88	0.00	1,222.88	<b>\$1,222.88</b>
100279196	4/5/16	AQUATIC ENVIRONMENTS INC	16235	Miscellaneous Services	19,579.00	0.00	19,579.00	<b>\$19,579.00</b>
100279197	4/5/16	AZTEC CONSULTANTS	ANAEROBC123 #23	Construction Services	169,323.27	0.00	169,323.27	<b>\$169,323.27</b>
100279198	4/5/16	BAKER & TAYLOR	4011553476	Library Acquisitions, Books	92.23	0.00	92.23	<b>\$95.42</b>
			4011553476	Library Materials Preprocessing	3.19	0.00	3.19	
100279199	4/5/16	BANK OF SACRAMENTO	ANAEROBC123 #23	Construction Project Contract Retainage	8,911.75	0.00	8,911.75	<b>\$8,911.75</b>
100279200	4/5/16	BAY COUNTIES WASTE SERVICES	019822	Recycling Services	10,482.79	0.00	10,482.79	<b>\$10,482.79</b>
100279201	4/5/16	BIGGS CARDOSA ASSOC INC	69068	Consultants	11,961.69	0.00	11,961.69	<b>\$11,961.69</b>
100279202	4/5/16	BILL WILSON CENTER	FEB2016	Contracts/Service Agreements	12,349.31	0.00	12,349.31	<b>\$12,349.31</b>
100279203	4/5/16	BOUND TREE MEDICAL LLC	82023140	Supplies, First Aid	500.20	0.00	500.20	<b>\$2,087.64</b>
			82029584	Supplies, First Aid	22.80	0.00	22.80	
			82035103	Supplies, First Aid	263.57	0.00	263.57	
			82097473	Supplies, First Aid	596.40	0.00	596.40	
			82098764	Supplies, First Aid	704.67	0.00	704.67	
100279204	4/5/16	BRODART CO	430994	General Supplies	323.43	0.00	323.43	<b>\$323.43</b>
100279205	4/5/16	BRUCE BARTON PUMP SERVICE INC	0087953-IN	Facilities Maint & Repair - Labor	48.00	0.00	48.00	<b>\$874.50</b>
			0087953-IN	Facilities Maint & Repair - Materials	826.50	0.00	826.50	
100279207	4/5/16	CSAC EXCESS INSURANCE AUTHORITY	16401296	Insurances - Employee Assistance Program	13,545.60	0.00	13,545.60	<b>\$13,545.60</b>
100279208	4/5/16	CSG CONSULTANTS INC	6174	Consultants	9,693.75	0.00	9,693.75	<b>\$9,693.75</b>
100279209	4/5/16	CALCON SYSTEMS INC	37480	Equipment Maintenance & Repair Labor	1,618.00	0.00	1,618.00	<b>\$4,045.00</b>

**List of All Claims and Bills Approved for Payment**

For Payments Dated 4/3/2016 through 4/9/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			37481	Equipment Maintenance & Repair Labor	1,618.00	0.00	1,618.00	
			37482	Equipment Maintenance & Repair Labor	809.00	0.00	809.00	
100279210	4/5/16	CALIFORNIA BUILDING STANDARDS COMMISSION	JAN-MAR2016	Permit - Building - State Special Revolving Fund(Green Bldg)	5,000.00	0.00	5,000.00	<b>\$5,000.00</b>
100279211	4/5/16	CALTEST ANALYTICAL LABORATORY	556851	Water Lab Services	416.10	0.00	416.10	<b>\$1,831.70</b>
			556892	Water Lab Services	446.00	0.00	446.00	
			557002	Water Lab Services	969.60	0.00	969.60	
100279212	4/5/16	CITY OF SANTA CLARA	79514	Real Property Rental/Lease	8,700.00	0.00	8,700.00	<b>\$8,700.00</b>
100279213	4/5/16	COLUMBIA COMMUNICATIONS INC	80943	Comm Equip Maintain & Repair - Labor 1	45.00	0.00	45.00	<b>\$588.53</b>
			80944	Comm Equip Maintain & Repair - Labor 1	45.00	0.00	45.00	
			80945	Comm Equip Maintain & Repair - Labor 1	48.53	0.00	48.53	
			80951	Comm Equip Maintain & Repair - Labor 1	450.00	0.00	450.00	
100279214	4/5/16	COMCAST	04/07-05/06/16	Miscellaneous Services	71.24	0.00	71.24	<b>\$71.24</b>
100279215	4/5/16	CORIX WATER PRODUCTS (US) INC	17613007108	Inventory Purchase	582.90	5.36	577.54	<b>\$577.54</b>
100279216	4/5/16	CROP PRODUCTION SERVICES INC	29197931	Materials - Land Improve	467.83	0.00	467.83	<b>\$467.83</b>
100279217	4/5/16	D W NICHOLSON CORP	5659	Equipment Maintenance & Repair Labor	3,652.16	0.00	3,652.16	<b>\$3,652.16</b>
100279218	4/5/16	DELTA DENTAL INSURANCE CO	BE001561729	Insurances - Dental	1,837.60	0.00	1,837.60	<b>\$1,837.60</b>
100279219	4/5/16	DEWEY HUANG	SMS-2015-45	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279221	4/5/16	EWING IRRIGATION PRODUCTS INC	1136538	Materials - Land Improve	587.46	0.00	587.46	<b>\$587.46</b>
100279222	4/5/16	FEDERAL EXPRESS CORP	5-347-74844	Mailing & Delivery Services	9.19	0.00	9.19	<b>\$126.10</b>
			5-355-30214	Mailing & Delivery Services	5.04	0.00	5.04	
			5-355-64857	Mailing & Delivery Services	106.13	0.00	106.13	
			5-363-04062	Mailing & Delivery Services	5.74	0.00	5.74	
100279223	4/5/16	FISHER SCIENTIFIC CO LLC	9337959	General Supplies	230.04	0.00	230.04	<b>\$344.10</b>
			9638289	General Supplies	114.06	0.00	114.06	
100279224	4/5/16	FREEDMAN TUNG & SASAKI	1260	Professional Services	7,941.72	0.00	7,941.72	<b>\$7,941.72</b>
100279225	4/5/16	FUZZY MOBILE HOME SERVICE	R1516-6(L)	Customer Loans Disbursed	17,885.00	0.00	17,885.00	<b>\$17,885.00</b>
100279226	4/5/16	GALE/CENGAGE LEARNING	57780900	Library Acquisitions, Books	16.53	0.00	16.53	<b>\$50.45</b>
			57797754	Library Acquisitions, Books	33.92	0.00	33.92	
100279227	4/5/16	GEORGE HILLS CO INC	INV1010292	Liability Claims Adjustor	6,092.20	0.00	6,092.20	<b>\$6,092.20</b>
100279228	4/5/16	GEOSYNTEC CONSULTANTS INC	16160217	Engineering Services	9,222.74	0.00	9,222.74	<b>\$9,222.74</b>

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100279229	4/5/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1090745	Inventory Purchase	692.11	0.00	692.11	<b>\$692.11</b>
100279230	4/5/16	GORILLA METALS	184564	Materials - Land Improve	583.06	0.00	583.06	<b>\$583.06</b>
100279231	4/5/16	GRAINGER	9052937571	Miscellaneous Equipment	430.04	0.00	430.04	<b>\$430.04</b>
100279232	4/5/16	ICE CENTER OF CUPERTINO	10010216	Rec Instructors/Officials	3,408.00	0.00	3,408.00	<b>\$3,408.00</b>
100279233	4/5/16	JAMES JONES	SMS-2015-47	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279234	4/5/16	JAYME VANDERWEGE	SMS-2015-46	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279235	4/5/16	KELLY MOORE PAINT CO INC	820-286818	Bldg Maint Matls & Supplies	25.51	0.00	25.51	<b>\$25.51</b>
100279236	4/5/16	KELLY PAPER CO	7844274	General Supplies	413.25	0.00	413.25	<b>\$413.25</b>
100279238	4/5/16	KOHLWEISS AUTO PARTS INC	01OS9965	Inventory Purchase	823.60	16.47	807.13	<b>\$837.48</b>
			01OS9971	Inventory Purchase	19.79	0.40	19.39	
			01OS9997	Inventory Purchase	5.61	0.11	5.50	
			01OT0250	Inventory Purchase	5.57	0.11	5.46	
100279239	4/5/16	L N CURTIS & SONS INC	1383317-03	Clothing, Uniforms & Access	186.45	0.00	186.45	<b>\$2,035.20</b>
			1383317-07	Clothing, Uniforms & Access	1,848.75	0.00	1,848.75	
100279240	4/5/16	LESLIE ZELLERS	2016-016	Consultants	4,650.00	0.00	4,650.00	<b>\$4,650.00</b>
100279241	4/5/16	MALLORY SAFETY & SUPPLY LLC	4063690	Inventory Purchase	280.63	0.00	280.63	<b>\$280.63</b>
100279242	4/5/16	MCMaster CARR SUPPLY CO	53104936	General Supplies	84.22	0.00	84.22	<b>\$341.94</b>
			53159769	Miscellaneous Equipment Parts & Supplies	221.47	0.00	221.47	
			53254463	Miscellaneous Equipment Parts & Supplies	36.25	0.00	36.25	
100279243	4/5/16	MICHAEL BAKER INTERNATIONAL	937272	Professional Services	11,846.25	0.00	11,846.25	<b>\$11,846.25</b>
100279244	4/5/16	MIDWEST TAPE	93806076	Library Acquis, Audio/Visual	1,255.56	0.00	1,255.56	<b>\$6,995.32</b>
			93806305	Library Acquis, Audio/Visual	726.34	0.00	726.34	
			93808469	Library Acquis, Audio/Visual	322.88	0.00	322.88	
			93808551	Library Acquis, Audio/Visual	177.17	0.00	177.17	
			93832761	Library Technology Services	4,513.37	0.00	4,513.37	
100279245	4/5/16	MIKE DAVIS LANDSCAPE SERVICES	1011	Services Maintain Land Improv	2,003.00	0.00	2,003.00	<b>\$2,003.00</b>
100279246	4/5/16	MISSION LINEN SERVICE	502000530	Laundry & Cleaning Services	34.77	0.00	34.77	<b>\$1,490.73</b>
			502003065	Laundry & Cleaning Services	50.94	0.00	50.94	
			502017861	Laundry & Cleaning Services	48.58	0.00	48.58	
			502017865	Laundry & Cleaning Services	39.82	0.00	39.82	



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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
			502017866	Laundry & Cleaning Services	65.42	0.00	65.42	
			502040332	Laundry & Cleaning Services	53.39	0.00	53.39	
			502044118	Laundry & Cleaning Services	34.77	0.00	34.77	
			502051442	Laundry & Cleaning Services	50.94	0.00	50.94	
			502067612	Laundry & Cleaning Services	50.94	0.00	50.94	
			502067616	Laundry & Cleaning Services	54.30	0.00	54.30	
			502067617	Laundry & Cleaning Services	65.42	0.00	65.42	
			502090098	Laundry & Cleaning Services	53.39	0.00	53.39	
			502090422	Laundry & Cleaning Services	34.77	0.00	34.77	
			502100138	Laundry & Cleaning Services	50.94	0.00	50.94	
			502103735	Laundry & Cleaning Services	45.89	0.00	45.89	
			502103739	Laundry & Cleaning Services	50.94	0.00	50.94	
			502103740	Laundry & Cleaning Services	62.06	0.00	62.06	
			502124367	Laundry & Cleaning Services	53.39	0.00	53.39	
			502136685	Laundry & Cleaning Services	50.94	0.00	50.94	
			502150003	Laundry & Cleaning Services	50.94	0.00	50.94	
			502166574	Laundry & Cleaning Services	39.82	0.00	39.82	
			502166578	Laundry & Cleaning Services	50.94	0.00	50.94	
			502166579	Laundry & Cleaning Services	62.06	0.00	62.06	
			502172787	Laundry & Cleaning Services	53.39	0.00	53.39	
			502187336	Laundry & Cleaning Services	50.94	0.00	50.94	
			502192462	Laundry & Cleaning Services	50.94	0.00	50.94	
			502203804	Laundry & Cleaning Services	54.30	0.00	54.30	
			502203808	Laundry & Cleaning Services	49.25	0.00	49.25	
			502203809	Laundry & Cleaning Services	76.54	0.00	76.54	
100279249	4/5/16	MOISES MARTIN	CMS-2015-11	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279250	4/5/16	MY FIRST ART CLASS	100	Rec Instructors/Officials	1,292.00	0.00	1,292.00	<b>\$1,292.00</b>
100279251	4/5/16	NICHOLS CONSULTING ENGINEERS	218185501	Consultants	84,204.74	0.00	84,204.74	<b>\$84,204.74</b>
100279252	4/5/16	OGRADY PAVING INC	PVMTRHB2105 #05	Construction Services	15,570.98	0.00	15,570.98	<b>\$15,570.98</b>
100279253	4/5/16	OMEGA ENGRAVING	258564	Supplies, Office 1	12.75	0.00	12.75	<b>\$12.75</b>

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100279254	4/5/16	ON ASSIGNMENT LAB SUPPORT	LAB550175551	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	<b>\$2,400.00</b>
			LAB550175562	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	
100279255	4/5/16	OVERDRIVE INC	0910-000116140	Library Periodicals/Databases	214.70	0.00	214.70	<b>\$214.70</b>
100279257	4/5/16	PACIFIC JANITORIAL SUPPLY CO	30035887	Inventory Purchase	79.41	0.00	79.41	<b>\$754.75</b>
			30036023	Inventory Purchase	675.34	0.00	675.34	
100279258	4/5/16	PACIFIC WEST SECURITY INC	1021733	Facilities Maint & Repair - Labor	116.00	0.00	116.00	<b>\$828.00</b>
			1021734	Facilities Maint & Repair - Labor	199.00	0.00	199.00	
			1021735	Facilities Maint & Repair - Labor	121.00	0.00	121.00	
			1021736	Facilities Maint & Repair - Labor	167.00	0.00	167.00	
			1021737	Facilities Maint & Repair - Labor	92.00	0.00	92.00	
			1021742	Alarm Services	133.00	0.00	133.00	
100279259	4/5/16	PETERSON POWER SYSTEMS INC	PC240029283	Miscellaneous Equipment Parts & Supplies	2,195.17	0.00	2,195.17	<b>\$2,195.17</b>
100279260	4/5/16	PINE CONE LUMBER CO INC	636106	Inventory Purchase	1,915.08	19.15	1,895.93	<b>\$1,895.93</b>
100279261	4/5/16	POLYDYNE INC	1033519	Chemicals	35,957.88	0.00	35,957.88	<b>\$35,957.88</b>
100279262	4/5/16	PORTNOV COMPUTER SCHOOL	03-02-16	DED Services/Training - Training	5,400.00	0.00	5,400.00	<b>\$10,800.00</b>
			03-03-16	DED Services/Training - Training	5,400.00	0.00	5,400.00	
100279263	4/5/16	QUALITY ALARM SERVICE	127016	Services Maintain Land Improv	490.00	0.00	490.00	<b>\$490.00</b>
100279264	4/5/16	ROYAL BRASS INC	791316-001	Miscellaneous Equipment	51.68	0.52	51.16	<b>\$51.16</b>
100279265	4/5/16	S & L FENCE CO	03697	Professional Services	1,987.74	0.00	1,987.74	<b>\$1,987.74</b>
100279266	4/5/16	SAFEGWAY INC	720736-033016	Food Products	15.49	0.00	15.49	<b>\$50.11</b>
			720736-033016	General Supplies	3.25	0.00	3.25	
			806284-032916	Food Products	31.37	0.00	31.37	
100279267	4/5/16	SANTA CLARA COUNTY TAX COLLECTOR	3828068-15/16	Taxes & Licenses - Misc	422.44	0.00	422.44	<b>\$6,480.08</b>
			3828069-15/16	Taxes & Licenses - Misc	2,480.96	0.00	2,480.96	
			3828070-15/16	Taxes & Licenses - Misc	2,063.24	0.00	2,063.24	
			3828071-15/16	Taxes & Licenses - Misc	1,513.44	0.00	1,513.44	
100279268	4/5/16	SANTA CLARA VALLEY HEALTH & HOSPITAL SYS	H5727539702	Medical Services	952.00	0.00	952.00	<b>\$952.00</b>
100279269	4/5/16	SHANE M REYNOLDS	SMS-2015-43	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279270	4/5/16	SHRED-IT USA LLC	8120590481	Records Related Services	154.00	0.00	154.00	<b>\$154.00</b>
100279271	4/5/16	SILICON VALLEY POLYTECHNIC INSTITUTE	032842016-293	DED Services/Training - Training	2,565.00	0.00	2,565.00	<b>\$2,565.00</b>

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100279272	4/5/16	SMART & FINAL INC	190951-032416	Food Products	20.95	0.00	20.95	<b>\$20.95</b>
100279273	4/5/16	STUDIO EM GRAPHIC DESIGN	16047	Graphics Services	4,676.25	0.00	4,676.25	<b>\$4,676.25</b>
100279274	4/5/16	SUBURBAN PROPANE	1644-012240	Fuel, Oil & Lubricants	2,793.57	0.00	2,793.57	<b>\$2,793.57</b>
100279276	4/5/16	SUPPLYWORKS	362956807	Inventory Purchase	1,639.30	16.30	1,623.00	<b>\$3,664.02</b>
			362973448	Inventory Purchase	-8.87	0.00	-8.87	
			363081100	Inventory Purchase	2,070.60	20.71	2,049.89	
100279277	4/5/16	TJKM	0044938	Consultants	9,550.00	0.00	9,550.00	<b>\$27,188.50</b>
			0045013	Consultants	721.75	0.00	721.75	
			0045014	Consultants	13,930.00	0.00	13,930.00	
			0045015	Professional Services	2,986.75	0.00	2,986.75	
100279278	4/5/16	TOGOS EATERY	469929	Food Products	130.00	0.00	130.00	<b>\$260.00</b>
			470052	Food Products	130.00	0.00	130.00	
100279279	4/5/16	TRUCKER HUSS APC	67756	Legal Services	985.20	0.00	985.20	<b>\$985.20</b>
100279280	4/5/16	TURF & INDUSTRIAL EQUIPMENT CO	IV15657	Inventory Purchase	217.50	0.00	217.50	<b>\$217.50</b>
100279281	4/5/16	US PIPE FABRICATION	INV008963	Miscellaneous Equipment Parts & Supplies	1,240.00	0.00	1,240.00	<b>\$1,240.00</b>
100279282	4/5/16	USA BLUEBOOK	906371	Miscellaneous Equipment Parts & Supplies	621.28	0.00	621.28	<b>\$621.28</b>
100279283	4/5/16	UNITED SITE SERVICES INC	114-3823868	Equipment Rental/Lease	199.78	0.00	199.78	<b>\$199.78</b>
100279285	4/5/16	UNIVAR USA INC	SJ737618	Chemicals	4,177.45	0.00	4,177.45	<b>\$4,177.45</b>
100279286	4/5/16	VALI COOPER & ASSOC INC	150030A00104	Engineering Services	2,675.90	0.00	2,675.90	<b>\$2,675.90</b>
100279287	4/5/16	VALLEY CREST TREE CO	4992290	Materials - Land Improve	891.76	0.00	891.76	<b>\$1,870.51</b>
			4994436	Materials - Land Improve	978.75	0.00	978.75	
100279288	4/5/16	W G FRITZ CONSTRUCTION INC	3601	Facilities Maint & Repair - Labor	20,250.00	0.00	20,250.00	<b>\$20,250.00</b>
100279289	4/5/16	WAYPOINT ANALYTICAL	058554	Water Lab Services	252.00	0.00	252.00	<b>\$252.00</b>
100279290	4/5/16	WECK LABORATORIES INC	W6C1239-COSV	Water Lab Services	243.60	0.00	243.60	<b>\$243.60</b>
100279291	4/5/16	WEST LITE SUPPLY CO INC	59402H	Materials - Land Improve	247.95	0.00	247.95	<b>\$247.95</b>
100279292	4/5/16	WEST VALLEY STAFFING GROUP	163536	Professional Services	2,368.44	0.00	2,368.44	<b>\$4,736.88</b>
			164163	Professional Services	2,368.44	0.00	2,368.44	
100279293	4/5/16	WESTERN UTILITIES TRANSFORMER SERVICE	112910	Misc Equip Maint & Repair - Labor	8,437.50	0.00	8,437.50	<b>\$8,437.50</b>
100279294	4/5/16	WINSUPPLY OF SILICON VALLEY	656129 01	Water/Wastewater Treat Equip	2,745.48	0.00	2,745.48	<b>\$4,035.01</b>
			656277 01	Miscellaneous Equipment Parts & Supplies	990.44	0.00	990.44	

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			656662 00	Miscellaneous Equipment Parts & Supplies	15.16	0.00	15.16	
			656845 00	Materials - Land Improve	283.93	0.00	283.93	
100279295	4/5/16	ZALCO LABORATORIES	1603098	Miscellaneous Services	330.00	0.00	330.00	<b>\$330.00</b>
100279296	4/5/16	WAITER.COM INC	G0322938163	Food Products	85.98	0.00	85.98	<b>\$85.98</b>
100279297	4/5/16	BUCKLES-SMITH ELECTRIC CO	1476657-00	Electrical Parts & Supplies	12,424.49	0.00	12,424.49	<b>\$12,424.49</b>
100279298	4/5/16	PACIFIC GAS & ELECTRIC CO	00697062300316	Utilities - Electric	9.72	0.00	9.72	<b>\$3,940.80</b>
			03958470700316	Utilities - Electric	3,346.24	0.00	3,346.24	
			24528699500316	Utilities - Electric	10.18	0.00	10.18	
			25900730020316	Utilities - Electric	69.03	0.00	69.03	
			36207652980316	Utilities - Electric	45.01	0.00	45.01	
			43357992720316	Utilities - Electric	12.27	0.00	12.27	
			45039216730316	Utilities - Electric	11.38	0.00	11.38	
			81703231610316	Utilities - Electric	17.57	0.00	17.57	
			89805160050316	Utilities - Electric	11.15	0.00	11.15	
			91290311060316	Utilities - Electric	71.59	0.00	71.59	
			94639783770316	Utilities - Electric	49.79	0.00	49.79	
			96226804090316	Utilities - Electric	286.87	0.00	286.87	
100279299	4/5/16	SAFE MOVES	04302016	Consultants	2,000.00	0.00	2,000.00	<b>\$2,000.00</b>
100279300	4/5/16	SAFE MOVES	05142016	Consultants	2,000.00	0.00	2,000.00	<b>\$2,000.00</b>
100279301	4/5/16	SATELLITE SPORTS GROUP	00012414	Consultants	2,100.00	0.00	2,100.00	<b>\$2,100.00</b>
100279302	4/5/16	SATELLITE SPORTS GROUP	00012447	Consultants	2,100.00	0.00	2,100.00	<b>\$2,100.00</b>
100279304	4/5/16	VINEYARD UNLIMITED	11914REVISED	General Supplies	216.98	0.00	216.98	<b>\$216.98</b>
100279305	4/7/16	AAA SPEEDY SMOG TEST ONLY STATION	021340	Auto Maint & Repair - Labor	40.00	0.00	40.00	<b>\$80.00</b>
			021441	Auto Maint & Repair - Labor	40.00	0.00	40.00	
100279306	4/7/16	AT&T	8519551308RE	Software As a Service	199.01	0.00	199.01	<b>\$199.01</b>
100279307	4/7/16	BSK ASSOCIATES	A605275	Water Lab Services	760.00	0.00	760.00	<b>\$760.00</b>
100279308	4/7/16	BAY AREA WATER SUPPLY & CONSERVATION ACY	2743	Membership Fees	45,950.00	0.00	45,950.00	<b>\$45,950.00</b>
100279309	4/7/16	BERLITZ LANGUAGE CENTER	00163316-00013	Bilingual Testing Fees	225.00	0.00	225.00	<b>\$225.00</b>
100279310	4/7/16	BIBLIOTHECA ITG LLC	SI0011751A-US	Library Periodicals/Databases	3,629.94	0.00	3,629.94	<b>\$3,629.94</b>
100279311	4/7/16	BIGGS CARDOSA ASSOC INC	68844	Consultants	68,719.23	0.00	68,719.23	<b>\$68,719.23</b>

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100279312	4/7/16	BOETHING TREELAND FARMS INC	SI-1058551	Materials - Land Improve	750.54	0.00	750.54	<b>\$750.54</b>
100279313	4/7/16	BOUND TREE MEDICAL LLC	82104132	Inventory Purchase	2,128.19	0.00	2,128.19	<b>\$3,247.22</b>
			82106992	Inventory Purchase	1,119.03	0.00	1,119.03	
100279314	4/7/16	BUCKLES-SMITH ELECTRIC CO	1469607-01	Clothing, Uniforms & Access	479.09	0.00	479.09	<b>\$479.09</b>
100279315	4/7/16	BURKE WILLIAMS & SORENSEN LLP	199087	Legal Services	7,834.88	0.00	7,834.88	<b>\$7,834.88</b>
100279316	4/7/16	CDM SMITH	80542983	Consultants	293,799.18	0.00	293,799.18	<b>\$786,546.47</b>
			80547333	Consultants	262,815.07	0.00	262,815.07	
			80548957	Consultants	229,932.22	0.00	229,932.22	
100279317	4/7/16	CPS HR CONSULTING	SOP41277RE	Personnel Testing Services	1,605.50	0.00	1,605.50	<b>\$2,498.90</b>
			SOP41385RE	Personnel Testing Services	928.40	0.00	928.40	
			TRRTN29696	Personnel Testing Services	-35.00	0.00	-35.00	
100279318	4/7/16	CSAC EXCESS INSURANCE AUTHORITY	1308	Insurances - Life/AD&D Insurance	18,471.61	0.00	18,471.61	<b>\$42,405.77</b>
			1308	Insurances - Long Term Disability	23,934.16	0.00	23,934.16	
100279319	4/7/16	CHRISTINA AUSTIN	SMS-2015-44	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279320	4/7/16	COAST PERSONNEL SERVICES INC	242380	Contracts/Service Agreements	967.20	0.00	967.20	<b>\$4,018.26</b>
			242381	Contracts/Service Agreements	870.48	0.00	870.48	
			242382	Contracts/Service Agreements	846.30	0.00	846.30	
			242383	Contracts/Service Agreements	531.96	0.00	531.96	
			242384	Contracts/Service Agreements	802.32	0.00	802.32	
100279323	4/7/16	COLUMBIA COMMUNICATIONS INC	80946	Comm Equip Maintain & Repair - Labor 1	48.43	0.00	48.43	<b>\$261.55</b>
			80947	Comm Equip Maintain & Repair - Labor 1	49.95	0.00	49.95	
			80948	Comm Equip Maintain & Repair - Labor 1	53.99	0.00	53.99	
			80949	Comm Equip Maintain & Repair - Labor 1	55.19	0.00	55.19	
			80950	Comm Equip Maintain & Repair - Labor 1	53.99	0.00	53.99	
100279324	4/7/16	CORIX WATER PRODUCTS (US) INC	17613006756	Water Meters	11,637.00	0.00	11,637.00	<b>\$11,927.93</b>
			17613006757	Materials - Land Improve	290.93	0.00	290.93	
100279325	4/7/16	DAPPER TIRE CO INC	43066140	Inventory Purchase	2,227.10	0.00	2,227.10	<b>\$2,227.10</b>
100279327	4/7/16	DISCOUNT SCHOOL SUPPLY	W25004550101	General Supplies	444.66	0.00	444.66	<b>\$444.66</b>
100279328	4/7/16	EOA INC	SU43-0116	Consultants	18,697.37	0.00	18,697.37	<b>\$18,697.37</b>
100279329	4/7/16	EDELMAN CORP	4957	Miscellaneous Services	285.00	0.00	285.00	<b>\$285.00</b>
100279330	4/7/16	EMPIRE SAFETY & SUPPLY	0079691-IN	Inventory Purchase	678.60	0.00	678.60	<b>\$678.60</b>

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100279331	4/7/16	FAMCON PIPE & SUPPLY INC	178432	Materials - Land Improve	16,838.85	0.00	16,838.85	<b>\$16,838.85</b>
100279332	4/7/16	FEDERAL EXPRESS CORP	5-363-34277	Mailing & Delivery Services	7.32	0.00	7.32	<b>\$61.94</b>
			5-363-35810	Mailing & Delivery Services	6.12	0.00	6.12	
			5-370-41744	Mailing & Delivery Services	48.50	0.00	48.50	
100279333	4/7/16	FERGUSON ENTERPRISES INC	1158521	Inventory Purchase	473.06	4.35	468.71	<b>\$6,007.06</b>
			1159734	Inventory Purchase	5,589.75	51.40	5,538.35	
100279334	4/7/16	FIRST PLACE INC	84134	Customized Products	110.80	0.00	110.80	<b>\$110.80</b>
100279335	4/7/16	FLYERS ENERGY LLC	16-227531	Fuel, Oil & Lubricants	6,702.21	0.00	6,702.21	<b>\$6,671.21</b>
			16-227531A	Fuel, Oil & Lubricants	6,671.21	0.00	6,671.21	
			16-227531C	Fuel, Oil & Lubricants	-6,702.21	0.00	-6,702.21	
100279336	4/7/16	FRANK A OLSEN CO INC	235066	Mailing & Delivery Services	520.00	0.00	520.00	<b>\$520.00</b>
100279337	4/7/16	FRONTIER ANALYTICAL LABORATORY	18820	Water Lab Services	850.00	0.00	850.00	<b>\$850.00</b>
100279338	4/7/16	GARDA	10194621	Financial Services	2,975.32	0.00	2,975.32	<b>\$2,975.32</b>
100279339	4/7/16	GOLDEN GATE PETROLEUM	675963	Fuel, Oil & Lubricants	431.51	0.00	431.51	<b>\$2,016.40</b>
			676048	Fuel, Oil & Lubricants	458.15	0.00	458.15	
			676185	Fuel, Oil & Lubricants	439.54	0.00	439.54	
			676333	Fuel, Oil & Lubricants	432.56	0.00	432.56	
			676421	Fuel, Oil & Lubricants	254.64	0.00	254.64	
100279340	4/7/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1090791	Inventory Purchase	1,995.61	0.00	1,995.61	<b>\$1,995.61</b>
100279341	4/7/16	GREENESPORT ASSN	SUN022316S	Rec Instructors/Officials	900.00	0.00	900.00	<b>\$900.00</b>
100279342	4/7/16	HLP INC	11634	Software Licensing & Support	2,349.00	0.00	2,349.00	<b>\$2,349.00</b>
100279343	4/7/16	HACH CO INC	9845212	Miscellaneous Equipment Parts & Supplies	1,408.38	0.00	1,408.38	<b>\$1,547.69</b>
			9846551	General Supplies	139.31	0.00	139.31	
100279344	4/7/16	HANSON ASSOC	1533	Consultants	4,462.50	0.00	4,462.50	<b>\$4,462.50</b>
100279345	4/7/16	HEXAGON TRANSPORTATION CONSULTANTS INC	9613	Consultants	12,000.00	0.00	12,000.00	<b>\$12,000.00</b>
100279346	4/7/16	HUMANE SOCIETY SILICON VALLEY	76528	Contracts/Service Agreements	12,596.00	0.00	12,596.00	<b>\$12,596.00</b>
100279347	4/7/16	INDEPENDENT ELECTRIC SUPPLY INC	S102701904.001	Electrical Parts & Supplies	138.46	0.00	138.46	<b>\$138.46</b>
100279348	4/7/16	INDUSTRIAL SAFETY SUPPLY CORP	1030696	Supplies, Safety	109.63	0.00	109.63	<b>\$109.63</b>
100279349	4/7/16	INGRAM LIBRARY SERVICES INC	90638800	Library Acquisitions, Books	-12.81	0.00	-12.81	<b>\$39,117.57</b>
			91112834	Library Acquisitions, Books	-3.11	0.00	-3.11	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			91761827	Library Acquisitions, Books	-9.70	0.00	-9.70	
			91761828	Library Acquisitions, Books	-6.22	0.00	-6.22	
			92135122	Library Acquisitions, Books	-31.37	0.00	-31.37	
			92411185	Library Acquisitions, Books	-60.30	0.00	-60.30	
			92521804	Library Acquisitions, Books	1,065.47	0.00	1,065.47	
			92521805	Library Acquisitions, Books	8,117.34	0.00	8,117.34	
			92521805	Library Materials Preprocessing	532.68	0.00	532.68	
			92521806	Library Acquisitions, Books	7,092.04	0.00	7,092.04	
			92521806	Library Materials Preprocessing	490.22	0.00	490.22	
			92521807	Library Acquisitions, Books	10,616.78	0.00	10,616.78	
			92521807	Library Materials Preprocessing	954.49	0.00	954.49	
			92521808	Library Acquisitions, Books	9,515.71	0.00	9,515.71	
			92521808	Library Materials Preprocessing	856.35	0.00	856.35	
100279351	4/7/16	KATHLEEN KRUEGER SASMITA	0216	Rec Instructors/Officials	70.00	0.00	70.00	<b>\$70.00</b>
100279352	4/7/16	KELLY MOORE PAINT CO INC	820-287354	Materials - Land Improve	200.51	0.00	200.51	<b>\$200.51</b>
100279353	4/7/16	KENNEDY JENKS CONSULTANTS	100371	HazMat Disposal - Hazardous Waste Disposal	1,342.40	0.00	1,342.40	<b>\$1,342.40</b>
100279354	4/7/16	KOHLWEISS AUTO PARTS INC	01OT1196	Inventory Purchase	30.86	0.62	30.24	<b>\$30.24</b>
100279355	4/7/16	KUTAK ROCK LLP	2152378	Legal Services	2,249.80	0.00	2,249.80	<b>\$2,249.80</b>
100279356	4/7/16	LANDCARE USA LLC	8090076	Miscellaneous Services	416.67	0.00	416.67	<b>\$416.67</b>
100279357	4/7/16	MADDI PASCUA MA ATR	002	Professional Services	200.00	0.00	200.00	<b>\$200.00</b>
100279358	4/7/16	MCMASTER CARR SUPPLY CO	53422557	Miscellaneous Equipment Parts & Supplies	187.15	0.00	187.15	<b>\$686.77</b>
			53459891	Electrical Parts & Supplies	361.41	0.00	361.41	
			53688034	Miscellaneous Equipment Parts & Supplies	138.21	0.00	138.21	
100279359	4/7/16	MIDWEST TAPE	93836665	Library Materials Preprocessing	121.80	0.00	121.80	<b>\$121.80</b>
100279360	4/7/16	MOTOROLA SOLUTIONS INC	78334424	Comm Equip Maintain & Repair - Labor 1	11,015.34	0.00	11,015.34	<b>\$11,015.34</b>
100279361	4/7/16	OMEGA ENGRAVING	258565	Miscellaneous Services	12.50	0.00	12.50	<b>\$12.50</b>
100279362	4/7/16	PREFERRED BENEFIT INSURANCE ADMIN INC	EIA16989	Insurances - Dental	52,883.90	0.00	52,883.90	<b>\$64,255.30</b>
			EIA16989	Insurances - Vision	11,371.40	0.00	11,371.40	
100279363	4/7/16	RAYVERN LIGHTING SUPPLY CO INC	40339-1	Inventory Purchase	255.52	0.00	255.52	<b>\$255.52</b>
100279364	4/7/16	REED & GRAHAM INC	856951	Materials - Land Improve	1,275.81	0.00	1,275.81	<b>\$12,936.40</b>

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			857033	Materials - Land Improve	1,244.90	0.00	1,244.90	
			857110	Materials - Land Improve	1,367.87	0.00	1,367.87	
			857111	Materials - Land Improve	3,156.95	0.00	3,156.95	
			857279	Materials - Land Improve	1,932.69	0.00	1,932.69	
			857381	Materials - Land Improve	1,437.42	0.00	1,437.42	
			857475	Materials - Land Improve	545.19	0.00	545.19	
			857601	Materials - Land Improve	625.97	0.00	625.97	
			857697	Materials - Land Improve	1,349.60	0.00	1,349.60	
100279366	4/7/16	REFRIGERATION SUPPLIES DISTRIBUTOR	38324849-00	Bldg Maint Matls & Supplies	2,187.70	0.00	2,187.70	<b>\$2,187.70</b>
100279367	4/7/16	ROBERT CORRELL	51470036940	DED Services/Training - Support Services	9.94	0.00	9.94	<b>\$13.20</b>
			51470036941	DED Services/Training - Support Services	3.26	0.00	3.26	
100279368	4/7/16	SSA LANDSCAPE ARCHITECTS INC	5324	Engineering Services	7,196.31	0.00	7,196.31	<b>\$7,196.31</b>
100279369	4/7/16	SAFEWAY INC	802831-040416	General Supplies	31.83	0.00	31.83	<b>\$118.61</b>
			809491-040516	Inventory Purchase	86.78	0.00	86.78	
100279370	4/7/16	SANTA CLARA VALLEY WATER DISTRICT	GM013090	Taxes & Licenses - Misc	12,596.46	0.00	12,596.46	<b>\$12,596.46</b>
100279371	4/7/16	SIGN WIZ	11582	Special Events	160.16	0.00	160.16	<b>\$160.16</b>
100279372	4/7/16	SILICON VALLEY POLYTECHNIC INSTITUTE	03312016-295	DED Services/Training - Training	2,700.00	0.00	2,700.00	<b>\$5,400.00</b>
			03312016-296	DED Services/Training - Training	2,700.00	0.00	2,700.00	
100279373	4/7/16	SOUTHERN FOLGER DETENTION EQUIPMENT CO	157	Facilities Maint & Repair - Labor	1,346.85	0.00	1,346.85	<b>\$1,346.85</b>
100279374	4/7/16	SUBURBAN PROPANE	1945834	Fuel, Oil & Lubricants	27.68	0.00	27.68	<b>\$58.92</b>
			1946121	Fuel, Oil & Lubricants	31.24	0.00	31.24	
100279376	4/7/16	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DENTAL0416	Insurances - Dental	28,953.30	0.00	28,953.30	<b>\$28,953.30</b>
100279377	4/7/16	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DISABILITY0416	Insurances - Long Term Disability	3,705.00	0.00	3,705.00	<b>\$3,705.00</b>
100279378	4/7/16	TELSTAR INSTRUMENTS INC	85257	Miscellaneous Equipment Parts & Supplies	1,974.18	0.00	1,974.18	<b>\$1,974.18</b>
100279379	4/7/16	THOMSON REUTERS WEST	833717071	Books & Publications	95.52	0.00	95.52	<b>\$1,433.82</b>
			833717072	Books & Publications	1,338.30	0.00	1,338.30	
100279380	4/7/16	TOKAY SOFTWARE INC	094251	Water Backflow Valves	11,325.00	0.00	11,325.00	<b>\$11,325.00</b>
100279381	4/7/16	UNITED RENTALS	135050205-001	Vehicles & Motorized Equip	2,626.57	0.00	2,626.57	<b>\$2,626.57</b>
100279382	4/7/16	UNITED SITE SERVICES INC	114-3880118	Facilities Maint & Repair - Labor	329.52	0.00	329.52	<b>\$329.52</b>



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100279383	4/7/16	VERIZON WIRELESS	9762422666	Utilities - Mobile Phones - City Mobile Phones	3,730.35	0.00	3,730.35	<b>\$3,730.35</b>
100279385	4/7/16	VERIZON WIRELESS	9762422667	Utilities - Mobile Phones - City Mobile Phones	4,301.28	0.00	4,301.28	<b>\$4,301.28</b>
100279388	4/7/16	VERIZON WIRELESS	9762422668	Utilities - Mobile Phones - City Mobile Phones	2,288.18	0.00	2,288.18	<b>\$2,288.18</b>
100279391	4/7/16	VERIZON WIRELESS	9000039460	Communication Equipment	13.12	0.00	13.12	<b>\$26.24</b>
			9000039516	Communication Equipment	13.12	0.00	13.12	
100279392	4/7/16	ZEP MANUFACTURING CO	9002152064	Chemicals	3,740.67	0.00	3,740.67	<b>\$3,740.67</b>
100279393	4/7/16	CITY OF SANTA CLARA - FIRE PREVENTION	05/02-06/2016	Training and Conferences	650.00	0.00	650.00	<b>\$650.00</b>
100279394	4/7/16	OUTRIGGER REEF WAIKIKI BEACH RESORT	0506-3116RMBA L	Training and Conferences	30,626.72	0.00	30,626.72	<b>\$30,626.72</b>
100279395	4/7/16	OUTRIGGER REEF WAIKIKI BEACH RESORT	0506-3116MTGR M	Training and Conferences	14,720.12	0.00	14,720.12	<b>\$14,720.12</b>
100279396	4/7/16	SOUTH BAY REGIONAL PUBLIC SAFETY	050916-052016	Training and Conferences	350.00	0.00	350.00	<b>\$350.00</b>
100279397	4/7/16	THIRD DEGREE COMMUNICATIONS INC	5637	Training and Conferences	225.00	0.00	225.00	<b>\$225.00</b>
100279398	4/7/16	A1 EXPRESS DELIVERY INC	174455-48592	Refund Utility Account Credit	422.96	0.00	422.96	<b>\$422.96</b>
100279399	4/7/16	ABB INC	179039-49494	Refund Utility Account Credit	902.14	0.00	902.14	<b>\$902.14</b>
100279400	4/7/16	ANJUMAN-E-JAMALI	180331-47446	Refund Utility Account Credit	41.69	0.00	41.69	<b>\$41.69</b>
100279401	4/7/16	CALIFORNIA NATIVESCAPES LLC	BL070673-16/17	Business License Tax	119.68	0.00	119.68	<b>\$119.68</b>
100279402	4/7/16	CARROLL LAMBERT	164161-2514	Refund Utility Account Credit	213.41	0.00	213.41	<b>\$213.41</b>
100279403	4/7/16	CHRISTINA SOUSA	178269-11496	Refund Utility Account Credit	207.61	0.00	207.61	<b>\$207.61</b>
100279404	4/7/16	CYNTHIA MARTSOLF	170265-55518	Refund Utility Account Credit	28.05	0.00	28.05	<b>\$28.05</b>
100279405	4/7/16	FELICIA MANULLANG	305955	Refund Recreation Fees	147.00	0.00	147.00	<b>\$147.00</b>
100279406	4/7/16	HEE SHIK KANG KIM	305641	Refund Recreation Fees	500.00	0.00	500.00	<b>\$500.00</b>
100279407	4/7/16	HUEI CHU WU	161801-73906	Refund Utility Account Credit	55.24	0.00	55.24	<b>\$55.24</b>
100279408	4/7/16	JK MASONRY	BL057270-16/17	Business License Tax	36.05	0.00	36.05	<b>\$36.05</b>
100279409	4/7/16	MARILYN B BEARDEN	382474	Lib - Lost & Damaged Circulation	39.99	0.00	39.99	<b>\$39.99</b>
100279410	4/7/16	PAUL KORFF	86075-53098	Refund Utility Account Credit	5,153.29	0.00	5,153.29	<b>\$5,153.29</b>
100279411	4/7/16	ROBERT RELYEA	126689-17398	Refund Utility Account Credit	63.70	0.00	63.70	<b>\$63.70</b>
100279412	4/7/16	SARTAJ CHANCHAL	306083	Refund Recreation Fees	112.00	0.00	112.00	<b>\$112.00</b>
100279413	4/7/16	SHEREE POON						<b>\$350.00</b>

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			305924	Refund Recreation Fees	350.00	0.00	350.00	
100279414	4/7/16	TERESA OVETZ	305665	Refund Recreation Fees	5.00	0.00	5.00	<b>\$5.00</b>
100279415	4/7/16	UNORTH LLC	171153-57944	Refund Utility Account Credit	56.54	0.00	56.54	<b>\$56.54</b>
100279416	4/7/16	XL ADVISORS	178827-2672	Refund Utility Account Credit	182.61	0.00	182.61	<b>\$182.61</b>
100279417	4/7/16	YOUNG SOO JANG	4741-2914	Refund Utility Account Credit	41.53	0.00	41.53	<b>\$41.53</b>
<b>Grand Total Payment Amount</b>								<b><u>\$2,030,745.72</u></b>

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100279418	4/12/16	3T EQUIPMENT CO INC	65487	Miscellaneous Equipment	475.50	0.00	475.50	<b>\$475.50</b>
100279419	4/12/16	AMA GOLF	136747	Inventory Purchase	553.97	0.00	553.97	<b>\$920.44</b>
			136877	Inventory Purchase	366.47	0.00	366.47	
100279420	4/12/16	ACE FIRE EQUIPMENT & SERVICE CO INC	135006	Inventory Purchase	352.18	0.00	352.18	<b>\$352.18</b>
100279421	4/12/16	ACUSHNET CO	902172715	Inventory Purchase	81.13	1.44	79.69	<b>\$79.69</b>
100279422	4/12/16	AIR LIQUIDE AMERICA SPECIALTY GASES LLC	64457980	Inventory Purchase	235.89	0.00	235.89	<b>\$235.89</b>
100279423	4/12/16	AMERICAN FIDELITY ADMINISTRATIVE SVCS	10411	Professional Services	516.60	0.00	516.60	<b>\$516.60</b>
100279424	4/12/16	AMFASOFT CORP	JOANCHRIS-01	DED Services/Training - Training	3,937.50	0.00	3,937.50	<b>\$10,507.50</b>
			KIMLAN-01	DED Services/Training - Training	3,712.50	0.00	3,712.50	
			TERAMAD-01	DED Services/Training - Training	2,857.50	0.00	2,857.50	
100279425	4/12/16	APPLEONE EMPLOYMENT SERVICES	01-4005494	Contracts/Service Agreements	4,990.51	0.00	4,990.51	<b>\$4,990.51</b>
100279426	4/12/16	ASSETWORKS	605-2229	Software Licensing & Support	12,104.30	0.00	12,104.30	<b>\$12,104.30</b>
100279427	4/12/16	ASSOCIATED INFRASTRUCTURE MGMT SERVICES	2016-007	Consultants	3,887.47	0.00	3,887.47	<b>\$3,887.47</b>
100279428	4/12/16	BAKER & TAYLOR	4011560104	Library Acquisitions, Books	334.37	0.00	334.37	<b>\$349.00</b>
			4011560104	Library Materials Preprocessing	14.63	0.00	14.63	
100279429	4/12/16	BAY AREA POLYGRAPH	654	Investigation Expense	2,050.00	0.00	2,050.00	<b>\$2,050.00</b>
100279430	4/12/16	BAY-VALLEY PEST CONTROL INC	0203225	Services Maintain Land Improv	58.00	0.00	58.00	<b>\$272.00</b>
			0203621	Services Maintain Land Improv	58.00	0.00	58.00	
			0205093	Services Maintain Land Improv	156.00	0.00	156.00	
100279431	4/12/16	BERT S ESPINOSA	BLMAR2016	Medical Services	3,825.00	0.00	3,825.00	<b>\$3,825.00</b>
100279432	4/12/16	BOUND TREE MEDICAL LLC	82099899	Supplies, First Aid	2,172.77	0.00	2,172.77	<b>\$2,849.71</b>
			82102684	Supplies, First Aid	646.91	0.00	646.91	
			82112374	Inventory Purchase	30.03	0.00	30.03	
100279433	4/12/16	BRIAN LEE HERRITT	182	Training and Conferences	2,050.00	0.00	2,050.00	<b>\$2,050.00</b>
100279434	4/12/16	CALIFORNIA COOKING INC	11582	Miscellaneous Services	150.08	0.00	150.08	<b>\$366.49</b>
			11583	Equipment Rental/Lease	216.41	0.00	216.41	
100279435	4/12/16	CENTURY GRAPHICS	43898	Clothing, Uniforms & Access	491.54	0.00	491.54	<b>\$491.54</b>

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100279436	4/12/16	CITYGATE ASSOCIATES LLC	23903	Consultants	7,392.76	0.00	7,392.76	<b>\$7,392.76</b>
100279437	4/12/16	CODY ANDERSON WASNEY ARCHITECTS INC	0316.14006	Consultants	36,398.76	0.00	36,398.76	<b>\$36,398.76</b>
100279438	4/12/16	CONTRACTOR COMPLIANCE & MONITORING INC	ST-14/08-15	Construction Services	57,045.19	0.00	57,045.19	<b>\$57,045.19</b>
100279439	4/12/16	CONTRACTORS BONDING AND INSURANCE CO	CRBRMPS2015# R1	Construction Project Contract Retainage	3,018.39	0.00	3,018.39	<b>\$36,644.49</b>
			CRBRMPS2015# R2	Construction Project Contract Retainage	4,756.06	0.00	4,756.06	
			CURBRAMPS2015	Construction Services	28,870.04	0.00	28,870.04	
100279440	4/12/16	COUNTY OF SANTA CLARA OFC OF THE SHERIFF	1800051919	Prisoner Transport	404.60	0.00	404.60	<b>\$404.60</b>
100279441	4/12/16	CUBE SOLUTIONS	18184	Occupational Health and Safety Services	404.40	0.00	404.40	<b>\$6,677.48</b>
			18375	Occupational Health and Safety Services	326.10	0.00	326.10	
			18376	Occupational Health and Safety Services	395.70	0.00	395.70	
			18377	Occupational Health and Safety Services	600.49	0.00	600.49	
			18393	Occupational Health and Safety Services	455.44	0.00	455.44	
			18429	Occupational Health and Safety Services	185.39	0.00	185.39	
			18440	Occupational Health and Safety Services	453.64	0.00	453.64	
			18451	Occupational Health and Safety Services	97.30	0.00	97.30	
			18458	Occupational Health and Safety Services	422.94	0.00	422.94	
			18460	Occupational Health and Safety Services	380.53	0.00	380.53	
			18461	Occupational Health and Safety Services	110.09	0.00	110.09	
			18462	Occupational Health and Safety Services	78.43	0.00	78.43	
			18463	Occupational Health and Safety Services	127.28	0.00	127.28	
			18506	Occupational Health and Safety Services	572.43	0.00	572.43	
			18507	Occupational Health and Safety Services	186.34	0.00	186.34	
			18509	Occupational Health and Safety Services	466.99	0.00	466.99	
			18512	Occupational Health and Safety Services	404.45	0.00	404.45	
			18538	Occupational Health and Safety Services	652.86	0.00	652.86	
			18539	Occupational Health and Safety Services	356.68	0.00	356.68	

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100279444	4/12/16	DAPPER TIRE CO INC	43070803	Inventory Purchase	409.67	0.00	409.67	<b>\$409.67</b>
100279445	4/12/16	DEBRA CHROMCZAK	37	Consultants	337.50	0.00	337.50	<b>\$1,417.50</b>
			38	Consultants	1,080.00	0.00	1,080.00	
100279446	4/12/16	DELL MARKETING LP	XJX43FR67	Hardware Maintenance	17,852.80	0.00	17,852.80	<b>\$17,852.80</b>
100279447	4/12/16	DIPA SURI	011716PURCHA SE	General Supplies	38.90	0.00	38.90	<b>\$38.90</b>
100279448	4/12/16	EDGES ELECTRICAL GROUP LLC	S3751356.001	Bldg Maint Matls & Supplies	134.80	0.00	134.80	<b>\$134.80</b>
100279449	4/12/16	ESBRO	23101	Chemicals	992.24	0.00	992.24	<b>\$992.24</b>
100279450	4/12/16	ESPINOZA TREE SERVICE	64	Professional Services	700.00	0.00	700.00	<b>\$1,400.00</b>
			65	Professional Services	700.00	0.00	700.00	
100279451	4/12/16	EWING IRRIGATION PRODUCTS INC	1166698	Materials - Land Improve	662.10	0.00	662.10	<b>\$662.10</b>
100279452	4/12/16	FEDERAL EXPRESS CORP	5-347-99207	Postage	4.78	0.00	4.78	<b>\$21.41</b>
			5-370-11141	Mailing & Delivery Services	16.63	0.00	16.63	
100279453	4/12/16	FERGUSON ENTERPRISES INC	1164990	Inventory Purchase	1,692.60	15.56	1,677.04	<b>\$1,677.04</b>
100279454	4/12/16	FOR SUSTAINABILITY TOO	4	General Supplies	6,030.00	0.00	6,030.00	<b>\$6,030.00</b>
100279455	4/12/16	FRANCHISE TAX BOARD	941	Training and Conferences	285.47	0.00	285.47	<b>\$285.47</b>
100279456	4/12/16	GALE/CENGAGE LEARNING	57827544	Library Acquisitions, Books	64.36	0.00	64.36	<b>\$64.36</b>
100279457	4/12/16	GARDENLAND POWER EQUIPMENT	362786	Miscellaneous Equipment	616.94	0.00	616.94	<b>\$1,089.93</b>
			364455	Misc Equip Maint & Repair - Materials	472.99	0.00	472.99	
100279458	4/12/16	GLENMOUNT GLOBAL SOLUTIONS INC	AIS50120EV001	Engineering Services	770.00	0.00	770.00	<b>\$19,312.25</b>
			AIS50120EV002	Engineering Services	18,542.25	0.00	18,542.25	
100279459	4/12/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1090439	Inventory Purchase	2,798.89	0.00	2,798.89	<b>\$6,246.98</b>
			189-1090552	Inventory Purchase	3,052.59	0.00	3,052.59	
			189-1090620	Inventory Purchase	395.50	0.00	395.50	
100279460	4/12/16	GRAYBAR ELECTRIC CO INC	984208528	Comm Equip Maintain & Repair - Materials 2	80.40	0.00	80.40	<b>\$80.40</b>
100279461	4/12/16	GROOVE SCHOOL OF PERCUSSION	222016	Rec Instructors/Officials	1,090.05	0.00	1,090.05	<b>\$2,560.35</b>
			3312016	Rec Instructors/Officials	586.95	0.00	586.95	
			332016	Rec Instructors/Officials	883.35	0.00	883.35	
100279462	4/12/16	HATCH MOTT MACDONALD LLC	304781-30	Engineering Services	1,024.00	0.00	1,024.00	<b>\$1,024.00</b>
100279463	4/12/16	HENRY & LEMOINE ELECTRIC INC	16-1024	Miscellaneous Services	960.00	0.00	960.00	<b>\$960.00</b>
100279464	4/12/16	INDEPENDENT ELECTRIC SUPPLY INC	S102717333.001	Materials - Land Improve	35.44	0.00	35.44	<b>\$35.44</b>

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100279465	4/12/16	INSIGHT PUBLIC SECTOR INC	1100466586	Computer Software	5,306.06	0.00	5,306.06	<b>\$19,479.98</b>
			1100467016	Computer Software	14,173.92	0.00	14,173.92	
100279466	4/12/16	INTERIORS & TEXTILES CORP	160006S	Bldg Maint Matls & Supplies	1,825.95	0.00	1,825.95	<b>\$1,825.95</b>
100279467	4/12/16	JOBTRAIN	FY16-11	DED Services/Training - Training	515.00	0.00	515.00	<b>\$1,030.00</b>
			FY16-12	DED Services/Training - Training	515.00	0.00	515.00	
100279468	4/12/16	JOHNSON ROBERTS & ASSOC INC	127949	Investigation Expense	52.00	0.00	52.00	<b>\$221.00</b>
			128024	Investigation Expense	78.00	0.00	78.00	
			128223	Investigation Expense	91.00	0.00	91.00	
100279469	4/12/16	KAREN L PIKE	KLP400-03	Medical Services	4,000.00	0.00	4,000.00	<b>\$4,000.00</b>
100279470	4/12/16	KOHLWEISS AUTO PARTS INC	01OT2865	Inventory Purchase	340.43	6.81	333.62	<b>\$746.73</b>
			01OT3190	Inventory Purchase	421.54	8.43	413.11	
100279471	4/12/16	L N CURTIS & SONS INC	1384690-02	Clothing, Uniforms & Access	4,071.60	0.00	4,071.60	<b>\$4,071.60</b>
			1390324-01	Inventory Purchase	365.84	0.00	365.84	
			1390324-02	Inventory Purchase	365.84	0.00	365.84	
			1392247-00	Inventory Purchase	-731.68	0.00	-731.68	
100279472	4/12/16	LTi ELECTRIC INC	1531	Professional Services	647.00	0.00	647.00	<b>\$647.00</b>
100279473	4/12/16	LANDTEC NORTH AMERICA INC	0128319-IN	Misc Equip Maint & Repair - Labor	21.20	0.00	21.20	<b>\$21.20</b>
100279474	4/12/16	MP MORSE COURT ASSOCIATES	PAYMENT NO 2	Customer Loans Disbursed	92,795.04	0.00	92,795.04	<b>\$92,795.04</b>
100279475	4/12/16	MAD SCIENCE OF THE BAY AREA	19265	Rec Instructors/Officials	200.00	0.00	200.00	<b>\$4,040.00</b>
			19294	Rec Instructors/Officials	3,840.00	0.00	3,840.00	
100279476	4/12/16	MCMaster CARR SUPPLY CO	53874839	General Supplies	18.62	0.00	18.62	<b>\$18.62</b>
100279477	4/12/16	MELROSE METAL PRODUCTS INC	13806	Miscellaneous Equipment Parts & Supplies	1,065.75	0.00	1,065.75	<b>\$6,374.93</b>
			13807	Miscellaneous Equipment Parts & Supplies	5,309.18	0.00	5,309.18	
100279478	4/12/16	MIDWEST TAPE	93797964	Library Materials Preprocessing	-2.40	0.00	-2.40	<b>\$249.44</b>
			93827548	Library Acquis, Audio/Visual	251.84	0.00	251.84	
100279479	4/12/16	MOTOROLA	76877864	Comm Equip Maintain & Repair - Labor 1	1,218.75	0.00	1,218.75	<b>\$1,218.75</b>
100279480	4/12/16	NI GOVERNMENT SERVICES INC	6031064450	Miscellaneous Services	78.77	0.00	78.77	<b>\$78.77</b>
100279481	4/12/16	NET TRANSCRIPTS INC	0006766-IN	Investigation Expense	199.00	0.00	199.00	<b>\$199.00</b>
100279482	4/12/16	OCLC INC	0000453755	Lib Database Services (OCLC)	3,701.09	0.00	3,701.09	<b>\$3,701.09</b>
100279483	4/12/16	OTIS ELEVATOR COMPANY	SJ31701002	Facilities Maint & Repair - Labor	2,124.00	0.00	2,124.00	<b>\$2,124.00</b>

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100279484	4/12/16	PAYFLEX SYSTEMS USA INC	130534-810662	Professional Services	150.00		0.00	150.00	<b>\$190.00</b>
			130536-810664	Professional Services	40.00		0.00	40.00	
100279485	4/12/16	PRN ERGONOMIC SERVICES	03160005	Occupational Health and Safety Services	780.00		0.00	780.00	<b>\$780.00</b>
100279486	4/12/16	PACIFIC ENERGY ADVISORS INC	84	Professional Services	2,600.00		0.00	2,600.00	<b>\$2,600.00</b>
100279487	4/12/16	PAN PACIFIC SUPPLY CO INC	29592620	Miscellaneous Equipment Parts & Supplies	1,669.20		0.00	1,669.20	<b>\$1,669.20</b>
100279488	4/12/16	PINE CONE LUMBER CO INC	636955	Materials - Land Improve	73.49		0.00	73.49	<b>\$73.49</b>
100279489	4/12/16	RAYVERN LIGHTING SUPPLY CO INC	41611-0	Inventory Purchase	96.85		0.00	96.85	<b>\$96.85</b>
100279490	4/12/16	RECORDED BOOKS INC	75314109	Library Periodicals/Databases	2,850.00		0.00	2,850.00	<b>\$2,850.00</b>
100279491	4/12/16	REEDS INDOOR RANGE	411536	Real Property Rental/Lease	240.00		0.00	240.00	<b>\$240.00</b>
100279492	4/12/16	ROGER D HIGDON	2016-15306C	Consultants	665.28		0.00	665.28	<b>\$665.28</b>
100279493	4/12/16	SCS ENGINEERS	0272846	Engineering Services	257.50		0.00	257.50	<b>\$257.50</b>
100279494	4/12/16	SCUSD TRANSPORTATION	16-25	Travel Related Services	746.25		0.00	746.25	<b>\$746.25</b>
100279495	4/12/16	SSA LANDSCAPE ARCHITECTS INC	5350	Engineering Services	2,310.00		0.00	2,310.00	<b>\$2,310.00</b>
100279496	4/12/16	SAFETY KLEEN SYSTEMS INC	69658366	Chemicals	290.68		0.00	290.68	<b>\$290.68</b>
100279497	4/12/16	SAFEWAY INC	729767-032816	General Supplies	13.48		0.00	13.48	<b>\$42.74</b>
			805776-031816	Food Products	7.98		0.00	7.98	
			809294-040416	Food Products	21.28		0.00	21.28	
100279498	4/12/16	SMART & FINAL INC	191042-032416	Food Products	46.87		0.00	46.87	<b>\$98.98</b>
			191042-032416	General Supplies	4.90		0.00	4.90	
			193941-032816	Food Products	15.00		0.00	15.00	
			199073-040516	Food Products	32.21		0.00	32.21	
100279499	4/12/16	SUZANNE LUFT	52	Rec Instructors/Officials	322.00		0.00	322.00	<b>\$612.25</b>
			53	Rec Instructors/Officials	290.25		0.00	290.25	
100279500	4/12/16	TJKM	0045049	Professional Services	3,750.00		0.00	3,750.00	<b>\$3,750.00</b>
100279501	4/12/16	TALBOTS STEAM CLEANING	1015	Professional Services	250.00		0.00	250.00	<b>\$560.00</b>
			1037	Professional Services	310.00		0.00	310.00	
100279502	4/12/16	THERMO ENVIRONMENTAL INST	380322	Misc Equip Maint & Repair - Labor	5,001.00		0.00	5,001.00	<b>\$5,001.00</b>
100279503	4/12/16	TODD BILSBORROW	SMS-2015-42	Rec Instructors/Officials	1,000.00		0.00	1,000.00	<b>\$1,000.00</b>
100279504	4/12/16	UNITED SITE SERVICES INC	114-3824602	Equipment Rental/Lease	115.10		0.00	115.10	<b>\$115.10</b>
100279505	4/12/16	W G FRITZ CONSTRUCTION INC	3611	Facilities Maint & Repair - Labor	3,488.07		0.00	3,488.07	<b>\$3,488.07</b>
100279506	4/12/16	WALTS CYCLE	385	Misc Equip Maint & Repair - Labor	464.00		0.00	464.00	<b>\$706.48</b>

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			385	Misc Equip Maint & Repair - Materials	242.48	0.00	242.48	
100279507	4/12/16	WEATHERSHIELD ROOF SYSTEMS INC	7696	Facilities Maint & Repair - Labor	600.00	0.00	600.00	<b>\$1,965.00</b>
			7696	Facilities Maint & Repair - Materials	300.00	0.00	300.00	
			7697	Facilities Maint & Repair - Labor	375.00	0.00	375.00	
			7697	Facilities Maint & Repair - Materials	49.00	0.00	49.00	
			7698	Facilities Maint & Repair - Labor	600.00	0.00	600.00	
			7698	Facilities Maint & Repair - Materials	41.00	0.00	41.00	
100279508	4/12/16	WEST VALLEY STAFFING GROUP	164800	Professional Services	2,368.46	0.00	2,368.46	<b>\$2,368.46</b>
100279509	4/12/16	WILSEY HAM	20586	Consultants	4,842.00	0.00	4,842.00	<b>\$4,842.00</b>
100279510	4/12/16	WINSUPPLY OF SILICON VALLEY	656325 01	Bldg Maint Matls & Supplies	295.92	0.00	295.92	<b>\$295.92</b>
100279511	4/12/16	DRH INC CONTROLLED DISB ACCT	2015-9132	Water Meter Sales	16,432.88	0.00	16,432.88	<b>\$16,432.88</b>
100279512	4/12/16	HANY KLEIN	445941	Lib - Lost & Damaged Circulation	4.16	0.00	4.16	<b>\$11.87</b>
			445942	Lib - Lost & Damaged Circulation	7.71	0.00	7.71	
100279513	4/12/16	MEGHA SHETTY	306523	Refund Recreation Fees	450.00	0.00	450.00	<b>\$450.00</b>
100279514	4/12/16	YOSHITO MARUYAMA	306188	Refund Recreation Fees	77.00	0.00	77.00	<b>\$77.00</b>
100279515	4/14/16	ADVANCED CHEMICAL TRANSPORT INC	99338	HazMat Disposal - Hazardous Waste Disposal	250.15	0.00	250.15	<b>\$5,575.37</b>
			99340	HazMat Disposal - Hazardous Waste Disposal	3,925.09	0.00	3,925.09	
			99343	HazMat Disposal - Hazardous Waste Disposal	1,400.13	0.00	1,400.13	
100279516	4/14/16	ALTA PLANNING + DESIGN INC	00-2015-294-5	Consultants	4,590.99	0.00	4,590.99	<b>\$5,423.99</b>
			00-2015-306-4	Professional Services	833.00	0.00	833.00	
100279517	4/14/16	AON RISK INSURANCE SERVICES WEST INC	8200000201668	Insurances - Fidelity	2,750.00	0.00	2,750.00	<b>\$2,750.00</b>
100279518	4/14/16	APPLEONE EMPLOYMENT SERVICES	01-4014522	Contracts/Service Agreements	5,806.01	0.00	5,806.01	<b>\$5,806.01</b>
100279519	4/14/16	BAY-VALLEY PEST CONTROL INC	0204804	Facilities Maint & Repair - Labor	43.00	0.00	43.00	<b>\$258.00</b>
			0204805	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0204806	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0204807	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0204808	Facilities Maint & Repair - Labor	43.00	0.00	43.00	
			0204809	Facilities Maint & Repair - Labor	43.00	0.00	43.00	



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100279520	4/14/16	BELINDA CHIN	894577-1309061	DED Services/Training - Books	103.94	0.00	103.94	<b>\$103.94</b>
100279521	4/14/16	CDM SMITH	80549784	Consultants	174,302.82	0.00	174,302.82	<b>\$174,302.82</b>
100279522	4/14/16	CSG CONSULTANTS INC	6412	Consultants	4,640.00	0.00	4,640.00	<b>\$4,640.00</b>
100279523	4/14/16	CENTURY GRAPHICS	43995	General Supplies	159.00	0.00	159.00	<b>\$159.00</b>
100279524	4/14/16	CHRISTINA AYALA	17349030250	DED Services/Training - Support Services	90.00	0.00	90.00	<b>\$90.00</b>
100279525	4/14/16	COAST PERSONNEL SERVICES INC	242468	Contracts/Service Agreements	1,063.92	0.00	1,063.92	<b>\$4,429.32</b>
			242469	Contracts/Service Agreements	846.30	0.00	846.30	
			242470	Contracts/Service Agreements	802.32	0.00	802.32	
			242471	Contracts/Service Agreements	1,716.78	0.00	1,716.78	
100279527	4/14/16	DISCOUNT SCHOOL SUPPLY	W25028130101	General Supplies	110.02	0.00	110.02	<b>\$23.04</b>
			W25028130102	General Supplies	-86.98	0.00	-86.98	
100279528	4/14/16	DU-ALL SAFETY	17770	Occupational Health and Safety Services	2,500.00	0.00	2,500.00	<b>\$2,500.00</b>
100279529	4/14/16	FIRST PLACE INC	84203	Customized Products	115.00	0.00	115.00	<b>\$115.00</b>
100279530	4/14/16	FRIENDS OF VISION LITERACY	1	Outside Group Funding	5,000.00	0.00	5,000.00	<b>\$5,000.00</b>
100279531	4/14/16	FRONTIER FORD	GKA84787	Vehicles & Motorized Equip	23,607.50	0.00	23,607.50	<b>\$23,607.50</b>
100279532	4/14/16	GOLDEN GATE PETROLEUM	676586	Fuel, Oil & Lubricants	400.29	0.00	400.29	<b>\$835.70</b>
			676743	Fuel, Oil & Lubricants	435.41	0.00	435.41	
100279533	4/14/16	HI-TECH OPTICAL INC	654897	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	<b>\$1,650.50</b>
			654911	Benefits and Incentives - Prescription Safety Glasses	88.50	0.00	88.50	
			654917	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			654981	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			654982	Benefits and Incentives - Prescription Safety Glasses	88.50	0.00	88.50	
			655172	Benefits and Incentives - Prescription Safety Glasses	99.50	0.00	99.50	
			656873	Benefits and Incentives - Prescription Safety Glasses	83.50	0.00	83.50	
			656874	Benefits and Incentives - Prescription Safety Glasses	99.50	0.00	99.50	

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			656897	Benefits and Incentives - Prescription Safety Glasses	98.50	0.00	98.50	
			656898	Benefits and Incentives - Prescription Safety Glasses	99.50	0.00	99.50	
			658570	Benefits and Incentives - Prescription Safety Glasses	94.50	0.00	94.50	
			658581	Benefits and Incentives - Prescription Safety Glasses	70.00	0.00	70.00	
			658605	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	
			658614	Benefits and Incentives - Prescription Safety Glasses	93.50	0.00	93.50	
			658616	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
			659223	Benefits and Incentives - Prescription Safety Glasses	250.00	0.00	250.00	
100279535	4/14/16	INTERACTIVE DATA PRICING	14333036	Financial Services	121.06	0.00	121.06	<b>\$121.06</b>
100279536	4/14/16	KATARZYNA BARADZIEJ QUINO	020716PURCHASE	DED Services/Training - Books	36.92	0.00	36.92	<b>\$36.92</b>
100279537	4/14/16	KELLY MOORE PAINT CO INC	820-288565	Bldg Maint Matls & Supplies	79.08	0.00	79.08	<b>\$79.08</b>
100279538	4/14/16	KELLY PAPER CO	7859882	General Supplies	745.48	0.00	745.48	<b>\$745.48</b>
100279539	4/14/16	L N CURTIS & SONS INC	1385024-00	Clothing, Uniforms & Access	186.45	0.00	186.45	<b>\$4,475.90</b>
			1389578-00	Supplies, Safety	680.50	0.00	680.50	
			1390368-00	Inventory Purchase	1,416.22	0.00	1,416.22	
			1390552-00	Supplies, Safety	1,103.82	0.00	1,103.82	
			1391883-00	Inventory Purchase	1,088.91	0.00	1,088.91	
100279540	4/14/16	LC ACTION POLICE SUPPLY	346274	Clothing, Uniforms & Access	2,861.64	0.00	2,861.64	<b>\$14,550.75</b>
			346274	General Supplies	1,053.36	0.00	1,053.36	
			346603	Clothing, Uniforms & Access	7,774.11	0.00	7,774.11	
			346603	General Supplies	2,861.64	0.00	2,861.64	
100279541	4/14/16	M & R REPAIR CO	10953	Facilities Maint & Repair - Labor	120.00	0.00	120.00	<b>\$214.61</b>
			10953	Facilities Maint & Repair - Materials	94.61	0.00	94.61	
100279542	4/14/16	MIND IN PROGRESS INC	SV16FALLMATH	Rec Instructors/Officials	1,220.10	0.00	1,220.10	<b>\$1,220.10</b>

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100279543	4/14/16	MOUNTAIN VIEW GARDEN CENTER	82230	Materials - Land Improve	65.14	0.00	65.14	<b>\$2,963.57</b>
			82278	Materials - Land Improve	10.88	0.00	10.88	
			82308	Materials - Land Improve	231.09	0.00	231.09	
			82310	Materials - Land Improve	231.09	0.00	231.09	
			82350	Materials - Land Improve	32.57	0.00	32.57	
			82412	Materials - Land Improve	287.92	0.00	287.92	
			82445	Materials - Land Improve	89.45	0.00	89.45	
			82510	Materials - Land Improve	575.83	0.00	575.83	
			82529	Materials - Land Improve	287.92	0.00	287.92	
			82579	Materials - Land Improve	287.92	0.00	287.92	
			82581	Materials - Land Improve	287.92	0.00	287.92	
			82583	Materials - Land Improve	287.92	0.00	287.92	
			82589	Materials - Land Improve	287.92	0.00	287.92	
100279545	4/14/16	MOUNTAIN VIEW LOS ALTOS ADULT SCHOOL	040716	DED Services/Training - Training	17.50	0.00	17.50	<b>\$17.50</b>
100279546	4/14/16	NEXTEL COMMUNICATIONS	223865314-172	Utilities - Mobile Phones - City Mobile Phones	149.96	0.00	149.96	<b>\$149.96</b>
100279547	4/14/16	ON ASSIGNMENT LAB SUPPORT	LAB550177919	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	<b>\$2,160.00</b>
			LAB550177929	Salaries - Contract Personnel	960.00	0.00	960.00	
100279548	4/14/16	P&D APPLIANCE	0733330-IN	Professional Services	339.50	0.00	339.50	<b>\$339.50</b>
100279549	4/14/16	P&R PAPER SUPPLY CO INC	10228071-00	Inventory Purchase	10.28	0.00	10.28	<b>\$1,296.73</b>
			30074122-00	Inventory Purchase	143.78	0.00	143.78	
			30075046-00	Inventory Purchase	247.12	0.00	247.12	
			30075534-00	Inventory Purchase	895.55	0.00	895.55	
100279550	4/14/16	PAX WATER TECHNOLOGIES	00003063	Electrical Parts & Supplies	328,632.25	0.00	328,632.25	<b>\$328,632.25</b>
100279551	4/14/16	PAYFLEX SYSTEMS USA INC	000290081	Miscellaneous Payment	1,140.30	0.00	1,140.30	<b>\$1,140.30</b>
100279552	4/14/16	PACIFIC JANITORIAL SUPPLY CO	30035887-1	Inventory Purchase	45.20	0.00	45.20	<b>\$45.20</b>
100279553	4/14/16	PACIFIC WEST SECURITY INC	1021682	Alarm Services	79.00	0.00	79.00	<b>\$79.00</b>
100279554	4/14/16	PENINSULA BATTERY INC	116016	Inventory Purchase	313.20	0.00	313.20	<b>\$313.20</b>
100279555	4/14/16	PINE CONE LUMBER CO INC	637592	Supplies, First Aid	8.32	0.00	8.32	<b>\$8.32</b>
100279556	4/14/16	PRIORITY DISPATCH CORP	126292	Training and Conferences	3,000.00	0.00	3,000.00	<b>\$3,000.00</b>
100279557	4/14/16	PROSPECT SILICON VALLEY	NV0404	Contracts/Service Agreements	10,951.20	0.00	10,951.20	<b>\$10,951.20</b>

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100279559	4/14/16	RICHARD UPTON	032616EXAM	DED Services/Training - Support Services	200.00	0.00	200.00	<b>\$200.00</b>
100279560	4/14/16	ROBERT A BOTHMAN INC	ORCHARDGRD N#R	Construction Project Contract Retainage	43,872.12	0.00	43,872.12	<b>\$43,872.12</b>
100279561	4/14/16	ROBERT CORRELL	9719	DED Services/Training - Books	9.00	0.00	9.00	<b>\$9.00</b>
100279562	4/14/16	SCBA SAFETY CHECK INC	8093	Safety Equipment Maintenance & Repair	924.87	0.00	924.87	<b>\$924.87</b>
100279563	4/14/16	SAN FRANCISCO BAY BIRD OBSERVATORY	934	Water Lab Services	1,569.00	0.00	1,569.00	<b>\$1,569.00</b>
100279564	4/14/16	SIERRA INSTRUMENTS INC	146961	Equipment Maintenance & Repair Labor	2,424.09	0.00	2,424.09	<b>\$2,424.09</b>
100279565	4/14/16	SIERRA PACIFIC TURF SUPPLY INC	0473397-IN	Materials - Land Improve	624.65	0.00	624.65	<b>\$624.65</b>
100279566	4/14/16	SITEONE LANDSCAPE SUPPLY LLC	75100188	Inventory Purchase	1,007.37	0.00	1,007.37	<b>\$1,007.37</b>
100279567	4/14/16	STATE WATER RESOURCES CONTROL BOARD	LW-1006272	Taxes & Licenses - Misc	9,608.40	0.00	9,608.40	<b>\$9,608.40</b>
100279568	4/14/16	SUNNYVALE SCHOOL DISTRICT	04062016TRIP	Excursions	125.00	0.00	125.00	<b>\$125.00</b>
100279569	4/14/16	SUPPLYWORKS	363592262	Inventory Purchase	568.94	5.69	563.25	<b>\$1,954.25</b>
			363731712	Inventory Purchase	1,405.05	14.05	1,391.00	
100279570	4/14/16	TENAYA HURST	1	General Supplies	300.00	0.00	300.00	<b>\$600.00</b>
			2	General Supplies	300.00	0.00	300.00	
100279571	4/14/16	THE CONSULTING TEAM LLC	635	City Training Program	1,800.00	0.00	1,800.00	<b>\$1,800.00</b>
100279572	4/14/16	THOMAS PLUMBING INC	92323	Facilities Maint & Repair - Labor	142.50	0.00	142.50	<b>\$172.50</b>
			92323	Facilities Maint & Repair - Materials	30.00	0.00	30.00	
100279573	4/14/16	THYSSENKRUPP ELEVATOR CORP	3002447595	Facilities Maint & Repair - Labor	1,265.59	0.00	1,265.59	<b>\$1,265.59</b>
100279574	4/14/16	TORO CO	18628820	Electrical Parts & Supplies	271.25	0.00	271.25	<b>\$271.25</b>
100279575	4/14/16	TRI DIM FILTER CORP	1730116-1	Bldg Maint Matls & Supplies	394.58	0.00	394.58	<b>\$394.58</b>
100279576	4/14/16	TURF & INDUSTRIAL EQUIPMENT CO	IV15699	Misc Equip Maint & Repair - Materials	549.42	0.00	549.42	<b>\$647.30</b>
			IV15793	Inventory Purchase	97.88	0.00	97.88	
100279577	4/14/16	USA BLUEBOOK	910929	Water/Wastewater Treat Equip	1,214.04	0.00	1,214.04	<b>\$2,911.02</b>
			912362	Miscellaneous Equipment Parts & Supplies	1,568.34	0.00	1,568.34	
			913629	Miscellaneous Equipment Parts & Supplies	34.44	0.00	34.44	
			914837	Electrical Parts & Supplies	94.20	0.00	94.20	
100279578	4/14/16	UNIVAR USA INC	SJ739886	Chemicals	3,883.44	0.00	3,883.44	<b>\$3,883.44</b>
100279579	4/14/16	UNIVERSITY OF CALIFORNIA SANTA CRUZ	56934	DED Services/Training - Training	324.00	0.00	324.00	<b>\$32,247.00</b>
			57044	DED Services/Training - Training	3,474.00	0.00	3,474.00	

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			57046	DED Services/Training - Training	3,897.00	0.00	3,897.00	
			57053	DED Services/Training - Training	4,491.00	0.00	4,491.00	
			57059	DED Services/Training - Training	4,752.00	0.00	4,752.00	
			57063	DED Services/Training - Training	4,774.50	0.00	4,774.50	
			57065	DED Services/Training - Training	5,400.00	0.00	5,400.00	
			57068	DED Services/Training - Training	5,134.50	0.00	5,134.50	
100279580	4/14/16	VALLEY CREST TREE CO	5001096	Materials - Land Improve	1,283.25	0.00	1,283.25	<b>\$1,283.25</b>
100279581	4/14/16	VIASYN	25769	Utilities - Electric	2,750.00	0.00	2,750.00	<b>\$2,750.00</b>
100279582	4/14/16	WECO INDUSTRIES LLC	0036294-IN	Misc Equip Maint & Repair - Labor	512.68	0.00	512.68	<b>\$935.48</b>
			0036294-IN	Misc Equip Maint & Repair - Materials	422.80	0.00	422.80	
100279583	4/14/16	WESTERN UTILITIES TRANSFORMER SERVICE	112933	Misc Equip Maint & Repair - Labor	456.75	0.00	456.75	<b>\$456.75</b>
100279584	4/14/16	WINSUPPLY OF SILICON VALLEY	657383 00	Supplies, First Aid	74.89	0.00	74.89	<b>\$74.89</b>
100279585	4/14/16	WAITER.COM INC	G0329952198	Food Products	145.95	0.00	145.95	<b>\$217.03</b>
			G0405976886	Food Products	71.08	0.00	71.08	
100279586	4/14/16	FIRST AMERICAN TITLE GUARANTY CO	4312-5050371	Customer Loans Disbursed	437.00	0.00	437.00	<b>\$437.00</b>
100279587	4/14/16	MOHINI AHLUWALIA & HIS ATTORNEY	14-15-008	Liability Claims Paid	200.00	0.00	200.00	<b>\$200.00</b>
100279588	4/14/16	SOUTH BAY REGIONAL PUBLIC SAFETY	RULLAN040516	Training and Conferences	199.00	0.00	199.00	<b>\$199.00</b>
100279589	4/14/16	STATE WATER RESOURCES CONTROL BOARD	H NGUYEN GR II	Membership Fees	230.00	0.00	230.00	<b>\$460.00</b>
			THERRES GR II	Membership Fees	230.00	0.00	230.00	
100279590	4/14/16	STATE WATER RESOURCES CONTROL BOARD	BYRD OIT GR I	Membership Fees	170.00	0.00	170.00	<b>\$170.00</b>
100279591	4/14/16	ALL WEST LACROSSE	BL066619 16-17	Business License Tax	163.75	0.00	163.75	<b>\$163.75</b>
100279592	4/14/16	ANNAPURNA PATNAM	306524	Refund Recreation Fees	350.00	0.00	350.00	<b>\$350.00</b>
100279593	4/14/16	AZITTA HEKMATI	168975-51666	Refund Utility Account Credit	150.09	0.00	150.09	<b>\$150.09</b>
100279594	4/14/16	DANIEL GRAP	143223-11064	Refund Utility Account Credit	213.00	0.00	213.00	<b>\$213.00</b>
100279595	4/14/16	HONG KONG SAIGON SEAFOOD RESTAURANT	140007-2710	Refund Utility Account Credit	5,767.27	0.00	5,767.27	<b>\$5,767.27</b>
100279596	4/14/16	INDIGO 7	175245-3818	Refund Utility Account Credit	97.49	0.00	97.49	<b>\$97.49</b>
100279597	4/14/16	JAMMY SEHGAL	171205-12686	Refund Utility Account Credit	151.97	0.00	151.97	<b>\$151.97</b>
100279598	4/14/16	JIMMY LO	175541-12390	Refund Utility Account Credit	217.44	0.00	217.44	<b>\$217.44</b>

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100279599	4/14/16	JOCELYN HUANG	119885-38754	Refund Utility Account Credit	157.90	0.00	157.90	<b>\$157.90</b>
100279600	4/14/16	JOHN LANE	174931-76246	Refund Utility Account Credit	150.17	0.00	150.17	<b>\$150.17</b>
100279601	4/14/16	LORENE GROTH	80393-50086	Refund Utility Account Credit	165.86	0.00	165.86	<b>\$165.86</b>
100279602	4/14/16	ROBERT & DEANA BLACKBURN	113063-31696	Refund Utility Account Credit	89.56	0.00	89.56	<b>\$89.56</b>
100279603	4/14/16	RONAN LETOQUIN	177437-46830	Refund Utility Account Credit	116.18	0.00	116.18	<b>\$116.18</b>
100279604	4/14/16	RWW PROPERTIES	178345-53144	Refund Utility Account Credit	212.30	0.00	212.30	<b>\$212.30</b>
100279605	4/14/16	VICTORIA FRANDSEN	179597-8982	Refund Utility Account Credit	137.09	0.00	137.09	<b>\$137.09</b>
950100578	4/14/16	BAY COUNTIES WASTE SERVICES	JAN2016	Curbside Revenues - Sunnyvale Portion	-9,983.21	0.00	-9,983.21	<b>\$1,050,965.96</b>
			JAN2016	Host Fees - SMaRT Station - Public Haul Fees	-8,618.15	0.00	-8,618.15	
			JAN2016	MRF Revenues - SMaRT	-6,655.47	0.00	-6,655.47	
			JAN2016	Kirby Canyon SMaRT Operator	-120,125.02	0.00	-120,125.02	
			JAN2016	Yardwaste - Mountain View	6,179.08	0.00	6,179.08	
			JAN2016	Yardwaste - Palo Alto	816.23	0.00	816.23	
			JAN2016	Yardwaste - Sunnyvale	11,559.41	0.00	11,559.41	
			JAN2016	Consultants	1,270.47	0.00	1,270.47	
			JAN2016	Facilities Equipment	16,424.34	0.00	16,424.34	
			JAN2016	General Supplies	2,835.32	0.00	2,835.32	
			JAN2016	HazMat Disposal - Hazardous Waste Disposal	10,817.65	0.00	10,817.65	
			JAN2016	Miscellaneous Services	44,825.94	0.00	44,825.94	
			JAN2016	SMaRT Contractor Payment	1,101,619.37	0.00	1,101,619.37	
			030216-040116	Water for Resale	1,100,103.75	0.00	1,100,103.75	
950100579	4/15/16	SFPUC WATER DEPARTMENT	030216-040116	Purchased Water Related Expenses - Meter Charges	22,939.00	0.00	22,939.00	<b>\$1,229,527.75</b>
			030216-040116	BAWSCA Surcharge	106,485.00	0.00	106,485.00	

**Grand Total Payment Amount****\$3,462,752.27**

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100279606	4/19/16	AFCO AVPORTS MANAGEMENT LLC	NUQ-16-01662	Real Property Rental/Lease	58,595.00	0.00	58,595.00	<b>\$58,595.00</b>
100279607	4/19/16	AT&T	000007789488	Utilities - Telephone	1,308.47	0.00	1,308.47	<b>\$2,616.94</b>
			000007789490	Utilities - Telephone	1,308.47	0.00	1,308.47	
100279608	4/19/16	ACCLAMATION INSURANCE MANAGEMENT	108154	Workers' Compensation - Administration	24,583.33	0.00	24,583.33	<b>\$24,583.33</b>
100279609	4/19/16	ACUSHNET CO	902288702	Inventory Purchase	114.29	2.08	112.21	<b>\$112.21</b>
100279610	4/19/16	ALPINE AWARDS INC	294332	Clothing, Uniforms & Access	33.90	0.00	33.90	<b>\$51.84</b>
			5508904	Clothing, Uniforms & Access	17.94	0.00	17.94	
100279611	4/19/16	AMERICAN FIDELITY ADMINISTRATIVE SVCS	0005541	Professional Services	516.60	0.00	516.60	<b>\$2,092.39</b>
			10967	Professional Services	1,575.79	0.00	1,575.79	
100279612	4/19/16	AMFASOFT CORP	JENNVU-01	DED Services/Training - Training	2,857.50	0.00	2,857.50	<b>\$2,857.50</b>
100279613	4/19/16	ANDERSON PACIFIC ENGINEERING	WPCPCHLRINE #10	Construction Services	214,912.48	0.00	214,912.48	<b>\$214,912.48</b>
100279614	4/19/16	BMI	9169868	Miscellaneous Services	1,207.80	0.00	1,207.80	<b>\$1,207.80</b>
100279615	4/19/16	BADGER METER INC	1090635	Inventory Purchase	32,705.40	0.00	32,705.40	<b>\$32,705.40</b>
100279616	4/19/16	BAUER COMPRESSORS INC	0000209601	Miscellaneous Equipment	56,117.25	0.00	56,117.25	<b>\$128,402.11</b>
			0000209602	Miscellaneous Equipment	72,284.86	0.00	72,284.86	
100279617	4/19/16	BAY AREA FORKLIFT	4338	Misc Equip Maint & Repair - Labor	1,185.00	0.00	1,185.00	<b>\$3,822.19</b>
			4338	Misc Equip Maint & Repair - Materials	2,637.19	0.00	2,637.19	
100279618	4/19/16	BAY AREA PARENT	033IN000014127	Advertising Services	219.00	0.00	219.00	<b>\$219.00</b>
100279619	4/19/16	BIGGS CARDOSA ASSOC INC	68843	Consultants	92,119.48	0.00	92,119.48	<b>\$172,939.94</b>
			69062	Consultants	80,820.46	0.00	80,820.46	
100279620	4/19/16	BOUND TREE MEDICAL LLC	82108152	Supplies, First Aid	1,438.69	0.00	1,438.69	<b>\$1,438.69</b>
100279621	4/19/16	BRIDGESTONE GOLF INC	1002480730	Inventory Purchase	498.72	28.84	469.88	<b>\$469.88</b>
100279622	4/19/16	BRODART CO	432175	General Supplies	693.28	0.00	693.28	<b>\$693.28</b>
100279623	4/19/16	CITY & COUNTY OF SAN FRANCISCO	DEC2015	Contracts/Service Agreements	6,684.79	0.00	6,684.79	<b>\$50,149.21</b>
			FEB2016	Contracts/Service Agreements	21,208.23	0.00	21,208.23	
			JAN2016	Contracts/Service Agreements	22,256.19	0.00	22,256.19	
100279624	4/19/16	CITY OF SANTA CLARA MUNICIPAL UTILITIES	APRIL2016	Utilities - Electric	529.68	0.00	529.68	<b>\$529.68</b>

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100279625	4/19/16	CODY ANDERSON WASNEY ARCHITECTS INC	0216.14006	Consultants	11,450.00	0.00	11,450.00	<b>\$11,450.00</b>
100279626	4/19/16	CONTRACTOR COMPLIANCE & MONITORING INC	6841	Consultants	2,000.00	0.00	2,000.00	<b>\$2,000.00</b>
100279627	4/19/16	CONTROL TECH WEST INC	1786	Electrical Parts & Supplies	4,556.63	0.00	4,556.63	<b>\$4,556.63</b>
100279628	4/19/16	CORIX WATER PRODUCTS (US) INC	17613007940	Inventory Purchase	6,825.28	62.76	6,762.52	<b>\$10,594.34</b>
			17613008285	Materials - Land Improve	1,724.07	0.00	1,724.07	
			17613008289	Inventory Purchase	380.64	3.50	377.14	
			17613008328	Inventory Purchase	1,096.85	10.09	1,086.76	
			17613008329	Construction Services	643.85	0.00	643.85	
100279629	4/19/16	CUBE SOLUTIONS	18508	Occupational Health and Safety Services	191.76	0.00	191.76	<b>\$191.76</b>
100279630	4/19/16	DAPPER TIRE CO INC	43092819	Inventory Purchase	931.52	0.00	931.52	<b>\$931.52</b>
100279632	4/19/16	FEDERAL EXPRESS CORP	5-370-62617	Mailing & Delivery Services	5.74	0.00	5.74	<b>\$5.74</b>
100279633	4/19/16	FERGUSON ENTERPRISES INC	1161195	Inventory Purchase	152.25	1.40	150.85	<b>\$1,873.78</b>
			1164990-1	Inventory Purchase	662.29	6.09	656.20	
			1165740	Inventory Purchase	1,076.63	9.90	1,066.73	
100279634	4/19/16	FOLGERGRAPHICS INC	110626	Printing & Related Services	11,075.04	0.00	11,075.04	<b>\$11,075.04</b>
100279635	4/19/16	FOUNDATION FOR CALIFORNIA COMMUNITY	NOVA-1619	DED Services/Training - Training	667.63	0.00	667.63	<b>\$834.80</b>
			NOVA-1619	Professional Services	167.17	0.00	167.17	
100279636	4/19/16	FRANCHISE TAX BOARD	939	Food Products	14.96	0.00	14.96	<b>\$308.58</b>
			939	General Supplies	293.62	0.00	293.62	
100279637	4/19/16	GLOBAL ACCESS INC	14515	Software As a Service	236.00	0.00	236.00	<b>\$236.00</b>
100279638	4/19/16	GOLDFARB LIPMAN ATTORNEYS	118755	Legal Services	2,227.50	0.00	2,227.50	<b>\$2,227.50</b>
100279639	4/19/16	GRAINGER	9074362527	Inventory Purchase	235.77	0.00	235.77	<b>\$235.77</b>
100279640	4/19/16	GRANICUS INC	75159	Software As a Service	3,469.20	0.00	3,469.20	<b>\$3,469.20</b>
100279641	4/19/16	HACH CO INC	9800165	General Supplies	283.14	0.00	283.14	<b>\$283.14</b>
100279642	4/19/16	INTERNATIONAL SCHOOL OF NURSING	2016209	DED Services/Training - Training	267.05	0.00	267.05	<b>\$267.05</b>
100279643	4/19/16	KELLY MOORE PAINT CO INC	820-288205	Materials - Land Improve	114.58	0.00	114.58	<b>\$149.89</b>
			820-288822	Bldg Maint Matls & Supplies	27.70	0.00	27.70	
			820-289081	Miscellaneous Equipment Parts & Supplies	7.61	0.00	7.61	
100279644	4/19/16	KELLY PAPER CO	7873106	General Supplies	694.92	0.00	694.92	<b>\$694.92</b>
100279645	4/19/16	KENNEDY JENKS CONSULTANTS	100321	Engineering Services	3,844.50	0.00	3,844.50	<b>\$4,140.90</b>



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			100366	Professional Services	296.40	0.00	296.40	
100279647	4/19/16	KOHLWEISS AUTO PARTS INC	01OT4650	Inventory Purchase	248.99	4.98	244.01	<b>\$252.32</b>
			01OT4755	Inventory Purchase	8.48	0.17	8.31	
100279648	4/19/16	L3 COMMUNICATIONS MOBILE VISION INC	0238727-IN	Comm Equip Maintain & Repair - Materials 2	24.21	0.00	24.21	<b>\$24.21</b>
100279649	4/19/16	LCPTRACKER INC	IR-04022	Software Licensing & Support	17,950.00	0.00	17,950.00	<b>\$17,950.00</b>
100279650	4/19/16	LEAN ENERGY US	201703	Professional Services	2,720.00	0.00	2,720.00	<b>\$2,720.00</b>
100279651	4/19/16	LANDTEC NORTH AMERICA INC	0128547-IN	Miscellaneous Equipment	1,990.00	0.00	1,990.00	<b>\$1,990.00</b>
100279652	4/19/16	LANGUAGE LINE SERVICES	3799380	Miscellaneous Services	760.12	0.00	760.12	<b>\$760.12</b>
100279653	4/19/16	LAW OFFICE OF TERRY ROEMER	2-2016	Investigation Expense	8,559.50	0.00	8,559.50	<b>\$11,766.00</b>
			3-2016	Investigation Expense	3,206.50	0.00	3,206.50	
100279654	4/19/16	LAWSON PRODUCTS INC	9304003825	Miscellaneous Equipment Parts & Supplies	420.82	0.00	420.82	<b>\$420.82</b>
100279655	4/19/16	LESLIES POOL SUPPLIES INC	3025-40662	Materials - Land Improve	24.77	0.00	24.77	<b>\$24.77</b>
100279656	4/19/16	MALLORY SAFETY & SUPPLY LLC	4070464	Inventory Purchase	23.11	0.00	23.11	<b>\$23.11</b>
100279657	4/19/16	MARK EMERSON	CMS-2015-13	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279658	4/19/16	MCMASTER CARR SUPPLY CO	54199321	Electrical Parts & Supplies	161.71	0.00	161.71	<b>\$161.71</b>
100279659	4/19/16	MICHAEL BAKER INTERNATIONAL	933008	Professional Services	4,257.50	0.00	4,257.50	<b>\$6,006.00</b>
			935708	Professional Services	417.50	0.00	417.50	
			938832	Professional Services	1,331.00	0.00	1,331.00	
100279660	4/19/16	MIDWEST TAPE	93806074	Library Acquis, Audio/Visual	237.94	0.00	237.94	<b>\$1,929.47</b>
			93826801	Library Acquis, Audio/Visual	429.44	0.00	429.44	
			93826802	Library Acquis, Audio/Visual	285.86	0.00	285.86	
			93827218	Library Acquis, Audio/Visual	482.41	0.00	482.41	
			93827550	Library Acquis, Audio/Visual	493.82	0.00	493.82	
100279661	4/19/16	MORNINGSTAR INC	032216-092616	Library Periodicals/Databases	386.00	0.00	386.00	<b>\$386.00</b>
100279662	4/19/16	NBS	2160059	Financial Services	8,835.00	0.00	8,835.00	<b>\$24,252.50</b>
			416000024	Financial Services	15,417.50	0.00	15,417.50	
100279663	4/19/16	NELSON/NYGAARD CONSULTING ASSOCIATES INC	66643	Professional Services	5,492.50	0.00	5,492.50	<b>\$5,492.50</b>
100279664	4/19/16	NET TRANSCRIPTS INC	0006893-IN	Investigation Expense	218.90	0.00	218.90	<b>\$218.90</b>
100279665	4/19/16	NICHOLS CONSULTING ENGINEERS	218185503	Consultants	17,406.85	0.00	17,406.85	<b>\$17,406.85</b>
100279667	4/19/16	OVERDRIVE INC	0910-000104443	Library Periodicals/Databases	76.96	0.00	76.96	<b>\$401.96</b>

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			0910-000138587	Library Periodicals/Databases	325.00	0.00	325.00	
100279669	4/19/16	PAN ASIAN PUBLICATIONS INC	U-14771	Library Acquisitions, Books	1,473.37	0.00	1,473.37	<b>\$1,473.37</b>
100279670	4/19/16	PATSONS MEDIA GROUP	176941	Printing & Related Services	804.75	0.00	804.75	<b>\$3,067.85</b>
			176945	Printing & Related Services	804.75	0.00	804.75	
			176946	Printing & Related Services	604.65	0.00	604.65	
			200082	Printing & Related Services	103.31	0.00	103.31	
			200083	Printing & Related Services	174.00	0.00	174.00	
			200089	Printing & Related Services	96.79	0.00	96.79	
			200214	Printing & Related Services	479.60	0.00	479.60	
100279671	4/19/16	PITNEY BOWES INC	655123	Equipment Rental/Lease	2,916.17	0.00	2,916.17	<b>\$2,916.17</b>
100279672	4/19/16	POLYDYNE INC	1036567	Chemicals	35,846.16	0.00	35,846.16	<b>\$35,846.16</b>
100279673	4/19/16	RANKIN STOCK HEABERLIN	33433	Legal Services	210.00	0.00	210.00	<b>\$2,055.89</b>
			33435	Legal Services	1,845.89	0.00	1,845.89	
100279674	4/19/16	RECRUITMILITARY LLC	16-1256	Meetings	1,295.00	0.00	1,295.00	<b>\$1,295.00</b>
100279675	4/19/16	REED & GRAHAM INC	857850	Materials - Land Improve	388.49	0.00	388.49	<b>\$4,739.07</b>
			857851	Materials - Land Improve	408.87	0.00	408.87	
			857852	Materials - Land Improve	611.22	0.00	611.22	
			858048	Materials - Land Improve	507.24	0.00	507.24	
			858151	Materials - Land Improve	2,475.50	0.00	2,475.50	
			858243	Materials - Land Improve	347.75	0.00	347.75	
100279676	4/19/16	RENNE SLOAN HOLTZMAN SAKAI LLP	30743	Legal Services	422.50	0.00	422.50	<b>\$422.50</b>
100279677	4/19/16	RICHARDS WATSON & GERSHON	206259	Legal Services	2,820.00	0.00	2,820.00	<b>\$2,820.00</b>
100279678	4/19/16	SC FUELS	0557508-IN	Inventory Purchase	253.17	0.00	253.17	<b>\$495.40</b>
			0560264-IN	Inventory Purchase	242.23	0.00	242.23	
100279679	4/19/16	SCS FIELD SERVICES INC	0272847	Consultants	3,000.00	0.00	3,000.00	<b>\$4,542.03</b>
			0272913	Engineering Services	1,542.03	0.00	1,542.03	
100279680	4/19/16	SCUBA POOL REPAIR INC	2145	Professional Services	4,600.00	0.00	4,600.00	<b>\$12,900.00</b>
			2146	Professional Services	3,800.00	0.00	3,800.00	
			2147	Professional Services	4,500.00	0.00	4,500.00	
100279681	4/19/16	SAFEWAY INC	430313-040616	General Supplies	11.99	0.00	11.99	<b>\$11.99</b>
100279682	4/19/16	SIERRA CHEMICAL CO	SLS10032297	Chemicals	3,525.03	0.00	3,525.03	<b>\$3,525.03</b>

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100279683	4/19/16	SILICON VALLEY LEADERSHIP	FY15/16 QTR 3	Outside Group Funding	1,083.32	0.00	1,083.32	<b>\$1,083.32</b>
100279684	4/19/16	SMART & FINAL INC	103339-041216	Food Products	221.27	0.00	221.27	<b>\$317.50</b>
			103339-041216	General Supplies	4.18	0.00	4.18	
			198309-040416	General Supplies	45.64	0.00	45.64	
			198311-040416	General Supplies	46.41	0.00	46.41	
100279685	4/19/16	STATCOMM INC	109105	Facilities Maint & Repair - Labor	256.25	0.00	256.25	<b>\$256.25</b>
100279687	4/19/16	STIFEL NICOLAUS & CO INC	032116-0029	Financial Services	2,551.99	0.00	2,551.99	<b>\$2,551.99</b>
100279688	4/19/16	SUMMIT UNIFORMS	30023	Clothing, Uniforms & Access	108.75	0.00	108.75	<b>\$15,694.46</b>
			30046	Clothing, Uniforms & Access	107.66	0.00	107.66	
			30047	Clothing, Uniforms & Access	107.66	0.00	107.66	
			30048	Clothing, Uniforms & Access	107.66	0.00	107.66	
			30049	Clothing, Uniforms & Access	107.66	0.00	107.66	
			30050	Clothing, Uniforms & Access	423.04	0.00	423.04	
			30067	Clothing, Uniforms & Access	303.41	0.00	303.41	
			30077	Clothing, Uniforms & Access	58.73	0.00	58.73	
			30085	Clothing, Uniforms & Access	25.00	0.00	25.00	
			30086	Clothing, Uniforms & Access	37.00	0.00	37.00	
			30155	Clothing, Uniforms & Access	21.75	0.00	21.75	
			30165	Clothing, Uniforms & Access	110.93	0.00	110.93	
			30166	Clothing, Uniforms & Access	487.20	0.00	487.20	
			30167	Clothing, Uniforms & Access	303.41	0.00	303.41	
			30168	Clothing, Uniforms & Access	373.01	0.00	373.01	
			30171	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30172	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30201	Clothing, Uniforms & Access	23.93	0.00	23.93	
			30215	Clothing, Uniforms & Access	380.63	0.00	380.63	
			30234	Clothing, Uniforms & Access	886.97	0.00	886.97	
			30238	Clothing, Uniforms & Access	696.00	0.00	696.00	
			30291-2016	Clothing, Uniforms & Access	226.20	0.00	226.20	
			30317	Clothing, Uniforms & Access	170.74	0.00	170.74	
			30318	Clothing, Uniforms & Access	100.05	0.00	100.05	

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			30319	Clothing, Uniforms & Access	47.85	0.00	47.85	
			30320	Clothing, Uniforms & Access	170.74	0.00	170.74	
			30321	Clothing, Uniforms & Access	91.35	0.00	91.35	
			30322	Clothing, Uniforms & Access	19.58	0.00	19.58	
			30323	Clothing, Uniforms & Access	19.58	0.00	19.58	
			30324	Clothing, Uniforms & Access	32.63	0.00	32.63	
			30326	Clothing, Uniforms & Access	9.79	0.00	9.79	
			30327	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30328	Clothing, Uniforms & Access	9.79	0.00	9.79	
			30329	Clothing, Uniforms & Access	53.29	0.00	53.29	
			30330	Clothing, Uniforms & Access	215.33	0.00	215.33	
			30331	Clothing, Uniforms & Access	23.93	0.00	23.93	
			30332	Clothing, Uniforms & Access	116.36	0.00	116.36	
			30336	Clothing, Uniforms & Access	75.04	0.00	75.04	
			30337	Clothing, Uniforms & Access	207.71	0.00	207.71	
			30338	Clothing, Uniforms & Access	331.69	0.00	331.69	
			30339	Clothing, Uniforms & Access	200.10	0.00	200.10	
			30340	Clothing, Uniforms & Access	639.45	0.00	639.45	
			30341	Clothing, Uniforms & Access	200.10	0.00	200.10	
			30342	Clothing, Uniforms & Access	116.36	0.00	116.36	
			30344	Clothing, Uniforms & Access	324.08	0.00	324.08	
			30345	Clothing, Uniforms & Access	639.45	0.00	639.45	
			30346	Clothing, Uniforms & Access	315.38	0.00	315.38	
			30349	Clothing, Uniforms & Access	639.45	0.00	639.45	
			30358	Clothing, Uniforms & Access	155.51	0.00	155.51	
			30360	Clothing, Uniforms & Access	679.69	0.00	679.69	
			30361	Clothing, Uniforms & Access	282.75	0.00	282.75	
			30362	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30363	Clothing, Uniforms & Access	493.73	0.00	493.73	
			30380	Clothing, Uniforms & Access	445.88	0.00	445.88	
			30415	Clothing, Uniforms & Access	628.58	0.00	628.58	

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			30448	Clothing, Uniforms & Access	548.10	0.00	548.10	
			30516	Clothing, Uniforms & Access	155.51	0.00	155.51	
			30527	Clothing, Uniforms & Access	241.43	0.00	241.43	
			30553	Clothing, Uniforms & Access	365.40	0.00	365.40	
			30586	Clothing, Uniforms & Access	26.10	0.00	26.10	
			30587	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30588	Clothing, Uniforms & Access	26.10	0.00	26.10	
			30589	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30590	Clothing, Uniforms & Access	56.55	0.00	56.55	
			30591	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30592	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30593	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30594	Clothing, Uniforms & Access	39.15	0.00	39.15	
			30595	Clothing, Uniforms & Access	252.30	0.00	252.30	
			30596	Clothing, Uniforms & Access	170.74	0.00	170.74	
			30597	Clothing, Uniforms & Access	342.56	0.00	342.56	
			30598	Clothing, Uniforms & Access	354.53	0.00	354.53	
			30599	Clothing, Uniforms & Access	107.66	0.00	107.66	
			30600	Clothing, Uniforms & Access	75.04	0.00	75.04	
			30601	Clothing, Uniforms & Access	300.15	0.00	300.15	
			30602	Clothing, Uniforms & Access	13.05	0.00	13.05	
			30603	Clothing, Uniforms & Access	75.04	0.00	75.04	
			30617	Clothing, Uniforms & Access	75.04	0.00	75.04	
100279695	4/19/16	SUNBELT RENTALS INC	58507239-001	Equipment Rental/Lease	886.10	0.00	886.10	<b>\$771.91</b>
			58507239-002	Equipment Rental/Lease	-114.19	0.00	-114.19	
100279696	4/19/16	SUNNYVALE BUILDING MAINTENANCE	98626	Professional Services	145.00	0.00	145.00	<b>\$1,265.00</b>
			98686	Professional Services	1,120.00	0.00	1,120.00	
100279697	4/19/16	SUPERIOR PRESS	3303905	Printing & Related Services	100.10	0.00	100.10	<b>\$464.91</b>
			3315562	Printing & Related Services	239.92	0.00	239.92	
			3323561	Printing & Related Services	124.89	0.00	124.89	
100279698	4/19/16	TELMAR NETWORK TECHNOLOGY INC	1698072	Comm Equip Maintain & Repair - Labor 1	560.00	0.00	560.00	<b>\$560.00</b>

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100279699	4/19/16	THOMSON REUTERS WEST	833827142	Books & Publications	919.75	0.00	919.75	<b>\$919.75</b>
100279700	4/19/16	TORO CO	18644122	Professional Services	312.50	0.00	312.50	<b>\$312.50</b>
100279701	4/19/16	TRICOR AMERICA INC	M626910	Contracts/Service Agreements	704.00	0.00	704.00	<b>\$704.00</b>
100279702	4/19/16	TUCKER CONSTRUCTION INC	24393	Services Maintain Land Improv	619.60	0.00	619.60	<b>\$619.60</b>
100279703	4/19/16	US SECURITY ASSOC INC	1208586	Professional Services	200.00	0.00	200.00	<b>\$650.00</b>
			1208628	Professional Services	450.00	0.00	450.00	
100279704	4/19/16	USA BLUEBOOK	910791	General Supplies	763.37	0.00	763.37	<b>\$763.37</b>
100279705	4/19/16	UNITED RENTALS	134642943-003	Equipment Rental/Lease	5,073.04	0.00	5,073.04	<b>\$5,073.04</b>
100279707	4/19/16	VWR INTERNATIONAL LLC	8044477823	General Supplies	47.37	0.00	47.37	<b>\$4,361.27</b>
			8044479703	General Supplies	135.89	0.00	135.89	
			8044528531	General Supplies	44.08	0.00	44.08	
			8044532072	Chemicals	3,783.02	0.00	3,783.02	
			8044537447	General Supplies	335.12	0.00	335.12	
			8044569014	General Supplies	15.79	0.00	15.79	
100279708	4/19/16	VALI COOPER & ASSOC INC	150030A00105	Engineering Services	1,078.86	0.00	1,078.86	<b>\$1,078.86</b>
100279709	4/19/16	VERIZON WIRELESS	9000035880	Communication Equipment	13.12	0.00	13.12	<b>\$26.24</b>
			9000041507	Communication Equipment	13.12	0.00	13.12	
100279710	4/19/16	VISTA ANALYTICAL LABORATORY INC	39662	Water Lab Services	975.00	0.00	975.00	<b>\$975.00</b>
100279711	4/19/16	WHCI PLUMBING SUPPLY	S2090970.001	Bldg Maint Matls & Supplies	591.78	0.00	591.78	<b>\$591.78</b>
100279712	4/19/16	WATER WORKS ENGINEERS LLC	5607	Engineering Services	25,240.93	0.00	25,240.93	<b>\$25,240.93</b>
100279713	4/19/16	WEATHERSHIELD ROOF SYSTEMS INC	7583	Facilities Maint & Repair - Labor	4,832.00	0.00	4,832.00	<b>\$5,021.00</b>
			7583	Facilities Maint & Repair - Materials	189.00	0.00	189.00	
100279714	4/19/16	WEST COAST COATING CONSULTANTS LLC	1376	Consultants	1,518.75	0.00	1,518.75	<b>\$5,062.50</b>
			1377	Consultants	3,543.75	0.00	3,543.75	
100279715	4/19/16	WEST LITE SUPPLY CO INC	59402H-1	Electrical Parts & Supplies	1,044.00	0.00	1,044.00	<b>\$1,044.00</b>
100279716	4/19/16	WEST VALLEY STAFFING GROUP	165416	Professional Services	2,368.44	0.00	2,368.44	<b>\$2,368.44</b>
100279717	4/19/16	WINSUPPLY OF SILICON VALLEY	656894 01	Miscellaneous Equipment Parts & Supplies	277.55	0.00	277.55	<b>\$1,678.13</b>
			657046 01	Miscellaneous Equipment Parts & Supplies	1,400.58	0.00	1,400.58	
100279718	4/19/16	WITMER TYSON IMPORTS INC	T11449	Canine Program Expenditures	920.00	0.00	920.00	<b>\$920.00</b>
100279719	4/19/16	WAITER.COM INC	G0412952193	Food Products	143.12	0.00	143.12	<b>\$239.49</b>
			G0412991316	Food Products	96.37	0.00	96.37	

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100279720	4/19/16	OFFICEMAX CONTRACT INC	49671503152016	Supplies, Office 1	127.88	0.00	127.88	<b>\$14,996.81</b>
			50894903152016	Supplies, Office 1	161.76	0.00	161.76	
			50913903152016	Supplies, Office 1	8.33	0.00	8.33	
			51178103152016	Supplies, Office 1	158.75	0.00	158.75	
			51566603152016	Supplies, Office 1	622.92	0.00	622.92	
			51631003152016	Supplies, Office 1	255.31	0.00	255.31	
			51737803162016	Supplies, Office 1	124.95	0.00	124.95	
			51738803162016	Supplies, Office 1	31.98	0.00	31.98	
			51739903162016	Supplies, Office 1	45.57	0.00	45.57	
			52951803162016	Supplies, Office 1	195.14	0.00	195.14	
			53082403162016	Supplies, Office 1	152.99	0.00	152.99	
			53494303172016	Supplies, Office 1	43.47	0.00	43.47	
			53805903172016	Supplies, Office 1	262.71	0.00	262.71	
			53824303172016	Supplies, Office 1	0.75	0.00	0.75	
			53827503172016	Supplies, Office 1	169.05	0.00	169.05	
			54063903172016	Supplies, Office 1	256.36	0.00	256.36	
			54438503172016	Inventory Purchase	3,739.26	0.00	3,739.26	
			54622703182016	Supplies, Office 1	176.80	0.00	176.80	
			54805203182016	Supplies, Office 1	43.33	0.00	43.33	
			54851403182016	Supplies, Office 1	63.13	0.00	63.13	
			54915603182016	Supplies, Office 1	42.11	0.00	42.11	
			55099503182016	Supplies, Office 1	98.87	0.00	98.87	
			55152003182016	Supplies, Office 1	35.64	0.00	35.64	
			55225403212016	Supplies, Office 1	21.25	0.00	21.25	
			55259203182016	Supplies, Office 1	196.24	0.00	196.24	
			55380603182016	Supplies, Office 1	24.34	0.00	24.34	
			55984603212016	Supplies, Office 1	60.21	0.00	60.21	
			56554503212016	Supplies, Office 1	648.36	0.00	648.36	
			56562603212016	Supplies, Office 1	1.50	0.00	1.50	
			56600603212016	Supplies, Office 1	204.97	0.00	204.97	
			56642203212016	Supplies, Office 1	102.83	0.00	102.83	

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			57280503222016	Supplies, Office 1	94.65	0.00	94.65	
			57353503222016	Supplies, Office 1	110.94	0.00	110.94	
			57353703222016	Supplies, Office 1	142.30	0.00	142.30	
			57361103222016	Supplies, Office 1	67.69	0.00	67.69	
			57496403222016	Supplies, Office 1	626.08	0.00	626.08	
			57507503222016	Supplies, Office 1	1.50	0.00	1.50	
			57517903222016	Supplies, Office 1	84.39	0.00	84.39	
			57764303222016	Supplies, Office 1	2.97	0.00	2.97	
			57797503222016	Supplies, Office 1	3.51	0.00	3.51	
			57797703222016	Supplies, Office 1	2.11	0.00	2.11	
			58098603222016	Supplies, Office 1	31.59	0.00	31.59	
			58752103232016	Supplies, Office 1	26.86	0.00	26.86	
			58945703232016	Supplies, Office 1	57.46	0.00	57.46	
			59152803232016	Supplies, Office 1	422.83	0.00	422.83	
			59330803292016	Supplies, Office 1	13.87	0.00	13.87	
			59630803232016	Supplies, Office 1	228.90	0.00	228.90	
			59641203232016	Supplies, Office 1	15.66	0.00	15.66	
			60357303242016	Supplies, Office 1	132.41	0.00	132.41	
			60416303242016	Supplies, Office 1	186.51	0.00	186.51	
			60725703242016	Supplies, Office 1	96.19	0.00	96.19	
			60832803232016	Supplies, Office 1	-24.83	0.00	-24.83	
			60868903242016	Supplies, Office 1	60.34	0.00	60.34	
			61105003242016	Supplies, Office 1	719.29	0.00	719.29	
			61105303242016	Supplies, Office 1	117.28	0.00	117.28	
			61115103242016	Supplies, Office 1	46.98	0.00	46.98	
			61530603242016	Supplies, Office 1	289.75	0.00	289.75	
			61738003252016	Supplies, Office 1	255.45	0.00	255.45	
			61741403252016	Supplies, Office 1	175.22	0.00	175.22	
			61955903252016	Supplies, Office 1	104.20	0.00	104.20	
			62317903252016	Supplies, Office 1	50.57	0.00	50.57	
			62348103252016	Supplies, Office 1	106.17	0.00	106.17	



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			63308703282016	Supplies, Office 1	58.44	0.00	58.44	
			63622403282016	Supplies, Office 1	25.88	0.00	25.88	
			63751503282016	Supplies, Office 1	152.87	0.00	152.87	
			64201803282016	Supplies, Office 1	536.71	0.00	536.71	
			64880603292016	Supplies, Office 1	34.46	0.00	34.46	
			65621203292016	Supplies, Office 1	31.59	0.00	31.59	
			65684703302016	Supplies, Office 1	41.44	0.00	41.44	
			65765303302016	Supplies, Office 1	1,048.54	0.00	1,048.54	
			66331503302016	Supplies, Office 1	91.13	0.00	91.13	
			66567903302016	Supplies, Office 1	145.88	0.00	145.88	
			67110103302016	Supplies, Office 1	55.15	0.00	55.15	
			67285703312016	Supplies, Office 1	117.42	0.00	117.42	
			67906503312016	Supplies, Office 1	78.77	0.00	78.77	
			68130403312016	Supplies, Office 1	114.51	0.00	114.51	
			91744603232016	Supplies, Office 1	14.47	0.00	14.47	
			93675003242016	Supplies, Office 1	13.60	0.00	13.60	
			94580803252016	Supplies, Office 1	18.11	0.00	18.11	
			94581103252016	Supplies, Office 1	2.27	0.00	2.27	
			95855603252016	Supplies, Office 1	89.97	0.00	89.97	
100279727	4/19/16	PACIFIC GAS & ELECTRIC CO	00328522410316	Utilities - Electric	9.72	0.00	9.72	<b>\$115,803.11</b>
			05225890200316	Utilities - Gas	94.38	0.00	94.38	
			05225892760316	Utilities - Electric	1,900.92	0.00	1,900.92	
			06075133000316	Utilities - Electric	11.15	0.00	11.15	
			100023460416	Utilities - Electric	1,354.20	0.00	1,354.20	
			12847684120316	Utilities - Electric	11.25	0.00	11.25	
			14823837850316	Utilities - Electric	58.28	0.00	58.28	
			18068041900316	Utilities - Electric	113.25	0.00	113.25	
			19867842520316	Utilities - Electric	43.95	0.00	43.95	
			22868920920316	Utilities - Electric	118.11	0.00	118.11	
			32725920070316	Utilities - Electric	13.12	0.00	13.12	
			32725920350316	Utilities - Gas	8.38	0.00	8.38	

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			32725920630316	Utilities - Electric	136.64	0.00	136.64	
			32725921320316	Utilities - Electric	173.13	0.00	173.13	
			32725921480316	Utilities - Electric	179.60	0.00	179.60	
			32725921490316	Utilities - Electric	11.18	0.00	11.18	
			32725921600316	Utilities - Gas	40.93	0.00	40.93	
			32725921800316	Utilities - Electric	17.51	0.00	17.51	
			32725921980316	Utilities - Electric	775.12	0.00	775.12	
			32725922050316	Utilities - Electric	46.60	0.00	46.60	
			32725922090316	Utilities - Electric	1,797.33	0.00	1,797.33	
			32725922410316	Utilities - Electric	893.52	0.00	893.52	
			32725922520316	Utilities - Electric	431.30	0.00	431.30	
			32725923330316	Utilities - Gas	14.06	0.00	14.06	
			32725923350316	Utilities - Electric	147.90	0.00	147.90	
			32725923400316	Utilities - Electric	20.60	0.00	20.60	
			32725923710316	Utilities - Electric	11.64	0.00	11.64	
			32725923770316	Utilities - Electric	110.00	0.00	110.00	
			32725924170316	Utilities - Electric	24.40	0.00	24.40	
			32725924970316	Utilities - Electric	13.31	0.00	13.31	
			32725925000316	Utilities - Electric	692.69	0.00	692.69	
			32725925230316	Utilities - Electric	134.92	0.00	134.92	
			32725925370316	Utilities - Electric	200.34	0.00	200.34	
			32725925630316	Utilities - Electric	806.91	0.00	806.91	
			32725925890316	Utilities - Electric	228.81	0.00	228.81	
			32725925920316	Utilities - Electric	448.66	0.00	448.66	
			32725926210316	Utilities - Electric	252.37	0.00	252.37	
			32725926440316	Utilities - Electric	1,025.18	0.00	1,025.18	
			32725926470316	Utilities - Electric	867.93	0.00	867.93	
			32725926950316	Utilities - Electric	30.79	0.00	30.79	
			32725927040316	Utilities - Electric	11.67	0.00	11.67	
			32725927340316	Utilities - Electric	509.12	0.00	509.12	
			32725927360316	Utilities - Gas	47.06	0.00	47.06	

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			32725927380316	Utilities - Electric	116.32	0.00	116.32	
			32725927400316	Utilities - Electric	92.23	0.00	92.23	
			32725927510316	Utilities - Electric	571.13	0.00	571.13	
			32725928250316	Utilities - Electric	19.02	0.00	19.02	
			32725928590316	Utilities - Electric	196.79	0.00	196.79	
			32725929220316	Utilities - Electric	472.44	0.00	472.44	
			32725929280316	Utilities - Electric	36.59	0.00	36.59	
			32725929750316	Utilities - Electric	117.66	0.00	117.66	
			38257235830316	Utilities - Electric	9.72	0.00	9.72	
			39509111000316	Utilities - Electric	52.58	0.00	52.58	
			43142590150316	Utilities - Gas	7.85	0.00	7.85	
			43142590250316	Utilities - Gas	1,209.52	0.00	1,209.52	
			43142590300316	Utilities - Gas	7.84	0.00	7.84	
			43142597200316	Utilities - Electric	1,004.18	0.00	1,004.18	
			43142597640316	Utilities - Electric	1,513.19	0.00	1,513.19	
			48131400740316	Utilities - Electric	9.71	0.00	9.71	
			52896844240316	Utilities - Gas	261.95	0.00	261.95	
			52896847890316	Utilities - Electric	873.46	0.00	873.46	
			53350770050316	Fuel, Oil & Lubricants	675.73	0.00	675.73	
			56892570120316	Utilities - Electric	13.77	0.00	13.77	
			56892570470316	Utilities - Electric	11.44	0.00	11.44	
			56892570610316	Utilities - Electric	13.02	0.00	13.02	
			56892570850316	Utilities - Electric	9.53	0.00	9.53	
			56892571500316	Utilities - Electric	10.44	0.00	10.44	
			56892572230316	Utilities - Electric	9.53	0.00	9.53	
			56892573210316	Utilities - Electric	11.81	0.00	11.81	
			56892573280316	Utilities - Electric	9.53	0.00	9.53	
			56892573340316	Utilities - Electric	11.14	0.00	11.14	
			56892573450316	Utilities - Electric	9.53	0.00	9.53	
			56892574540316	Utilities - Electric	11.55	0.00	11.55	
			56892574610316	Utilities - Electric	11.79	0.00	11.79	

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			56892574690316	Utilities - Electric	11.61	0.00	11.61	
			56892574720316	Utilities - Electric	11.43	0.00	11.43	
			56892574930316	Utilities - Electric	11.33	0.00	11.33	
			56892575240316	Utilities - Electric	11.48	0.00	11.48	
			56892575250316	Utilities - Electric	11.77	0.00	11.77	
			56892575560316	Utilities - Electric	11.84	0.00	11.84	
			56892575840316	Utilities - Electric	13.16	0.00	13.16	
			56892576280316	Utilities - Electric	11.59	0.00	11.59	
			56892576480316	Utilities - Electric	12.21	0.00	12.21	
			56892576590316	Utilities - Electric	9.53	0.00	9.53	
			56892576690316	Utilities - Electric	11.72	0.00	11.72	
			56892577220316	Utilities - Electric	11.37	0.00	11.37	
			56892577390316	Utilities - Electric	11.91	0.00	11.91	
			56892578180316	Utilities - Electric	9.69	0.00	9.69	
			56892578670316	Utilities - Electric	11.33	0.00	11.33	
			56892578890316	Utilities - Electric	11.39	0.00	11.39	
			56892579010316	Utilities - Electric	9.53	0.00	9.53	
			56892579640316	Utilities - Electric	11.56	0.00	11.56	
			56892579810316	Utilities - Electric	11.52	0.00	11.52	
			60225900040316	Utilities - Electric	52,286.28	0.00	52,286.28	
			60225900080316	Utilities - Electric	8,436.71	0.00	8,436.71	
			60225900140316	Utilities - Electric	44.04	0.00	44.04	
			60225900150316	Utilities - Electric	22.12	0.00	22.12	
			60225900160316	Utilities - Electric	14.33	0.00	14.33	
			60225900170316	Utilities - Electric	11.25	0.00	11.25	
			60225900220316	Utilities - Electric	818.19	0.00	818.19	
			60225900260316	Utilities - Electric	44.02	0.00	44.02	
			60225900450316	Utilities - Electric	209.75	0.00	209.75	
			60225900550316	Utilities - Electric	499.85	0.00	499.85	
			60225900760316	Utilities - Electric	1,787.29	0.00	1,787.29	
			60225901000316	Utilities - Electric	10.19	0.00	10.19	

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			60225901010316	Utilities - Electric	570.11	0.00	570.11	
			60225901100316	Utilities - Gas	168.02	0.00	168.02	
			60225901310316	Utilities - Electric	12.70	0.00	12.70	
			60225901980316	Utilities - Electric	78.73	0.00	78.73	
			60225902290316	Utilities - Electric	25.27	0.00	25.27	
			60225902530316	Utilities - Electric	4,254.88	0.00	4,254.88	
			60225902640316	Utilities - Electric	50.78	0.00	50.78	
			60225902900316	Utilities - Electric	355.69	0.00	355.69	
			60225902950316	Utilities - Electric	20.41	0.00	20.41	
			60225903550316	Utilities - Electric	222.64	0.00	222.64	
			60225904170316	Utilities - Electric	13.21	0.00	13.21	
			60225904240316	Utilities - Electric	11.52	0.00	11.52	
			60225904580316	Utilities - Electric	100.83	0.00	100.83	
			60225905100316	Utilities - Electric	4.77	0.00	4.77	
			60225905410316	Utilities - Electric	27.05	0.00	27.05	
			60225905570316	Utilities - Electric	99.32	0.00	99.32	
			60225905580316	Utilities - Electric	12.70	0.00	12.70	
			60225905590316	Utilities - Electric	12.70	0.00	12.70	
			60225905600316	Utilities - Electric	7,066.65	0.00	7,066.65	
			60225906090316	Utilities - Electric	3,971.39	0.00	3,971.39	
			60225906210316	Utilities - Electric	4.77	0.00	4.77	
			60225906510316	Utilities - Electric	1,770.07	0.00	1,770.07	
			60225906590316	Utilities - Electric	638.37	0.00	638.37	
			60225906600316	Utilities - Electric	94.16	0.00	94.16	
			60225906780316	Utilities - Electric	4,647.49	0.00	4,647.49	
			60225907690316	Utilities - Electric	222.84	0.00	222.84	
			60225907730316	Utilities - Electric	25.03	0.00	25.03	
			60225908170316	Utilities - Electric	24.60	0.00	24.60	
			60225908580316	Utilities - Electric	91.84	0.00	91.84	
			60225908610316	Utilities - Electric	30.09	0.00	30.09	
			60225908940316	Utilities - Electric	41.54	0.00	41.54	

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			60225909050316	Utilities - Electric	14.60	0.00	14.60	
			60225909410316	Utilities - Electric	105.21	0.00	105.21	
			60225909720316	Utilities - Electric	11.39	0.00	11.39	
			60225909830316	Utilities - Electric	98.43	0.00	98.43	
			63004478110316	Utilities - Electric	64.21	0.00	64.21	
			65170651530316	Utilities - Electric	1,156.15	0.00	1,156.15	
			66172622090316	Utilities - Electric	71.32	0.00	71.32	
			81008625370316	Utilities - Electric	175.19	0.00	175.19	
			81008626650316	Utilities - Electric	13.59	0.00	13.59	
			91475900450316	Utilities - Gas	22.33	0.00	22.33	
			91475903190316	Utilities - Electric	94.54	0.00	94.54	
			91475904100316	Utilities - Electric	564.05	0.00	564.05	
			91475904310316	Utilities - Electric	434.52	0.00	434.52	
			91475907050316	Utilities - Electric	187.32	0.00	187.32	
			91475907470316	Utilities - Electric	624.08	0.00	624.08	
			91475908690316	Utilities - Electric	303.49	0.00	303.49	
			91475909640316	Utilities - Electric	599.54	0.00	599.54	
			91475909790316	Utilities - Electric	874.31	0.00	874.31	
			97322830180316	Utilities - Electric	87.69	0.00	87.69	
			97322834740316	Utilities - Electric	12.07	0.00	12.07	
100279739	4/19/16	RESERVE ACCOUNT	11927647-0416	Inventory Purchase	20,000.00	0.00	20,000.00	<b>\$20,000.00</b>
100279740	4/19/16	SAN FRANCISCO BAY CONSERVATION AND	M1983.016.00	Permit Fees	300.00	0.00	300.00	<b>\$300.00</b>
100279742	4/19/16	SUSAN M WOOLF	050616-051316	Excursions	1,330.00	0.00	1,330.00	<b>\$1,330.00</b>
100279743	4/19/16	NICK TRAVIS	PROJ#2016-7246	Minor Permit Application Fees - Other	1,463.00	0.00	1,463.00	<b>\$1,463.00</b>
100279744	4/19/16	SARTAJ CHANCHAL	306649	Refund Recreation Fees	70.00	0.00	70.00	<b>\$70.00</b>
100279746	4/21/16	AT&T	000007873711	Utilities - Telephone	3,102.66	0.00	3,102.66	<b>\$3,102.66</b>
100279747	4/21/16	AARON'S INDUSTRIAL PUMPING	160325	Facilities Maint & Repair - Labor	170.00	0.00	170.00	<b>\$565.00</b>
			160406	Facilities Maint & Repair - Labor	395.00	0.00	395.00	
100279748	4/21/16	AIR LIQUIDE AMERICA SPECIALTY GASES LLC	64343154	Supplies, First Aid	187.29	0.00	187.29	<b>\$187.29</b>
100279749	4/21/16	AIRGAS USA LLC	9049926239	General Supplies	577.29	0.00	577.29	<b>\$577.29</b>

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100279750	4/21/16	ALPINE AWARDS INC	5509343	Customized Products	246.42	0.00	246.42	<b>\$403.84</b>
			5509607	Clothing, Uniforms & Access	157.42	0.00	157.42	
100279751	4/21/16	AMFASOFT CORP	EMILYDOT-02	DED Services/Training - Training	400.00	0.00	400.00	<b>\$400.00</b>
100279752	4/21/16	ANNE MARIE BONNEAU	APR/24/2016	Special Events	500.00	0.00	500.00	<b>\$500.00</b>
100279753	4/21/16	AQUATIC COMMERCIAL INDUSTRIES	11557	Electrical Parts & Supplies	440.76	0.00	440.76	<b>\$440.76</b>
100279754	4/21/16	BSK ASSOCIATES	A605633	Water Lab Services	60.00	0.00	60.00	<b>\$60.00</b>
100279755	4/21/16	BT EXPRESS LIQUIDATORS INC	8180	Furniture	2,618.81	0.00	2,618.81	<b>\$2,618.81</b>
100279756	4/21/16	BACKFLOW PREVENTION SPECIALISTS INC	5043	Water Meters	283.03	0.00	283.03	<b>\$283.03</b>
100279757	4/21/16	BADGER METER INC	1086769	General Supplies	17,028.56	0.00	17,028.56	<b>\$17,028.56</b>
100279758	4/21/16	BAY PRO LANDSCAPE SERVICES INC	E1841	Services Maintain Land Improv	450.00	0.00	450.00	<b>\$1,161.00</b>
			M3986	Services Maintain Land Improv	711.00	0.00	711.00	
100279759	4/21/16	BAY-VALLEY PEST CONTROL INC	0204810	Facilities Maint & Repair - Labor	59.00	0.00	59.00	<b>\$933.00</b>
			0204811	Facilities Maint & Repair - Labor	59.00	0.00	59.00	
			0204812	Facilities Maint & Repair - Labor	59.00	0.00	59.00	
			0204813	Facilities Maint & Repair - Labor	59.00	0.00	59.00	
			0204814	Facilities Maint & Repair - Labor	59.00	0.00	59.00	
			0204816	Facilities Maint & Repair - Labor	32.00	0.00	32.00	
			0204817	Facilities Maint & Repair - Labor	56.00	0.00	56.00	
			0204819	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0204820	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0204821	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0204822	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0204823	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0204824	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0204841	Services Maintain Land Improv	120.00	0.00	120.00	
			0204848	Services Maintain Land Improv	58.00	0.00	58.00	
			0204852	Services Maintain Land Improv	120.00	0.00	120.00	
100279761	4/21/16	BELINDA CHIN	923193-5924213	DED Services/Training - Books	87.94	0.00	87.94	<b>\$87.94</b>
100279762	4/21/16	BICKMORE	BRS-0013060	Financial Services	6,300.00	0.00	6,300.00	<b>\$6,300.00</b>
100279763	4/21/16	BIDDLE CONSULTING GROUP INC	50817	Personnel Testing Services	7,519.63	0.00	7,519.63	<b>\$7,519.63</b>

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100279764	4/21/16	BOUND TREE MEDICAL LLC	82110998	Supplies, First Aid	521.98	0.00	521.98	<b>\$1,021.68</b>
			82112373	Supplies, First Aid	124.93	0.00	124.93	
			82113670	Supplies, First Aid	374.77	0.00	374.77	
100279765	4/21/16	BUCKLES-SMITH ELECTRIC CO	1480388-00	Electrical Parts & Supplies	41.48	0.00	41.48	<b>\$80.55</b>
			1482639-00	Mailing & Delivery Services	39.07	0.00	39.07	
100279766	4/21/16	CSG CONSULTANTS INC	6526	Consultants	9,817.50	0.00	9,817.50	<b>\$9,817.50</b>
100279767	4/21/16	CALTEST ANALYTICAL LABORATORY	557291	Water Lab Services	1,604.00	0.00	1,604.00	<b>\$2,924.20</b>
			557498	Water Lab Services	1,083.50	0.00	1,083.50	
			557512	Water Lab Services	236.70	0.00	236.70	
100279768	4/21/16	CENTRAL LABOR COUNCIL PARTNERSHIP	MARCH2016	DED Services/Training - Training	1,885.00	0.00	1,885.00	<b>\$84,902.64</b>
			MARCH2016	Contracts/Service Agreements	83,017.64	0.00	83,017.64	
100279769	4/21/16	CHOICES FOR CHILDREN	1251-032016SCC	Professional Services	278.85	0.00	278.85	<b>\$278.85</b>
100279770	4/21/16	CLAY PLANET	216712	General Supplies	2,664.13	0.00	2,664.13	<b>\$2,664.13</b>
100279771	4/21/16	CONTRACTOR COMPLIANCE & MONITORING INC	6900	Consultants	990.00	0.00	990.00	<b>\$990.00</b>
100279772	4/21/16	CORIX WATER PRODUCTS (US) INC	17613007730	Construction Services	964.92	0.00	964.92	<b>\$964.92</b>
100279773	4/21/16	CYBERSOURCE CORP	235958303617	Software As a Service	75.00	0.00	75.00	<b>\$75.00</b>
100279774	4/21/16	DTN ENGINEERS INC	359.12	Engineering Services	5,192.95	0.00	5,192.95	<b>\$5,192.95</b>
100279775	4/21/16	DEBRA CHROMCZAK	39	Consultants	1,800.00	0.00	1,800.00	<b>\$1,800.00</b>
100279776	4/21/16	DEL GAVIO GROUP	7812	Bldg Maint Matls & Supplies	1,751.65	0.00	1,751.65	<b>\$1,751.65</b>
100279777	4/21/16	DELL MARKETING LP	XJX1CNT57	Computer Hardware	27.96	0.00	27.96	<b>\$1,916.57</b>
			XJX2FCTN8	Computer Hardware	1,888.61	0.00	1,888.61	
100279778	4/21/16	DEPARTMENT OF CONSERVATION	JAN-MAR2016	Permit - Building - State Strong Motion Implementation Fee	33,434.00	0.00	33,434.00	<b>\$33,434.00</b>
100279779	4/21/16	DOUGLAS YALE	040416PURCHASE	DED Services/Training - Books	95.35	0.00	95.35	<b>\$95.35</b>
100279780	4/21/16	EMAR CHARLES MARASIGAN	CMS-2015-14	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279781	4/21/16	EMERGENCY MEDICAL SERVICES AUTHORITY	27680-1508	Training and Conferences	523.00	0.00	523.00	<b>\$819.00</b>
			27680-1509	Training and Conferences	296.00	0.00	296.00	
100279783	4/21/16	EQUIFAX INFORMATION SERVICES LLC	9664224	Investigation Expense	25.00	0.00	25.00	<b>\$25.00</b>
100279785	4/21/16	FERGUSON ENTERPRISES INC	1162980	Construction Services	734.19	0.00	734.19	<b>\$6,242.73</b>
			1164623	Construction Services	5,508.54	0.00	5,508.54	



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100279786	4/21/16	FISHER SCIENTIFIC CO LLC	0521629	General Supplies	186.72	0.00	186.72	<b>\$265.02</b>
			0588809	General Supplies	78.30	0.00	78.30	
100279787	4/21/16	FREEDMAN TUNG & SASAKI	1262	Professional Services	7,455.53	0.00	7,455.53	<b>\$7,455.53</b>
100279788	4/21/16	FREMONT UNION HIGH SCHOOL DISTRICT	16-403	Professional Services	2,553.76	0.00	2,553.76	<b>\$2,553.76</b>
100279789	4/21/16	FRICKE PARKS PRESS INC	160746	Printing & Related Services	4,422.86	0.00	4,422.86	<b>\$4,422.86</b>
100279790	4/21/16	FULL COMPASS SYSTEMS LTD	INC00153486	Miscellaneous Equipment	42.99	0.00	42.99	<b>\$42.99</b>
100279791	4/21/16	GRM INFORMATION MANAGEMENT SERVICES	0074438	Records Related Services	2,244.20	0.00	2,244.20	<b>\$2,244.20</b>
100279792	4/21/16	GETINGE USA INC	2152071	Misc Equip Maint & Repair - Materials	1,417.25	0.00	1,417.25	<b>\$1,417.25</b>
100279793	4/21/16	GOLDEN GATE PETROLEUM	675651	Fuel, Oil & Lubricants	402.45	0.00	402.45	<b>\$1,870.74</b>
			677074	Fuel, Oil & Lubricants	427.57	0.00	427.57	
			677137	Fuel, Oil & Lubricants	282.38	0.00	282.38	
			677166	Fuel, Oil & Lubricants	371.25	0.00	371.25	
			677384	Fuel, Oil & Lubricants	387.09	0.00	387.09	
100279794	4/21/16	GOLDFARB LIPMAN ATTORNEYS	118756	Legal Services	4,345.00	0.00	4,345.00	<b>\$4,345.00</b>
100279795	4/21/16	GRAINGER	9078642791	Inventory Purchase	70.66	0.00	70.66	<b>\$70.66</b>
100279796	4/21/16	GRANITEROCK CO	952595	Materials - Land Improve	424.25	0.00	424.25	<b>\$2,577.78</b>
			952625	Materials - Land Improve	1,806.60	0.00	1,806.60	
			952691	Materials - Land Improve	346.93	0.00	346.93	
100279797	4/21/16	H K AVERY CONSTRUCTION	1141	Professional Services	325.00	0.00	325.00	<b>\$435.00</b>
			1142	Professional Services	110.00	0.00	110.00	
100279798	4/21/16	HACH CO INC	9858612	Hand Tools	8.03	0.00	8.03	<b>\$8.03</b>
100279800	4/21/16	HULA NETWORKS INC	IN145246	Computer Hardware	13,975.42	139.75	13,835.67	<b>\$13,835.67</b>
100279801	4/21/16	IDEXX DISTRIBUTION GROUP	3000845812	General Supplies	674.21	0.00	674.21	<b>\$674.21</b>
100279802	4/21/16	IMAGEX	204998	Printing & Related Services	518.12	0.00	518.12	<b>\$518.12</b>
100279803	4/21/16	IRVINE & JACHENS INC	1361	Clothing, Uniforms & Access	2,839.85	0.00	2,839.85	<b>\$2,839.85</b>
100279804	4/21/16	JDM PACKING SUPPLIES	946	Bldg Maint Matls & Supplies	564.41	0.00	564.41	<b>\$564.41</b>
100279805	4/21/16	JEFFERSON UNION HIGH SCHOOL DISTRICT	JAN2016	Contracts/Service Agreements	21,897.40	0.00	21,897.40	<b>\$23,134.05</b>
			MARCH2016	Contracts/Service Agreements	1,236.65	0.00	1,236.65	
100279806	4/21/16	JOBTRAIN	FEB2016	DED Services/Training - Training	20,000.00	0.00	20,000.00	<b>\$42,589.00</b>
			FEB2016	Contracts/Service Agreements	22,589.00	0.00	22,589.00	

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100279807	4/21/16	KMVT COMMUNITY TELEVISION	6815	Engineering Services	5,000.00	0.00	5,000.00	<b>\$5,000.00</b>
100279808	4/21/16	LAW FOUNDATION OF SILICON VALLEY	FH2015/16-3	Contracts/Service Agreements	2,026.69	0.00	2,026.69	<b>\$2,026.69</b>
100279809	4/21/16	LEXISNEXIS RISK SOLUTIONS	1409790-160331	Financial Services	130.00	0.00	130.00	<b>\$130.00</b>
100279810	4/21/16	LUX BUS AMERICA	22946	Travel Related Services	864.75	0.00	864.75	<b>\$864.75</b>
100279811	4/21/16	MALLORY SAFETY & SUPPLY LLC	4071716	Inventory Purchase	120.12	0.00	120.12	<b>\$328.10</b>
			4072406	Inventory Purchase	207.98	0.00	207.98	
100279812	4/21/16	MOUNTAIN VIEW FIRE DEPT	FEB16RETREAT	Training and Conferences	127.82	0.00	127.82	<b>\$127.82</b>
100279813	4/21/16	MUNICIPAL RESOURCE GROUP LLC	03-16-81	Professional Services	1,800.00	0.00	1,800.00	<b>\$1,800.00</b>
100279814	4/21/16	NICHOLS CONSULTING ENGINEERS	218185502	Consultants	57,850.97	0.00	57,850.97	<b>\$57,850.97</b>
100279815	4/21/16	OAHU PUBLICATIONS INC	1833698-032716	Advertising Services	4,748.69	0.00	4,748.69	<b>\$4,748.69</b>
100279816	4/21/16	OMEGA ENGRAVING	258566	Customized Products	24.50	0.00	24.50	<b>\$24.50</b>
100279817	4/21/16	P&R PAPER SUPPLY CO INC	30076005-00	Inventory Purchase	2,214.59	0.00	2,214.59	<b>\$3,214.87</b>
			30076789-00	Inventory Purchase	1,000.28	0.00	1,000.28	
100279818	4/21/16	PEDRO E HERNANDEZ	CMS-2015-12	Rec Instructors/Officials	1,000.00	0.00	1,000.00	<b>\$1,000.00</b>
100279819	4/21/16	RASH CURTIS & ASSOC	516000000105	Financial Services	70.68	0.00	70.68	<b>\$352.33</b>
			517400000155	Financial Services	3.76	0.00	3.76	
			518200000126	Financial Services	132.19	0.00	132.19	
			519200000021	Financial Services	35.72	0.00	35.72	
			6627000000242	Financial Services	109.98	0.00	109.98	
100279820	4/21/16	RAYVERN LIGHTING SUPPLY CO INC	41890-0	Inventory Purchase	2,431.22	0.00	2,431.22	<b>\$3,014.29</b>
			41891-0	Inventory Purchase	583.07	0.00	583.07	
100279821	4/21/16	RECOLLECT SYSTEMS INC	1221	Advertising Services	11,075.00	0.00	11,075.00	<b>\$11,075.00</b>
100279822	4/21/16	SAFEWAY INC	434684-041516	Food Products	13.03	0.00	13.03	<b>\$180.51</b>
			435044-041616	Food Products	24.50	0.00	24.50	
			728888-041816	Food Products	77.59	0.00	77.59	
			806142-041216	Food Products	26.74	0.00	26.74	
			808222-041616	Food Products	20.22	0.00	20.22	
			808905-041816	Food Products	14.94	0.00	14.94	
			809120-041816	Food Products	3.49	0.00	3.49	
100279823	4/21/16	SAMUEL ADAMOS	316781-6143432	DED Services/Training - Books	126.47	0.00	126.47	<b>\$126.47</b>
100279824	4/21/16	SAN JOSE CONSERVATION CORPS	6387	Recycling Services	4,166.67	0.00	4,166.67	<b>\$4,166.67</b>

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100279825	4/21/16	SHRED-IT USA LLC	8120625745	Records Related Services	148.50	0.00	148.50	<b>\$475.20</b>
			8120626747	Records Related Services	277.20	0.00	277.20	
			9409830762	Records Related Services	49.50	0.00	49.50	
100279826	4/21/16	SITEONE LANDSCAPE SUPPLY LLC	75235037	Inventory Purchase	1,562.89	0.00	1,562.89	<b>\$1,562.89</b>
100279827	4/21/16	SMART & FINAL INC	106832-041816	Food Products	28.75	0.00	28.75	<b>\$135.20</b>
			199529-040616	Food Products	106.45	0.00	106.45	
100279828	4/21/16	SOUTH BAY REGIONAL PUBLIC SAFETY	216369	Personnel Testing Services	900.00	0.00	900.00	<b>\$900.00</b>
100279829	4/21/16	STOP PROCESSING CENTER	16236	Financial Services	26.50	0.00	26.50	<b>\$26.50</b>
100279830	4/21/16	SUPPLYWORKS	364236646	Inventory Purchase	-181.87	0.00	-181.87	<b>\$391.89</b>
			364236653	Inventory Purchase	181.87	0.00	181.87	
			364489583	Inventory Purchase	395.85	3.96	391.89	
100279831	4/21/16	TITA ADAMOS	000000001	DED Services/Training - Books	57.00	0.00	57.00	<b>\$142.98</b>
			604333	DED Services/Training - Books	70.78	0.00	70.78	
			7522	DED Services/Training - Books	15.20	0.00	15.20	
100279832	4/21/16	TOGOS EATERY	473102	Food Products	69.25	0.00	69.25	<b>\$69.25</b>
100279833	4/21/16	UNITED RENTALS	136265548-001	Equipment Rental/Lease	1,955.33	0.00	1,955.33	<b>\$1,955.33</b>
100279834	4/21/16	UNIVERSITY OF CALIFORNIA SANTA CRUZ	57051	DED Services/Training - Training	4,900.50	0.00	4,900.50	<b>\$78,849.00</b>
			57057	DED Services/Training - Training	4,626.00	0.00	4,626.00	
			57061	DED Services/Training - Training	5,004.00	0.00	5,004.00	
			57070	DED Services/Training - Training	3,532.50	0.00	3,532.50	
			57072	DED Services/Training - Training	4,716.00	0.00	4,716.00	
			57074	DED Services/Training - Training	4,788.00	0.00	4,788.00	
			57076	DED Services/Training - Training	5,400.00	0.00	5,400.00	
			57079	DED Services/Training - Training	4,509.00	0.00	4,509.00	
			57081	DED Services/Training - Training	4,900.50	0.00	4,900.50	
			57083	DED Services/Training - Training	3,195.00	0.00	3,195.00	
			57086	DED Services/Training - Training	4,414.50	0.00	4,414.50	
			57088	DED Services/Training - Training	5,400.00	0.00	5,400.00	
			57092	DED Services/Training - Training	4,635.00	0.00	4,635.00	
			57094	DED Services/Training - Training	3,312.00	0.00	3,312.00	
			57096	DED Services/Training - Training	5,400.00	0.00	5,400.00	

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			57099	DED Services/Training - Training	4,716.00	0.00	4,716.00	
			57101	DED Services/Training - Training	5,400.00	0.00	5,400.00	
100279836	4/21/16	W A KRAUSS & CO INC	201604	Professional Services	233.75	0.00	233.75	<b>\$233.75</b>
100279837	4/21/16	WALTER MANBECK	033016PURCHA SE	DED Services/Training - Books	145.78	0.00	145.78	<b>\$145.78</b>
100279838	4/21/16	WECO INDUSTRIES LLC	0036350-IN	Miscellaneous Equipment	98.69	0.00	98.69	<b>\$98.69</b>
100279839	4/21/16	WESTERN UTILITIES TRANSFORMER SERVICE	112956	Misc Equip Maint & Repair - Labor	1,992.60	0.00	1,992.60	<b>\$1,992.60</b>
100279840	4/21/16	WILD TASTES	939	Food Products	44.85	0.00	44.85	<b>\$1,782.14</b>
			939	General Supplies	880.88	0.00	880.88	
			941	Training and Conferences	856.41	0.00	856.41	
100279841	4/21/16	WINSUPPLY OF SILICON VALLEY	657775 00	Electrical Parts & Supplies	306.19	0.00	306.19	<b>\$306.19</b>
100279842	4/21/16	GRAINGER	9038786761	Hand Tools	216.63	0.00	216.63	<b>\$14,134.96</b>
			9041280257	Financial Services	150.68	0.00	150.68	
			9041545220	Miscellaneous Equipment Parts & Supplies	276.53	0.00	276.53	
			9042884149	Bldg Maint Matls & Supplies	145.78	0.00	145.78	
			9042919531	Miscellaneous Equipment	125.54	0.00	125.54	
			9042942947	Parts, Vehicles & Motor Equip	31.70	0.00	31.70	
			9043002394	Electrical Parts & Supplies	714.76	0.00	714.76	
			9044181676	Bldg Maint Matls & Supplies	25.93	0.00	25.93	
			9044181684	Bldg Maint Matls & Supplies	238.36	0.00	238.36	
			9045128981	Bldg Maint Matls & Supplies	153.67	0.00	153.67	
			9046734530	Electrical Parts & Supplies	448.51	0.00	448.51	
			9047536389	Supplies, Safety	1,477.92	0.00	1,477.92	
			9047536397	Supplies, Safety	191.74	0.00	191.74	
			9047806493	General Supplies	26.15	0.00	26.15	
			9047806501	General Supplies	11.42	0.00	11.42	
			9048625108	Hand Tools	-216.63	0.00	-216.63	
			9049081806	Miscellaneous Equipment Parts & Supplies	192.27	0.00	192.27	
			9049094973	Supplies, Safety	42.89	0.00	42.89	
			9050159152	Hand Tools	194.22	0.00	194.22	
			9051300409	Hand Tools	-194.22	0.00	-194.22	

**List of All Claims and Bills Approved for Payment**  
**For Payments Dated 4/17/2016 through 4/23/2016**

**Sorted by Payment Number**

<b>Payment No.</b>	<b>Payment Date</b>	<b>Vendor Name</b>	<b>Invoice No.</b>	<b>Description</b>	<b>Invoice Amount</b>	<b>Discount Taken</b>	<b>Amount Paid</b>	<b>Payment Total</b>
			9051902469	Electrical Parts & Supplies	58.79	0.00	58.79	
			9052726628	Bldg Maint Matls & Supplies	256.52	0.00	256.52	
			9052726636	Bldg Maint Matls & Supplies	58.78	0.00	58.78	
			9053240330	Parts, Vehicles & Motor Equip	117.98	0.00	117.98	
			9053276698	Bldg Maint Matls & Supplies	154.82	0.00	154.82	
			9053293081	General Supplies	9.61	0.00	9.61	
			9053320967	Supplies, Safety	65.13	0.00	65.13	
			9054481024	Materials - Land Improve	205.89	0.00	205.89	
			9054481032	Materials - Land Improve	543.22	0.00	543.22	
			9054733044	Bldg Maint Matls & Supplies	56.30	0.00	56.30	
			9055685060	Parts, Vehicles & Motor Equip	106.11	0.00	106.11	
			9055727714	Supplies, Safety	1,606.47	0.00	1,606.47	
			9056744973	Hand Tools	11.67	0.00	11.67	
			9056744981	Hand Tools	26.89	0.00	26.89	
			9057299464	Bldg Maint Matls & Supplies	252.77	0.00	252.77	
			9057703275	Bldg Maint Matls & Supplies	139.82	0.00	139.82	
			9057703283	Bldg Maint Matls & Supplies	637.71	0.00	637.71	
			9057870454	General Supplies	2.31	0.00	2.31	
			9060234490	Miscellaneous Equipment Parts & Supplies	191.27	0.00	191.27	
			9060347805	Bldg Maint Matls & Supplies	46.81	0.00	46.81	
			9061079399	Supplies, Safety	291.24	0.00	291.24	
			9061079407	Supplies, Safety	291.24	0.00	291.24	
			9061275070	Bldg Maint Matls & Supplies	111.40	0.00	111.40	
			9061275088	Bldg Maint Matls & Supplies	129.04	0.00	129.04	
			9062457420	Parts, Vehicles & Motor Equip	619.33	0.00	619.33	
			9063049952	Miscellaneous Equipment Parts & Supplies	60.12	0.00	60.12	
			9063948393	Chemicals	47.75	0.00	47.75	
			9064187355	Hand Tools	61.50	0.00	61.50	
			9064728356	Electrical Parts & Supplies	915.55	0.00	915.55	
			9066405201	Chemicals	72.57	0.00	72.57	
			9066869406	Electrical Parts & Supplies	248.10	0.00	248.10	

**List of All Claims and Bills Approved for Payment**  
**For Payments Dated 4/17/2016 through 4/23/2016**

**Sorted by Payment Number**

<b>Payment No.</b>	<b>Payment Date</b>	<b>Vendor Name</b>	<b>Invoice No.</b>	<b>Description</b>	<b>Invoice Amount</b>	<b>Discount Taken</b>	<b>Amount Paid</b>	<b>Payment Total</b>
			9067232752	Electrical Parts & Supplies	34.33	0.00	34.33	
			9067232760	Hand Tools	256.93	0.00	256.93	
			9067301086	Miscellaneous Equipment	7.67	0.00	7.67	
			9068412197	Miscellaneous Equipment Parts & Supplies	181.17	0.00	181.17	
			9068412205	Miscellaneous Equipment Parts & Supplies	27.98	0.00	27.98	
			9069652247	Vehicles & Motorized Equip	1,566.82	0.00	1,566.82	
			9069652254	General Supplies	242.67	0.00	242.67	
			9069738087	Hand Tools	47.48	0.00	47.48	
			9069789049	Miscellaneous Equipment Parts & Supplies	25.26	0.00	25.26	
			9069952142	Miscellaneous Equipment Parts & Supplies	94.09	0.00	94.09	
100279847	4/21/16	JEFF KIRSCHNER	001	General Supplies	302.60	0.00	302.60	<b>\$302.60</b>
100279848	4/21/16	KIRBY CANYON RECYCLING & DISPOSAL FAC	MARCH2016	Landill Fees to be Allocated	821,373.97	0.00	821,373.97	<b>\$821,373.97</b>
100279849	4/21/16	SOUTH BAY REGIONAL PUBLIC SAFETY	SULT0616TRNG	Training and Conferences	175.00	0.00	175.00	<b>\$175.00</b>
100279850	4/21/16	VAGABOND INN	041716-042416	Miscellaneous Services	39,632.44	0.00	39,632.44	<b>\$39,632.44</b>
100279851	4/21/16	WORLDWIDE GROUND TRANSPORTATION	604996	Travel Related Services	611.60	0.00	611.60	<b>\$611.60</b>
100279852	4/21/16	BHUVANESHWARI SUBRAMANIAM	307157	Refund Recreation Fees	450.00	0.00	450.00	<b>\$450.00</b>
100279853	4/21/16	MAK COMPASS REALTY INC	30827-38098	Refund Utility Account Credit	207.03	0.00	207.03	<b>\$207.03</b>
100279854	4/21/16	PIA ISSAKAINEN	307330	Refund Recreation Fees	31.00	0.00	31.00	<b>\$31.00</b>
100279855	4/21/16	SUSAN LE	306761	Refund Recreation Fees	120.00	0.00	120.00	<b>\$120.00</b>
100279856	4/21/16	YU ZHENG	444248	Lib - Lost & Damaged Circulation	2.67	0.00	2.67	<b>\$2.67</b>
950100580	4/20/16	WELLS FARGO BANK	04202016	Purchasing Card Statement	146,395.41	0.00	146,395.41	<b>\$146,395.41</b>
<b>Grand Total Payment Amount</b>								<b><u>\$2,676,366.68</u></b>



# City of Sunnyvale

## Agenda Item

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16-0229

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Authorize the Issuance of a Purchase Order for Two Oil Distributor Trucks

#### REPORT IN BRIEF

Approval is requested to issue a purchase order to Herrmann Equipment Inc. of Roseville in the amount of \$361,626 (\$332,510 plus sales tax and tire fee), for two oil distributor trucks for use by the Department of Public Works.

#### EXISTING POLICY

Chapter 2.08 of the Municipal Code requires Council approval for transactions greater than \$100,000.

#### ENVIRONMENTAL REVIEW

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

#### BACKGROUND AND DISCUSSION

The routine replacement of fleet maintenance equipment is required based on hours of operation, equipment condition, operational costs, years of service, and the financial capacity of the City. The requested trucks are Etnyre Centennial 2,000 gallon oil distributor units used by field staff for chip sealing paved surfaces. One truck transports and distributes the bonding oil using two applications per project and the other truck transports and distributes the final sealing coat. The two current units have been in service for 16 and 18 years and have reached the end of their useful life. One truck is scheduled for replacement this fiscal year and the other scheduled for replacement in FY 2016/2017.

An Invitation for Bid F16-67 to purchase the unit now up for replacement was issued in December 2015 but no bids were received. Staff contacted the two known vehicle manufacturers to determine why no bids were submitted; they indicated that they did not feel they could meet the City’s specifications (the bid documents allow exceptions to be taken to the specifications, but neither manufacturer opted to submit bids with exceptions).

Pursuant to Sunnyvale Municipal Code section 2.08.110(b), when competitive bids have been solicited and no bids are received, the Purchasing Office may reissue the solicitation. In this instance, the two manufacturers, Herrmann Equipment and Bearcat Manufacturing, were asked to re-submit price quotes with noted exceptions. The quote from Herrmann in the amount of \$361,626 was the lowest, with the Bearcat quote coming in at \$385,950. The City’s Fleet Manager evaluated the exceptions and determined that they would not impact operational needs.

To reduce the administrative cost of bidding and purchasing a second identical unit at the beginning of Fiscal Year 2016/17, staff recommends purchasing both units at this time. The City will not take possession or pay for the either unit until after July 1, 2016.

**FISCAL IMPACT**

The total purchase price of the new units, excluding sales tax is \$361,626. This consists of \$332,510 for the two trucks, sales tax in the amount of \$29,095, and a tire fee of \$21. Budgeted funds are available in the Fleet Equipment Replacement Account.

**Funding Source**

The City's fleet vehicles are funded by the City's General Services Fund, Fleet Services Sub-Fund which provides for ongoing fleet equipment replacement. Contributions to the fund for replacement of the Oil Distributor Trucks come from the General Fund.

**PUBLIC CONTACT**

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

**RECOMMENDATION**

Authorize the issuance of a Purchase Order in the amount of \$361,626 (\$332,531 plus sales tax in the amount of \$29,095), in substantially the same form as Attachment 1 of the report, to Herrmann Equipment, Inc. of Roseville for two oil distributor trucks.

Prepared by: Pete Gonda, Purchasing Officer

Reviewed by: Timothy J. Kirby, Acting Director, Finance

Reviewed by: Manuel Pineda, Director, Public Works

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENT**

1. Draft Purchase Order





City of Sunnyvale  
California

Draft Purchase Order NO

PO005298

<b>ORDERED FROM</b> 21821 - 001  (916) 783-9333  Herrmann Equipment Inc 9220 Viking Pl Roseville CA 95747-9700	ORDER DATE 04/14/2016	<b>BILL TO:</b>  <b>City of Sunnyvale</b> <b>Finance Department</b> <b>Accounts Payable</b> <b>PO Box 3707</b> <b>Sunnyvale, CA 94088-3707</b>
	DELIVERY DATE 06/30/2016	
	PAYMENT TERMS N/30	
	BID NO/RFQ NO	
<b>DELIVER TO</b> DPW/Ops - Fleet Services  221 Commercial St Sunnyvale CA 94085 Phone: (408) 730-7570	FOB POINT	FREIGHT CHARGES
	REQ. NO RQ015508	REQUISITIONER: TVARGAS
	CHARGE/OBJ CODE(S): 020700 5135 \$332,531.00	

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL
1	Purchase Order to provide (2) two oil distributor trucks as specified in Invitation for Bid F16-67. Specifications and pricing are per Proposal No. 020416-A dated 2/4/2016.  Awarded by City Council _____, 2016, RTC No. 16-0229.	2.00	DLR	\$166,255.0000	\$332,510.00
2	Tire Fee	10.50	DLR	\$2.0000	\$21.00

Amount does not reflect applicable taxes.

**TOTAL** \$332,531.00

## Document Terms:

Invoices must be sent directly to Accounts Payable by mail to the address above or by e-mail to [accountspayable@sunnyvale.ca.gov](mailto:accountspayable@sunnyvale.ca.gov) and must reference the purchase order number. Failure to comply will result in a delay in payment processing.

This purchase order is subject to the City of Sunnyvale Standard Terms and Conditions for the Purchase of Goods, dated 10/8/2010, a copy of which is attached and incorporated by reference (Form #TCPO-G).



City of Sunnyvale  
California

Draft Purchase Order NO

PO005298

**BUYER:**

Cornejo, Perry

**PHONE** (408) 730-7572

**FAX** (408) 730-7710

# Herrmann Equipment inc.

9220 Viking Place • Roseville, California 95747-9700 • (916) 783-9333  
Bloomington, California 92316-3235 • (909) 877-5597  
Page 1 of 1

Proposal To: **City of Sunnyvale**  
221 Commercial St.  
Sunnyvale, CA 94085  
(408) 730-7570

Proposal No: 020416-A

For: <sup>TWO</sup> ~~One~~ Black-Topper CENTENNIAL

February 4, 2016

<u>Standard Equipment (Includes Mounting on Customers Furnished Truck)</u>		QTY.	PRICE
Model	CENTENNIAL		
Tank Size	2,000 Gallons		
Tank Code	Meets DOT 49CFR 173.247		
Fiberglass Insulation 2"	.040" Aluminum Jacketing		
Manhole 20" With Internal Overflow	Non-Relieving		
Sample Valve	Located In Rear Head		
Ladder	Walkway to Manhole		
Tank Gauge	Front and Rear, 50 Gallon Increments		
Thermometer	Pencil Type in well on side of tank		
Thermometer	2" dial		
Circulation System	400 GPM Pump		
Heated Pump	From truck cooling System		
Valves/Controls	4-way Asphalt Valve and Suckback Valves (With Rotary switch in box at rear)		
Self Flushing System	Includes Fuel Oil Tank and Line		
Power Wash-down System	W/Hose & Wand		
Spray Bar-Cab Control	12' Bar, 1' on/off control &		
Bar End Markers	Cab On-Off, (1) each end		
Spray Bar-Cab Control	Power Shift, Lift and Wing Fold		
Powered Bar Latch	Control at rear		
Hydrostatic Drive	P.T.O. Off Transmission		
Spray Bar Latch	Manual		
Controls/Instrumentation	Controlled by BT-1 Computer with front and rear displays		
Tool Box	Side Opening With Flush-Type Lock		
Heating System	• Two heat flues with Stainless Steel Exhaust stacks. Two burners with digital temperature readout, thermostatically controlled shut down, out-fire protection, travel lock out.		
Heating System	(2) Flues, (2) LPG Burners W/Frame MTD Tank		
Paint	All Steel Parts Black		
Hand Spray Assembly	With 25' Rubber Hose		
Aluminum Handspary Gun	With Swivels (In Lieu Of Steel Gun)		
Wet Storage Box	W/Hinged Cover & Drain Plug		
Lighting System	L.E.D. Sealed		
Strobe Light	Mounted on top of the tank at the front		
L.E.D Strobe Lights	Four Corner Mount		

Price for the <b>CENTENNIAL 2,000 Gal.</b> with items listed above F.O.B Sunnyvale, CA	<b>\$88,180.00 Plus Tax</b>
Price for the 2016 Kenworth Model T300 Series Conventional Cab	<b>\$78,075.00 Plus Tax</b>
See Attachment for Truck specifications	<b>Total Price Each F.O.B. Sunnyvale, CA \$166,255.00 Plus Tax</b>

Terms: Net due upon receipt of machine	<b>Total Price For 2 F.O.B. Sunnyvale, CA \$332,510.00 Plus Tax</b>
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**Purchase Order**  
**Standard Terms and Conditions for the Purchase of Goods**

UNLESS OTHERWISE EXPRESSLY AGREED IN WRITING, ALL PURCHASES ARE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- 1. Offer and Acceptance:** The Purchase Order is an offer by the City of Sunnyvale ("City") to enter into a contract; and any of the following acts constitute Supplier's acceptance of the Purchase Order and all terms and conditions stated therein: (a) Supplier's execution and delivery to City of Supplier's own acknowledgment form; (b) Supplier's delivery of any goods ordered; or (c) Supplier's acceptance of any payment from City.
- 2. Prices:** All prices shall be as stated in the Purchase Order and are firm and not subject to escalation. Supplier represents and warrants that the prices set forth in the Purchase Order are at least as low as those currently being quoted by Supplier to commercial or government users for the same goods, in like quantities, under similar circumstances.
- 3. Taxes:** This purchase is subject to all applicable California sales and use taxes. City is exempt from federal excise tax and will provide an exemption certificate, upon request.
- 4. Business License Tax:** Pursuant to Section 5.04.100 of the Sunnyvale Municipal Code, and subject to exemption as defined, "No person shall transact, engage in or carry on any business within the City without first having procured a license from the City to so do and having paid the tax." Additional Business License information can be obtained by contacting the Business License Unit at 408-730-7620. Failure to obtain a Business License as required may result in the assessment of interest and penalties.
- 5. Terms of Payment:** Payment terms shall be net thirty (30) days from the date of receipt of invoice or acceptance of goods, whichever occurs last. If City is entitled to a cash discount, the period of computation shall commence on the date of receipt of invoice or acceptance of goods by City, whichever occurs last. City may set off any amount owed by Supplier to City against any amount owed by City to Supplier under the Purchase Order. City shall endeavor to pay each invoice within thirty (30) days, but shall not be responsible to Supplier for additional charges, interest or penalties due to failure to pay within that period.
- 6. Quantities:** Supplier shall deliver the exact quantities specified in the Purchase Order. City reserves the right to reject incomplete deliveries and to return at Supplier's risk and expense excess quantities delivered.
- 7. Packaging and Shipment:** Goods shall be packaged, marked and otherwise prepared for shipment by Supplier in suitable containers in accordance with sound commercial practices. Supplier shall include an itemized packing list with each shipment.
- 8. Delivery:** Time is of the essence in the performance of the Purchase Order. If delivery of goods cannot be made at the specified time, Supplier shall promptly notify City of the earliest possible date for delivery. Notwithstanding such notice, if Supplier, for any reason whatsoever, fails to deliver goods within the time specified, City may terminate the Purchase Order or any part thereof without liability except for goods previously delivered and accepted. City's receipt or acceptance of all or part of a nonconforming delivery shall not constitute a waiver of any claim, right or remedy City has under the Purchase Order or applicable law.
- 9. Title and Risk of Loss:** The Purchase Order shall specify an FOB ("free on board") point, which shall be either the shipping point or the destination of the goods. If the Purchase Order specifies FOB destination, all shipping charges shall be prepaid by Supplier in full and included in the unit price. Supplier retains title to the goods and risk of loss until the goods have reached the designated destination. If the Purchase Order specifies FOB shipping point, Supplier shall prepay all shipping charges, route the goods on the least expensive common carrier in compliance with the required delivery date, and add shipping charges to the invoice as a separate line item. Buyer assumes title to the goods and risk of loss at the shipping point. No shipping charges will be allowed unless specified.
- 10. Inspection and Rejection:** Goods shall be received subject to City inspection, testing, approval and acceptance at City premises notwithstanding any prior payment for such goods. Goods rejected by City as not conforming to the Purchase Order may be returned to Supplier at Supplier's risk and expense and shall not be replaced by Supplier without written authorization from City. Substitutions are not permitted except upon specific written authorization of City.
- 11. Warranties:** In addition to any other express or implied warranties, Supplier warrants that all goods delivered under the Purchase Order will be new; suitable for the use intended; of the grade and quality specified; free from all defects in design, material and workmanship; in conformance with all samples, drawings, descriptions and specifications furnished by City; in compliance with all applicable federal, state, and local laws and regulations; and free of liens and encumbrances. These warranties shall not be deemed to exclude Supplier's standard warranties or other rights or warranties which City may have or obtain. At its expense and option, Supplier shall replace or repair any goods not conforming to the foregoing warranties. If, after notice, Supplier fails promptly to replace or repair any such goods, Supplier shall promptly refund to City the full purchase price paid by City for such goods.
- 12. Compliance with Laws:** (a) Supplier shall comply with all applicable governmental laws, ordinances, codes, rules, regulations, programs, plans and orders in the performance of the Purchase Order.  
(b) Supplier shall be in full compliance with any and all permit or licensing requirements in connection with the manufacture, sale, shipment and/or installation of the goods specified in the Purchase Order.  
(c) If, in connection with the specified goods, Supplier is required to comply with the Occupational Safety and Health Act's hazardous communications standard, Supplier agrees to provide copies of the applicable Material Safety Data Sheets at the time of delivery of the goods.

**Purchase Order**  
**Standard Terms and Conditions for the Purchase of Goods**

**13. Safety and Health Requirements:** Goods supplied shall comply with all federal and state Occupational Safety and Health Administration requirements and with all California safety and health requirements.

**14. Assignment:** Supplier shall not delegate or subcontract any duties or assign any rights or claims under the Purchase Order without City's prior written consent.

**15. Waiver:** Failure of City to enforce any provision of the Purchase Order shall not constitute a waiver or relinquishment by City of the right to such performance in the future nor of the right to enforce any other provision of the Purchase Order.

**16. Severability:** If any provision of the Purchase Order is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and conditions shall not be affected; and the rights and obligations of the parties shall be construed and enforced as if the Purchase Order did not contain the particular provision held to be invalid.

**17. Patents, Copyrights or Trademarks:** Supplier shall hold harmless and fully indemnify City and its officers, employees and agents from all damages or claims for damages, costs or expenses in law or equity that may arise for any infringement of the patent right, copyright or trademark of any person as a consequence of the use by City or any of its officers, employees or agents, of goods supplied under this Purchase Order.

**18. Change Orders:** City shall have the right to revoke, amend, or modify the Purchase Order at any time by issuance of a written Change Order. No verbal revocations, amendments or modifications shall be held binding on City; and City is not required to compensate Supplier for goods not authorized by written Change Order. Supplier's receipt of City's written Change Order without response received by City within ten (10) days or Supplier's shipment or other performance reflecting the change, whichever occurs first, shall constitute Supplier's acceptance of the change without any price or other adjustment.

**19. Breach of Contract:** Should Supplier breach any of the provisions of the Purchase Order, City reserves the right to cancel the Purchase Order upon written notice to Supplier and obtain such goods from another source. If a greater price than that named in the Purchase Order is paid for such goods, the excess price shall be charged to and collected from the Supplier. City shall have any and all remedies provided under the Uniform Commercial Code in the event of a breach of contract by Supplier.

**20. Governing Law; Public Records:** The Purchase Order shall be governed by and construed in accordance with the laws of the State of California as interpreted by the California courts, and any litigation arising out of the Purchase Order shall be conducted in the courts of the State of California. California law requires that the contents of the Purchase Order be open to inspection and copying by the public.

**21. Work to be Completed on City Premises by Supplier:** In the event that Supplier is required, as part of its fulfillment of the terms of the Purchase Order, to install goods or perform any other work on City premises, Supplier assumes entire responsibility and liability for losses, expenses, damages, demands, and claims in connection with or arising out of any injury or alleged injury (including death) or damage to property, sustained or alleged to have been sustained in connection with or to have arisen out of the performance of such work by Supplier.

**22. Force Majeure:** Neither party to the Purchase Order shall be held responsible for delay or default caused by fire, riot, acts of God, and/or war which is beyond that party's reasonable control. City may terminate the Purchase Order upon written notice after determining such delay or default will reasonably prevent successful performance of the Purchase Order.

**23. Entire Agreement:** The Purchase Order, which includes any and all additional documents incorporated therein by reference, sets forth the entire agreement between Supplier and City with respect to the purchase of the goods.

**24. Additional or Inconsistent Terms:** Any term or condition set forth in any acknowledgment form provided to City by Supplier which is in any way different from, inconsistent with, or in addition to the terms and conditions of the Purchase Order will not become a part of the Purchase Order nor be binding on City. If Supplier objects to any term or condition set forth therein, this objection must be in writing and received by City's Buyer identified on the Purchase Order prior to Supplier's delivery of product(s). Notwithstanding such notice, waiver or modification of any term or condition shall occur only if agreed in writing by City.



# City of Sunnyvale

## Agenda Item

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16-0263

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Award of Contract for Design and Construction Support Services for the Sunnyvale-Saratoga Road Traffic Signal, Bicycle and Pedestrian Safety Project (F16-66)

#### REPORT IN BRIEF

Approval is requested to award a contract to TJKM Transportation Consultants, Inc. (TJKM) of Pleasanton in the amount of \$113,214 for engineering services to design the Sunnyvale-Saratoga Road Traffic Signal, Bicycle and Pedestrian Safety Project (Public Works Project TR-14/03-16) and for a 10% contract contingency in the amount of \$11,321. The contract consists of \$90,669 in base services and \$22,545 in optional services, as explained below.

#### EXISTING POLICY

Consistent with the provisions of Chapter 2.08 of the Sunnyvale Municipal Code, civil engineering work is solicited through a Request for Proposals (RFP) process, unless otherwise exempt from the competitive bidding process. Contracts resulting from RFPs are awarded based on best value to the City, rather than the lowest bid price as in the case of an Invitation for Bids (IFB). RFPs are utilized when the City is seeking a solution and cannot exactly specify what is needed.

In addition, the City evaluates civil engineering design proposals in conjunction with the Qualifications Based Selection (QBS) process established in California Government Code section 4525 et. seq. This requires that consultants be evaluated on the basis of demonstrated competence before pricing is considered.

#### ENVIRONMENTAL REVIEW

This award is for the design phase and construction support services and is not a project which has the potential for causing a significant effect on the environment under the California Environmental Quality Act ("CEQA") Guidelines section 15061(b)(3), however it is expected that the CEQA determination for this project will be a categorical exemption pursuant to CEQA Guidelines section 15301(c) and (d) for existing streets involving no expansion. The consultant will review all CEQA documentation as part of their design review.

#### BACKGROUND AND DISCUSSION

The existing intersection of Sunnyvale-Saratoga Road, Talisman Drive, and Mathilda Avenue allows northbound vehicles to continue on Sunnyvale-Saratoga Road via a free right turn. Vehicles are turning at a fairly high rate of speed and safe passage for pedestrian crossing is not delineated. Bicyclists attempting to transition from Talisman Drive to northbound Sunnyvale-Saratoga Road are also impacted by the high rate of speed through this corridor.

The overall scope of this contract includes design services related to reconstructing the traffic signal at the intersection of Sunnyvale-Saratoga Road, Mathilda Avenue, and Talisman Drive; incorporating improvements for pedestrian and bicycle safety; preparing bid documents for Public Works competitive bidding; and providing construction support for the project during the construction phase.

A Request for Proposals (RFP No. F16-66) was directly distributed in December 2015 to five Bay Area traffic engineering firms. Two responsive proposals were received on January 27, 2016, from Kimley Horn Associates and TJKM Transportation Consultants (TJKM). Base services pricing submitted by the proposing firms ranged from \$96,555 to \$149,678. Optional pricing including two different design options for a fiber interconnect system ranged from \$23,390 to \$60,840.

Proposals were reviewed and ranked by an evaluation team consisting of Engineering and Transportation and Traffic Division staff. TJKM was selected as the most highly-ranked proposer based on their experience with similar projects for the City of Sunnyvale, detailed project approach and innovative recommendations to enhance intersection safety such as changeable message signs to alert motorists of their speed.

Subsequent discussions with TJKM revealed that the firm included more work scope than was necessary to complete the design, surveying and potholing phases of the project. TJKM adjusted their scope and fee accordingly, from a base of \$149,678 to \$90,669. Additional reduction in the contract cost was achieved by removing the optional design for the fiber optic cable installation. Rather than conducting separate design and construction processes for this work, the City is researching the possibility of leveraging a construction contract with Tennyson Electric who is installing fiber optic cable on Mathilda Avenue (RTC No. 15-0925).

### **FISCAL IMPACT**

Budgeted funds are available in Capital Project 830110, Sunnyvale-Saratoga Road Pedestrian Safety Signal. Project costs are as follow:

Project Design, including construction support	\$113,214
Design contingency of 10%	<u>\$ 11,321</u>
Total Cost	\$124,535

### **Funding Source**

The current project budget is \$663,000. The design phase is funded through the Gas Tax Fund and CIP matching funds. The construction phase is funded through the One Bay Area Grant (OBAG).

### **PUBLIC CONTACT**

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

### **RECOMMENDATION**

1) Award a contract, in substantially the same form as Attachment 1 to the report and in the amount of \$113,214 to TJKM Transportation Consultants, Inc. for the subject project and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of \$11,321.

Prepared by: Pete Gonda, Purchasing Officer  
Reviewed by: Timothy J. Kirby, Acting Director, Finance  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed by: Walter C. Rossmann, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Draft Consultant Services Agreement



**DRAFT CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF  
SUNNYVALE AND TJKM TRANSPORTATION CONSULTANTS, INC. FOR  
SUNNYVALE-SARATOGA ROAD TRAFFIC SIGNAL, BICYCLE AND  
PEDSTRIAN SAFETY PROJECT**

THIS AGREEMENT dated \_\_\_\_\_ is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY"), and TJKM TRANSPORTATION CONSULTANTS, INC., a California Corporation ("CONSULTANT").

WHEREAS, CITY desires to secure professional services necessary for the design, preparation of bid documents, and services during construction for the project known as Sunnyvale-Saratoga Road Traffic Signal, Bicycle and Pedestrian Safety Project; and

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

NOW, THEREFORE, THE PARTIES ENTER INTO THIS AGREEMENT.

1. Services by CONSULTANT

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

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

2. Notice to Proceed/Completion of Services

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

3. Project Schedule

The project schedule is set forth in the attached Exhibit "A-1".

4. Payment of Fees and Expenses

Payments shall be made to CONSULTANT on a monthly basis as set forth in the attached Exhibit "B" entitled "Compensation Schedule." All compensation will be based on monthly billings as provided in Exhibit "B." Compensation will not be due until said detailed billing is submitted to CITY within a reasonable time before payment is expected to allow for normal CITY processing. An estimate of the percent of total completion associated with the various categories of the services shall be furnished by CONSULTANT with said billing. When applicable, copies of pertinent financial records will be included with the submission of billing(s) for all direct reimbursables. Compensation shall not exceed the amounts set forth in Exhibit "B" for each phase. In no event shall the total amount of compensation payable under this agreement exceed the sum of One Hundred Thirteen Thousand Two Hundred Fourteen and No/100 Dollars (\$113,214) unless upon written modification of this Agreement. All invoices, including detailed backup, shall be sent to City of Sunnyvale, attention Accounts Payable, P.O. Box 3707, Sunnyvale, CA 94088-3707.

5. No Assignment of Agreement

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

6. Consultant is an Independent Contractor

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

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

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

8. Standard of Workmanship

CONSULTANT represents and maintains that it is skilled in the professional calling necessary to perform the services and its duties and obligations, expressed and implied, contained herein, and CITY expressly relies upon CONSULTANT's representations regarding its skills and knowledge. CONSULTANT shall perform such services and duties in conformance to and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California.

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

9. Responsibility of CONSULTANT

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

CONSULTANT shall not be responsible for the means, methods, procedures, site safety of the construction contractors or subcontractors, or for their errors or omissions. This Agreement and the Services to be performed hereunder shall in no way be construed as a guarantee of deficient-free construction.

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

10. Right of CITY to Inspect Records of CONSULTANT

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

11. Confidentiality of Material

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

12. No Pledging of CITY's Credit

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

13. Ownership of Material

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

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

14. Hold Harmless/Indemnification

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

15. Insurance Requirements

CONSULTANT shall take out and maintain during the life of this Agreement policies of insurance as specified in Exhibit "C" attached and incorporated by reference, and shall provide all certificates and/or endorsements as specified in Exhibit "C."

16. No Third Party Beneficiary

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

17. Notices

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

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

To CONSULTANT: Atul Patel, TE  
TJKM TRANSPORTATION CONSULTANTS, INC.  
4305 Hacienda Drive, Suite 550  
Pleasanton, CA 94588-2798

Nothing in this provision shall be construed to prohibit communication by more expedient means, such as by telephone or facsimile transmission, to accomplish timely communication. However, to constitute effective notice, written confirmation of a telephone conversation or an original of a facsimile transmission must be sent by first class mail, by commercial carrier, or hand-delivered. Each party may change the address by written notice in accordance with this paragraph. Notices delivered personally shall be deemed communicated as of actual receipt; mailed notices shall be deemed communicated as of three days after mailing, unless such date is a date on which there is no mail service. In that event communication is deemed to occur on the next mail service day.

18. Waiver

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

19. Amendments

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

20. Integrated Agreement

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

21. Conflict of Interest

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

22. California Agreement

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

23. Records, Reports and Documentation

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

24. Termination of Agreement

If CONSULTANT defaults in the performance of this Agreement, or materially breaches any of its provisions, CITY at its option may terminate this Agreement by giving written notice to CONSULTANT.

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.

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.

25. Subcontracting

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

26. Fair Employment

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

27. Changes

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

28. Other Agreements

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

29. Severability Clause

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

30. Captions

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

31. Entire Agreement; Amendment

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

32. Miscellaneous

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

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

CITY OF SUNNYVALE ("CITY")

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

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

TJKM TRANSPORTATION  
CONSULTANTS, INC. ("CONSULTANT")

By \_\_\_\_\_

APPROVED AS TO FORM:

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

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

By \_\_\_\_\_

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



## **EXHIBIT “A” SCOPE OF WORK**

Based on our initial field review of the project site and knowledge of the area, we will carry out all of the tasks required for this project.

### **Task 1 – Project Management**

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#### **Task 1.1 Project Initiation**

**Objective:** *The objective of this task is to meet and discuss the overall objectives of the project, to discuss the extent of existing information for the project, establish lines of communication and to review and finalize the scope in detail.*

The TJKM Team will prepare an agenda for a project initiation or kick-off meeting. Our preliminary agenda for the meeting will include, but not limited to:

Introductions/Goals of the meeting

Contact information, protocol for communicating project information

Schedule/Required time for City reviews

The TJKM Team will request the following items prior to the kick-off meeting and identify discussion items for the meeting:

- Aerial photos in digital form, if available (or Google Earth Professional would be used)
- GIS information in AutoCAD format
- Base maps and copies of any previous plans and street improvement plans in the project area and studies
- Sample construction documents from previous projects in electronic format
- Utility contact information
- Traffic signal as built for the Mathilda/Talisman/Sunnyvale-Saratoga Intersection
- Traffic signal interconnect as built plans from Mathilda/Remington to City Hall
- Other issues, as appropriate
- Milestones and invoicing information
- Project Schedule and updates on a monthly basis

At the conclusion of the kickoff meeting, the TJKM Team will prepare minutes and distribute them to all meeting participants. We will also prepare and e-mail a project contact list based upon the sign in sheet at the meeting, plus business cards collected.

#### ***Deliverables***

- *Schedule, meeting minutes*

#### **Task 1.2 Project Management**

TJKM will manage the schedule and budget throughout the duration of the project. The TJKM Team will take the lead on obtaining NEPA clearance through the Caltrans Local Assistance Program process for receiving federal funds. It is our understanding that the Federal Funds for the construction are programmed in their FY 2016. The TJKM Team will take the lead in preparing the E-76 forms necessary for obtaining the Request for Authorization for construction approval from Caltrans Local Assistance Program, including the Right-of-Way and Utility Certification forms.

TJKM will maintain frequent and timely communication with the City during the design and construction phase of the project. Mr. Patel has proven on his successful completion of previous City projects with

the Public Works Department that he provides a high level of customer service to the City's Project Manager and stays in constant communication with the City during the entire duration of the project.

A biweekly conference call will be scheduled with the City's Project Manager to go over outstanding issues and work completed previous week and work to be conducted over the next week.

TJKM will prepare meeting minutes at all the meetings attended and provide action item logs for subsequent follow-up via email. We have budgeted meetings at the following stages:

- Kickoff Meeting
- Review of 30% Submittal
- Review of 75% Submittal
- Review of 100% Submittal via conference call
- Construction Handoff Meeting via conference call
- Preconstruction Meeting
- "Lessons Learned" Meeting via conference call

Additional meetings will be conducted with a contract amendment and billed on a time and materials basis.

The TJKM Team will coordinate with PG&E with any service upgrades or relocations required or disconnection/reconnection of service points and prepare the commercial service application, if required. The City will pay the associated application/service fees for required upgrades.

A project schedule has been prepared using MS Project. The schedule will be updated at the City's request and provided at each meeting attended with the City.

The TJKM Team will conduct their quality assurance/quality control over the work deliverables prepared for the City. A statement and signature indicating peer review will be added on the cover page of the plan set for overall constructability, coordination, and reasonable reduction in errors and omissions.

***Deliverables***

- *Project schedules, meeting minutes, E-76 forms, PG&E service forms*

## **Task 2 – Preliminary Design 30% PS&E**

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### **Task 2.1 Conduct Field Review with Caltrans Local Assistance Program (CLAP) D4 Staff**

The TJKM Team will complete the CLAP Exhibit 7-B Field Review Form and submit it to the City for signature and submitting to District 4 Caltrans Local Assistance Program staff for review.

The TJKM Team will meet with CLAP staff and the City Project Manager and address questions from CLAP staff and if required, provide additional information from their list of attachments required by CLAP staff.

***Deliverables***

- *Exhibit 7-B Field Review Form*

### **Task 2.2 Prepare Topographic Survey**

The TJKM Team will complete the topographic survey and AutoCAD base for design of the project intersection. The drawings will show the existing street right-of-way and existing utility information. We will research and verify the public records to determine street right-of-ways. The TJKM Team will obtain record copies from utility companies and service districts to locate existing electrical, gas, telephone,

fiber optic, and cable television services. Utilities for sanitary and storm sewers, water mains, and fire hydrants will be researched, and “A” letters will be prepared, as necessary. Research will be verified by field investigations. We will coordinate with all utilities to resolve any utility issues and to eliminate conflicts encountered during construction. TJKM will provide the City with a list of any facilities belonging to the utility companies that will need to be adjusted as a result of the proposed construction.

Topographic survey data and mapping shall include, but is not limited to the following:

- ▶ Vertical and horizontal control tied to the City of Sunnyvale Horizontal and Vertical System;
- ▶ All existing topography, within the designated intersections, including all existing fences, curb and gutter, sidewalks, driveways, pavement, trees, drainage structures, monuments, signal pull boxes, poles, and utility facilities that are visible or that are available from utility companies and record drawings;
- ▶ Striping and edge of pavement for approximately 300 feet for each approach; and
- ▶ Height of overhead utility lines within the intersection.

Once the topographic survey is completed, TJKM Team will meet City staff in the field to redline the potential pole locations on the plan so we are all in agreement of pole locations that will be reflected in the 30% plan design submittal.

#### ***Deliverables***

- *Site survey and base map in AutoCAD format*

#### **Task 2.3 Design Plans and Specifications**

We will prepare functional design drawings for the traffic signal design modification. The plans will provide the layout of the existing traffic signal equipment, including locations of the new traffic signal poles, cabinets, video detection cameras, intersection safety lighting, audible pedestrian push buttons, and roadside signs. Designs will be in accordance with Caltrans design standards, CA MUTCD guidelines, and the City of Sunnyvale’s current design standards.

We will conduct a conduit assessments of the existing conduits proposed to be used at the intersection, both from a conduit fill and usability standpoint. The condition of the conduit will be checked by pulling on the existing cables or pulling the existing pull rope, mule tape or air horn. The TJKM Team will prepare a brief memorandum of determination if the project’s construction activities are within the National Pollutant Discharge Elimination System (NPDES) Construction General permit and the project type and risk level.

The preliminary plans will be developed with adequate detail for conveying the design intent, final geometry and key design elements. The major goal of this phase is to fully define the project limits and identify previously unknown constraints or impacts.

The TJKM Team will also prepare utility notification letters to third party utility owners, and place the information into CAD and show them on the plans. The plans will contain sufficient detail for submittal and review by the City to understand the full intent of the project. Through the project, plans and specifications will be developed with the Caltrans E-76 process in mind.

The TJKM Team assumes two civil plan sheets will be developed using AutoCAD 2013 with one sheet dedicated to the intersection layout and the other will have typical sections. Deliverables also include an engineer’s estimate of probable construction costs for the improvements.

The TJKM Team will provide the City with a list of any facilities belonging to the utility companies that will need to be adjusted as a result of the proposed construction.

The TJKM Team will also provide an updated project schedule, prepare a preliminary construction schedule, and 30% Engineer's probable construction cost estimate, and provide cut sheets of equipment/appurtenances that are planned for the project.

***Deliverables***

- *Three full size sets of the 30% plans*
- *Preliminary details, topographic survey in AutoCAD format*
- *Project schedule, preliminary construction schedule, 30% cost estimate, equipment cut sheets, list of utility facilities requiring adjustment*

**Task 2.4 Environmental**

The TJKM Team will prepare a preliminary NEPA analysis. TJKM is teamed with DBE firm Michael Kent & Associates to prepare the necessary NEPA documentation. Because the project is funded through Federal Highway Safety Improvement Program Funds (HSIP), it would be subject to the NEPA as well as CEQA.

The scope NEPA documentation that would be necessary has not been determined. Our understanding is that the project will likely qualify for a Categorical Exemption under CEQA (which the City is taking the lead on) and a Categorical Exclusion under NEPA.

Michael Kent & Associates will prepare the Preliminary Environmental Studies (PES) document, conduct a field review with Caltrans, City of Sunnyvale and TJKM and prepare technical memoranda to address construction staging, stormwater pollution prevention and traffic control in support of a NEPA exemption from Caltrans. Our scope of work assumes that no major studies including an archeological study, biological assessment, hazardous waste, air quality assessment, etc., will be required and the City to complete the PM2.5 air quality assessment database form with MTC. We have also included an optional task for preparation of the cultural resources Section 106 documentation, if required by Caltrans Local Assistance Program, after their review of the PES document.

***Deliverables***

- *Environmental memorandums*

**Task 3 – 75% Submittal Plans, Specifications, and Estimate (PS&E)**

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The TJKM Team will review with the City and receive one set of non-conflicting comments from the City on the conceptual plans and incorporate them into the 75% PS&E. In this stage of the design submittal to the bid package, TJKM will prepare the project plans for each intersection, which will include the following sheets:

- |  |  |
|--|--|
| • Cover Sheet                            | • Traffic Signal Modification Plan             |
| • General Note Sheet                     | • Conductor and Equipment Schedule             |
| • Civil Notes, Details, Typical Sections | • Signing and Striping                         |
| • Demolition Plan Sheet                  | • Electrical Detail Sheets                     |
| • Construction Layout Sheet              | • Photometric Layout Exhibit (prepared by ALR) |
| • Grading and Drainage Sheet             |  |
| • Traffic Signal Removal Plan            |  |

Our design approach entails the following design tasks:

- The TJKM Team will prepare 75% design plans for intersection improvements in AutoCAD format.

- The TJKM Team will prepare an Engineer's construction cost estimate and technical special provisions describing each item on the bid schedule and their requirements, and verify that construction costs are within the existing City budget. The Engineer's construction cost estimate will be prepared in Excel electronic format. Any revisions to the technical special provisions will be recommended to the City.
- Special provisions with track changes format prepared including bid schedule, and measurement and payment provisions, list of submittals during construction, and list of information available to Bidders, with disclaimer.
- Prepare a preliminary construction schedule.
- Each PS&E review submittal set will also address any comments or revisions required from the City in the previous plan check submittal. Responses to comments will be documented and included with the submittal.
- The TJKM Team will meet with City staff, as needed, to review comments and recommendations. A comment matrix will be prepared showing how TJKM addressed each review comment. The original red-line markup of the previous submittal will be returned back to the City with the next submittal round.
- Potholing the proposed signal pole standard with mast arm locations and RRFB 1-b pole locations (six total). TJKM has Exaro as a utility potholing Contractor on our team and has worked with the potholing company for conducting potholing services for our recent HSIP signal design projects in Sunnyvale. We have included an optional task for potholing an additional five potholes for the project. The typical scope of work for positive location of underground utilities includes:
  - Mobilization
  - Perform Electronic designation of Underground Utilities: mark with applicable color code
  - Contact USA if location of potholing is in public right of way
  - Provide traffic control as needed
  - Pothole based on pre-approved potholing plans provided by customer
  - Provide documentation to exact location of underground utilities
  - Backfill potholes with extracted material
  - Surface restoration with cold patch
  - Potholes to be 6' deep and 1'x1' in size

At this stage, the Right of Way and Utility Certification forms and the remaining application forms for E-76 Construction will be completed and submitted to Caltrans Local Assistance Program for review.

#### **Deliverables**

- *Five sets of the 75% plans (six full size 24"x36" hardcopies)*
- *Technical specifications and cost estimate in form of the bid schedule*
- *Review comment matrix*
- *Redline markup from previous round*
- *Photometric layout exhibit*
- *Utility conflicts have been resolved or a timeline for resolution of issues has been determined*
- *Other supporting documentation, as necessary*
- *Potholing data*

#### **Task 4 – 100% Final Check Submittal (PS&E)**

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At this stage, the plans and special specifications will be ready for bidding for construction. The E-76 for construction will be obtained during this stage of the project. Also, service upgrade applications from PG&E will be obtained during this stage of the project. TJKM will modify the latest traffic signal timing sheet received from the City based on the proposed improvements and submit back to the City.

The cost estimate will be refined based on any comments received from the City and the front-end boilerplate specifications, such as insurance forms, and supplemental general provisions, from the City will be incorporated into one complete specification package.

In addition, a peer review by another licensed professional at TJKM and Siegfried Engineering other than the designer of record will be conducted to review the overall constructability, coordination, and reasonable reduction in errors and omissions at this stage of the submittal round. The peer review professional will sign and date the Certification of Peer Review on a letterhead document with the transmittal of the final plans and specifications.

The TJKM Team will:

- Coordinate and review the approved 75% PS&E with City staff and revise based on comments and discussions.
- Prepare final construction drawings, contract specifications, and a final construction cost estimate (Excel format). These documents shall be construction ready.
- Prepare bid package, including a bid schedule and list of submittals.
- Submit final plans and specifications, and disk with the electronic files to City staff. Final plans will be provided in electronic file in AutoCAD format and in PDF format. Hardcopies will be in 24"x36" size.

##### ***Deliverables***

- *Six sets of 24"x36" hardcopies, signed peer review block and on letterhead, technical project specifications and special provisions, construction cost estimate, and an electronic version of the plans, specifications, and estimate*
- *Responses to comments on the 75% submittal, along with return of mark-ups*
- *Calculation sheet for Contractor's DBE requirements*
- *Other supporting documentation, as necessary*

#### **Task 5 – Final Submittal (Bid Package)**

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At this stage, the contract documents are ready for bidding. The TJKM Team will coordinate the plans and technical specifications with the City's front-end bid instructions, standard provisions, and revised special provisions ready for the City to bid for construction.

The TJKM Team will:

- Coordinate with City staff for review of bid package
- Revise based on comments and discussions
- Prepare bid package, including a bid schedule and list of submittals
- Submit final plans and specifications, and disk with the electronic files to City staff. Final plans will be provided in electronic file in AutoCAD format and in PDF format. One hardcopy will be in

24"x36" size. Each plan sheet will be stamped and signed by the Engineer of Record registered civil engineer, in accordance with California State Law.

- Prepare complete special provisions, technical specifications stamped and signed on the table of contents sheet by the Engineer of Record, one hard copy printed single sided only. If there are more than one Engineer of Record, the engineer will stamp and sign the table of contents for only that/those section(s) that applies to each engineering discipline.
- Provide Certification of Peer Review, as required by the City
- Provide a digital copy of all work products and supporting work
- Provide a final project schedule update
- Provide a final construction cost estimate

***Deliverables***

- *Bid Package as required and approved by the City*

---

**Task 6 – Bidding Support Phase**

During the bid process, the TJKM Team will answer bidder's questions and provide clarifications to the bid questions. We will respond to Requests for Information (RFIs). We will prepare addenda, as necessary. We will prepare conformed documents, as necessary.

***Deliverables***

- *Addendum(s), clarifications, conformed documents, as necessary*

---

**Task 7 – Construction Support Phase**

During construction, the TJKM Team will assist City staff as follows:

- Attend the internal hand-off meeting via conference call and attend pre-construction meeting.
- Prepare responses to contractors' RFIs during the construction phase, as needed.
- Review all contractor submittals and assist the City inspector with specific design issues during construction.
- Attend up to one construction progress meetings or field meetings to answer design questions and clarify design elements when requested by the City staff.
- Assist with the issuance and negotiation of change orders.
- Participate in the final inspection and development of the punch lists.
- Prepare record drawings from Contractor redline as-builts in AutoCAD format and .pdf format.
- Participate in a "Lessons Learned Meeting" with all parties at the end of the project via conference call.

***Deliverables***

- *Record drawings, clarifications, response to submittals*

## **EXCEPTIONS TO THE SCOPE OF SERVICES**

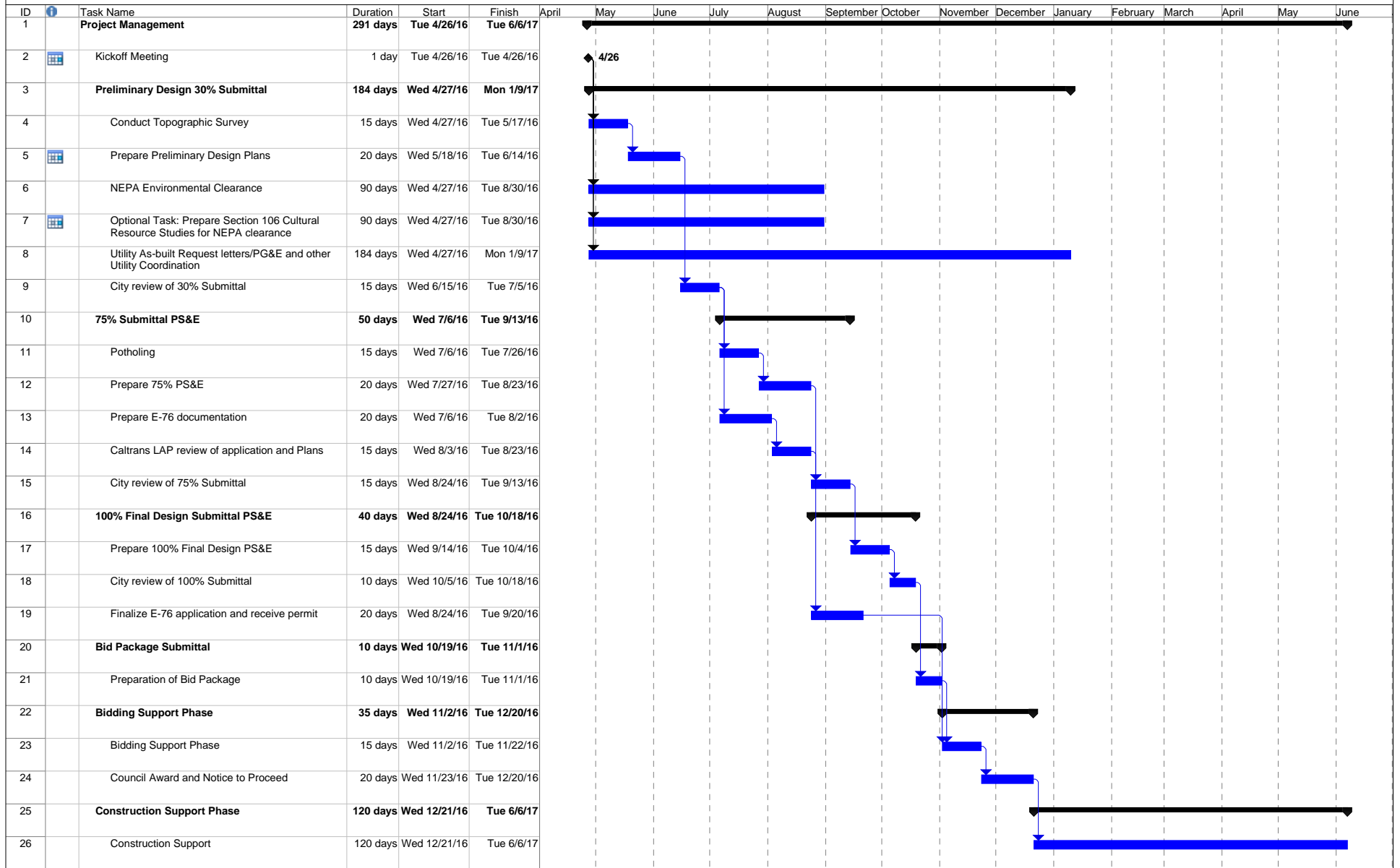
Please note that the following are not included in the Work Plan detailed above:

- Hazardous waste testing, monitoring and contingency plan for both site and building demolition work
- Geotechnical monitoring
- Construction management, inspection, supervision and scheduling
- Record Survey Maps, Tentative Maps, Parcel Maps, Final Maps and legal descriptions and sketches
- Construction staking
- Landscaping Design



# EXHIBIT A-1

Sunnyvale-Saratoga Rd Bicycle and Pedestrian Safety Enhancements



Project: schedule\_rev1  
Date: Tue 3/29/16

Task

Milestone

Summary

Rolled Up Task

Rolled Up Milestone

Roll Up Progress

Split

External Tasks

Project Summary

Group By Summary

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

External Milestone

Progress

Deadline

# EXHIBIT "B" COMPENSATION

City of Sunnyvale

Proposal For: Sunnyvale-Saratoga Road Bicycle and Pedestrian Safety Enhancements

TJKM

Tasks		TJKM Labor								ODC	Siegfried								MKA	Exaro	WSA	Total	
Task #	Task Description (Change task titles as detailed in the scope of work)	PIC	QA/QC	PM	Sr. Engr	Assoc. Engr	Admin	Total Hours	Total Labor Costs	TJKM	PIC	PM	Engineer II	Technician III	Instrument man	Admin	Total Hours	Survey, Civil PS&E	Other Direct Costs (Siegfried)	Environment al	Potholing	Cultural Resources	Total Fee
		Nayan Amin	Ruta Jariwala	Atul Patel	Erik Bjorklund	Rudy Patel				ODC	Paul Schneider	Adam Merrill	Greg W.	Mike Kincaid	Derick Weldon	Jen H.		Seigfried		MKA	Exaro	WSA	
		\$250	\$235	\$230	\$165	\$125	\$85				\$235	\$163	\$140	\$107	\$173	\$67		Total Labor Costs		Fee/Hr or LS	Fee/Hr or LS	Fee/Hr or LS	
1	Project Management			40	-	-	-	40	\$9,200	\$0	2	6					8	\$ 1,448	\$0	-	-	-	\$10,648
2	30 % Design and Topo Survey		1	4	16	20		41	\$6,295	\$0	2	8	12	24	16		62	\$ 8,790	\$672			-	\$15,757
2.1	Environmental Clearance Documentation			48				48	\$11,040	\$0							0	\$ -	\$0	\$3,500		-	\$14,540
3	75% Design		1	8	16	40	2	67	\$9,885	\$150	2	8	10	16		4	40	\$ 5,154	\$0		\$6,061	-	\$21,250
4	100% Design		1	8	12	28	2	51	\$7,725	\$100	2	4	12	24		4	46	\$ 5,638	\$0			-	\$13,463
5	Final Submittal		1	4	5	16	1	27	\$4,065	\$200	2	4	4	8		4	22	\$ 2,806	\$100			-	\$7,171
6	Bid Support				4			4	\$660	\$0		2					2	\$ 326	\$0			-	\$986
7	Construction Support				24			24	\$3,960	\$0	2	8	8				18	\$ 2,894	\$0			-	\$6,854
	Proposal Subtotal	0	4	112	77	104	5	302	\$52,830	\$450	12	40	46	72	16	12	198	\$ 27,056	\$772	\$3,500	\$6,061	\$0	\$90,669
	Optional Services																						
D	Prepare Section 106 Cultural Resource Studies	-	-	8	-	-	-	8	\$1,840									-	-	\$5,000	-	\$15,705	\$22,545
	Total Optional Services	0	0	8	0	0	0	8	\$1,840	\$0								\$ -	\$0	\$5,000	\$0	\$15,705	\$22,545
	Total Including Optional Services	0	4	120	77	104	5	310	\$54,670	\$450								\$ 27,056	\$772	\$8,500	\$6,061	\$15,705	\$113,214
	Notes:																						
1	Optional Task D only required if Caltrans Local Assistance determines one is necessary after PES form completed.																						
2																							
3																							
4																							

	Base budget		
TJKM (DBE)	\$53,280.00		
Seigfried	\$27,828.00		
MKA	\$3,500.00		
Exaro	\$6,061.00		
	\$ 90,669	DBE%	59%

## **EXHIBIT C**

### **INSURANCE REQUIREMENTS**

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: \$2,000,000 per claim.

#### 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

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16-0388

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Receive and File the City of Sunnyvale Investment Report - 1st Quarter 2016

#### BACKGROUND

In accordance with California Government Code Section 53646, staff is submitting the attached investment report for Council's review. The report includes all investments managed by the City of Sunnyvale. Staff invests all funds not immediately needed for disbursement. The current portfolio market value is \$325,234,587 with an average investment return of 0.843%.

Funds for the City's Deferred Compensation Plan, the City's Retirement Plan, Retiree Medical Trust, and any proceeds of debt issuance are not invested by City staff. These funds are managed by third party administrators.

#### EXISTING POLICY

California Government Code Section 53600 et seq., strictly governs which investments public agencies can hold. In some cases, State law also governs what percentage of the portfolio can be invested in certain security types, maximum maturities, and minimum credit ratings by the major rating agencies (Standard & Poor's and Moody's Investors Service). Public agencies can only invest in fixed income securities. The purchase of stock is prohibited. As a result, the City primarily invests in highly rated securities such as U.S. Treasury, Federal agencies, and government sponsored enterprise debt.

The California Government Code also requires investment objectives of safety, liquidity, and yield in that order. As such, safety of principal is the foremost objective of the City's investment program. The portfolio must remain sufficiently liquid to enable the City to meet all cash requirements. 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.

The City Council first adopted a policy (7.1.2 *Investment and Cash management*) governing the investment of City funds on July 30, 1985. This policy is reviewed and adopted annually; the policy for FY 2015/16 was reviewed at the October 13, 2015 Council meeting. The City's investment policy follows the Government Code and includes additional restrictions on some investments such as a lower allowable percentage per investment type or issuer than State law.

#### ENVIRONMENTAL REVIEW

This action does not require environmental review because it is not a project that has the potential for causing a significant impact on the environment. (CEQA Guideline 15061(b)(3)). Furthermore, the action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (b) (4) in that it is a

fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

### **DISCUSSION**

This report provides information on the values (par, book and market), the type of investment, issuer, maturity date and yield of each investment. The par value of a bond is the amount that the issuer agrees to repay the City by the maturity date. The book value is what the City initially paid for the bond and market value is what the bond is worth now.

The market value is determined by an independent pricing service at the end of every accounting period. In some cases, the City may have investments with a current market value that is greater or less than the recorded value. These changes in market value are due to fluctuations in the marketplace, however the City never experiences market gains or losses as all investments are held to maturity.

Summary and detailed information on each security is provided. Also included is an activity report of sales, purchases and maturities for this accounting period as required by Government Code 53607. An evaluation of portfolio performance of the last available accounting period in this quarterly report compared to the previous accounting period of the current fiscal year as well as to the same accounting period of last fiscal year is also included. Yields on allowable investments continue to be historically low as current global economic concerns fuel demand for high quality safe investments thus allowing highly rated debt issuers to keep their financial instrument yields low.

Short term investments are placed in an interest bearing checking account with our primary banking institution, Union Bank and with the State's Local Agency Investment Fund (LAIF) to meet the liquidity needs of the City. LAIF is a program created by statute as an investment alternative for California's local governments and special districts. This program offers local agencies the opportunity to participate in a major portfolio pool administered by the State Treasurer's office. The current yield for the LAIF portfolio is .50%.

### **FISCAL IMPACT**

Interest earnings for FY 2015/16 as of Period 10 for all City funds totaled \$2,021,293.

### **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**

Receive and file the City of Sunnyvale FY 2015/16 - First Quarter 2016 (Period 10) investment report (Attachment 1 of the staff report).

Prepared by: Stephen Quick, Finance Manager

Reviewed by: Timothy J. Kirby, Acting Director, Finance

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENT**

1. City of Sunnyvale FY 2015/16 Period 10 Investment Report

## ATTACHMENT 1



### CITY OF SUNNYVALE

#### PORTFOLIO EVALUATION PERIOD 10 FY 2015/2016

#### INFORMATION UPDATE:

Pursuant to the California Government Code, attached is detailed information on all securities, investments, and moneys held by the City. I hereby certify that the City's portfolio complies with the City's adopted Investment Policy and the reporting requirements of State Law, and that sufficient funds are available to meet expenditure requirements for the next 6 months, ending October 2016.

Date: April 7, 2016

A handwritten signature in black ink, appearing to read "Timothy J. Kirby".

Timothy J. Kirby, Acting Finance Director

cc: Members of the City Council  
City Manager



**PORTFOLIO EVALUATION - PERIOD 10 FY 2015/2016 (2/28/2016 -3/26/2016)**

DESCRIPTION	DOLLAR AMOUNT	FY 15/16 PERIOD 10 (2/28/16 - 3/26/16)	FY 15/16 PERIOD 9 (1/31/16 - 2/27/16)	FY 14/15 PERIOD 10 (3/1/15- 3/28/15)
TOTAL PORTFOLIO MARKET VALUE		\$325,234,586.78	\$328,340,190.84	\$302,386,774.85
AVERAGE LIFE OF PORTFOLIO (DAYS)		401	420	508
CITY - WEIGHTED YIELD (Current Period)		0.84%	0.84%	0.72%
STATE POOL YIELD		0.50%	0.47%	0.28%
90 DAY T-BILL RATE (Current Period)		0.30%	0.30%	0.02%
VARIANCE FROM CITY YIELD		0.54%	0.54%	0.70%
1 YEAR TREASURY RATE (Current Period)		0.66%	0.53%	0.25%
VARIANCE FROM CITY YIELD		0.18%	0.31%	0.47%
TREASURY YIELD WITH SAME AVG LIFE AS PORTFOLIO		0.72%	0.63%	0.47%
VARIANCE FROM CITY YIELD		0.12%	0.21%	0.25%
<hr/>				
TOTAL INVESTMENTS MATURING WITHIN 0 TO 1 YEAR	\$152,565,301.61	46.91%	46.16%	37.86%
TOTAL INVESTMENTS MATURING WITHIN 1 TO 3 YEARS	\$172,669,285.17	53.09%	53.84%	55.52%
TOTAL INVESTMENTS MATURING WITHIN 3 TO 5 YEARS	\$0.00	0.00%	0.00%	6.62%
TOTAL INVESTMENTS MATURING OVER 5 YEARS **	\$0.00	0.00%	0.00%	0.00%
<hr/>				
TOTAL	\$325,234,586.78	100.0%	100.0%	100.0%

\*\* In accordance with Government Code 53601, the City Council, as part of the City's investment program, granted express authority to invest in US Treasury and US Agency and Government Sponsored Enterprise securities with final stated maturities up to seven years. No investment shall be made in any other security type that at the time of investment has a term remaining to maturity in excess of five years unless granted express authority by the City Council to do so.



**CITY OF SUNNYVALE**  
**Portfolio Management**  
**Portfolio Summary**  
**February 28, 2016 through March 26, 2016**

City of Sunnyvale  
 650 West Olive Ave.  
 Sunnyvale, CA 94086  
 (408)730-7604

<b>Investments</b>	<b>Par Value</b>	<b>Market Value</b>	<b>Book Value</b>	<b>% of Portfolio</b>	<b>Term</b>	<b>Days to Maturity</b>	<b>YTM 360 Equiv.</b>	<b>YTM 365 Equiv.</b>
Managed Pool Accounts	64,876,132.61	64,876,132.61	64,876,132.61	19.99	1	1	0.365	0.370
Medium Term Notes	33,944,000.00	34,700,443.72	34,669,855.21	10.68	988	507	1.073	1.088
Federal Agency Issues - Coupon	168,144,000.00	170,431,687.45	169,867,791.48	52.34	1,136	548	0.992	1.006
Treasury Securities - Coupon	55,000,000.00	55,226,323.00	55,148,140.31	16.99	1,122	353	0.729	0.740
	<b>321,964,132.61</b>	<b>325,234,586.78</b>	<b>324,561,919.61</b>	<b>100.00%</b>	<b>891</b>	<b>401</b>	<b>0.831</b>	<b>0.843</b>
<b>Investments</b>								
<b>Cash and Accrued Interest</b>								
Accrued Interest at Purchase		641.67	641.67					
Subtotal		641.67	641.67					
<b>Total Cash and Investments</b>	<b>321,964,132.61</b>	<b>325,235,228.45</b>	<b>324,562,561.28</b>		<b>891</b>	<b>401</b>	<b>0.831</b>	<b>0.843</b>

<b>Total Earnings</b>	<b>March 26 Period Ending</b>	<b>Fiscal Year To Date</b>
Current Year	218,279.59	2,021,293.41

Allowable Policy Limits:

Managed Pool -LAIF	20%
Medium Term Notes	30%
Federal Agencies	100%
Treasuries	100%

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Reporting period 02/28/2016-03/26/2016

Run Date: 04/13/2016 - 14:06

Portfolio CITY  
 AP  
 PM (PRF\_PM1) 7.3.0  
 Report Ver. 7.3.3

**CITY OF SUNNYVALE**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**March 26, 2016**

Page 1

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
<b>Managed Pool Accounts</b>											
SYS90-119	90-119	STATEPOOL		64,876,132.61	64,876,132.61	64,876,132.61	0.370		0.370	1	
<b>Subtotal and Average</b>				<b>64,876,132.61</b>	<b>64,876,132.61</b>	<b>64,876,132.61</b>			<b>0.370</b>	<b>1</b>	
<b>Medium Term Notes</b>											
369604BC6	15-008	GENERAL ELECTRIC	01/26/2015	4,000,000.00	4,279,888.00	4,275,031.50	5.250		1.109	619	12/06/2017
36962G5H3	15-011	GENERAL ELECTRIC	03/17/2015	4,000,000.00	4,054,640.00	4,057,094.74	3.350		0.760	204	10/17/2016
38259PAC6	13-006	Google	12/05/2012	4,000,000.00	4,008,816.00	4,008,360.13	2.125		0.659	53	05/19/2016
459200GX3	13-007	IBM	12/17/2012	3,000,000.00	3,012,021.00	3,011,322.39	1.950		0.750	117	07/22/2016
459200HK0	16-014	IBM	01/08/2016	3,000,000.00	3,002,886.00	2,996,913.40	1.250		1.306	683	02/08/2018
478160BL7	15-012	Johnson and Johnson	04/01/2015	2,750,000.00	2,760,147.50	2,758,253.47	1.125		0.940	604	11/21/2017
478160AU8	16-005	Johnson and Johnson	08/04/2015	4,000,000.00	4,364,028.00	4,336,787.63	5.150		1.400	840	07/15/2018
89233P6S0	15-013	TOYOTA	04/01/2015	3,000,000.00	3,000,165.00	3,007,183.41	1.250		1.090	557	10/05/2017
89236TCP8	16-012	TOYOTA	10/16/2015	2,194,000.00	2,206,352.22	2,202,391.04	1.550		1.379	838	07/13/2018
94974BFG0	15-017	Wells Fargo Corp	06/03/2015	4,000,000.00	4,011,500.00	4,016,517.50	1.500		1.521	660	01/16/2018
<b>Subtotal and Average</b>				<b>33,944,000.00</b>	<b>34,700,443.72</b>	<b>34,669,855.21</b>			<b>1.088</b>	<b>507</b>	
<b>Federal Agency Issues - Coupon</b>											
3133EDDV1	14-016	FEDERAL FARM CREDIT BANK	01/23/2014	4,000,000.00	4,022,864.00	3,996,310.52	1.160		1.220	575	10/23/2017
3133EDG89	14-018	FEDERAL FARM CREDIT BANK	03/03/2014	4,000,000.00	4,025,316.00	4,000,000.00	1.250		1.250	737	04/03/2018
3133EDKP6	14-023	FEDERAL FARM CREDIT BANK	05/01/2014	4,000,000.00	4,019,368.00	3,999,246.13	1.070		1.084	523	09/01/2017
3133EDDK5	14-025	FEDERAL FARM CREDIT BANK	05/06/2014	4,000,000.00	4,016,116.00	4,004,369.46	1.000		0.895	386	04/17/2017
3133EDKP6	14-029	FEDERAL FARM CREDIT BANK	06/05/2014	4,000,000.00	4,019,368.00	4,004,496.40	1.070		0.990	523	09/01/2017
3133ED2D3	14-030	FEDERAL FARM CREDIT BANK	06/05/2014	1,000,000.00	1,010,046.00	1,007,973.53	1.550		0.999	540	09/18/2017
3133EETE0	15-014	FEDERAL FARM CREDIT BANK	05/15/2015	4,000,000.00	4,017,564.00	4,014,141.59	1.125		0.942	715	03/12/2018
3133EEQM5	15-015	FEDERAL FARM CREDIT BANK	05/21/2015	4,000,000.00	4,014,960.00	4,010,524.69	1.110		0.969	695	02/20/2018
3133EEP95	15-018	FEDERAL FARM CREDIT BANK	06/08/2015	4,000,000.00	4,006,976.00	3,993,161.01	1.100		1.180	796	06/01/2018
3133EE2F6	16-006	FEDERAL FARM CREDIT BANK	08/14/2015	4,000,000.00	4,014,984.00	4,009,874.68	1.220		1.108	820	06/25/2018
3133EE6G0	16-009	FEDERAL FARM CREDIT BANK	08/28/2015	4,000,000.00	4,018,496.00	4,007,575.20	1.150		1.068	862	08/06/2018
3133834R9	13-022	FEDERAL HOME LOAN BANK	05/13/2013	4,000,000.00	3,998,792.00	3,999,307.73	0.375		0.447	89	06/24/2016
313383R78	14-001	FEDERAL HOME LOAN BANK	07/18/2013	4,000,000.00	4,004,676.00	4,000,487.17	0.750		0.710	113	07/18/2016
3130A0C65	14-010	FEDERAL HOME LOAN BANK	12/23/2013	4,000,000.00	3,998,560.00	3,996,255.65	0.625		0.751	276	12/28/2016
313379DD8	14-017	FEDERAL HOME LOAN BANK	02/28/2014	4,000,000.00	4,012,236.00	4,007,666.72	1.000		0.842	451	06/21/2017
3130A1NN4	14-021	FEDERAL HOME LOAN BANK	04/17/2014	4,000,000.00	4,005,188.00	3,997,207.56	0.875		0.936	423	05/24/2017
3133782N0	14-027	FEDERAL HOME LOAN BANK	05/08/2014	4,000,000.00	4,006,248.00	4,002,094.25	0.875		0.819	348	03/10/2017
313378A43	15-019	FEDERAL HOME LOAN BANK	06/08/2015	4,000,000.00	4,036,072.00	4,019,976.19	1.375		1.114	712	03/09/2018
3130A5UU1	16-004	FEDERAL HOME LOAN BANK	07/31/2015	4,000,000.00	4,001,564.00	3,996,619.04	1.050		1.088	794	05/30/2018

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**CITY OF SUNNYVALE**  
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CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
<b>Federal Agency Issues - Coupon</b>											
3130A6AE7	16-010	FEDERAL HOME LOAN BANK	09/01/2015	4,000,000.00	4,014,852.00	3,993,507.78	1.125		1.192	901	09/14/2018
3130A6UA3	16-013	FEDERAL HOME LOAN BANK	01/06/2016	3,000,000.00	3,001,893.00	2,999,335.20	1.100		1.113	642	12/29/2017
3137EACT4	14-004	FEDERAL HOME LOAN MORT CORP	09/03/2013	4,000,000.00	4,014,084.00	4,011,609.76	2.500		0.738	61	05/27/2016
3137EAAM1	14-011	FEDERAL HOME LOAN MORT CORP	12/23/2013	4,000,000.00	4,165,328.00	4,145,427.96	5.000		0.834	326	02/16/2017
3137EAAM1	14-012	FEDERAL HOME LOAN MORT CORP	01/10/2014	4,000,000.00	4,165,328.00	4,140,554.37	5.000		0.965	326	02/16/2017
3137EADF3	14-022	FEDERAL HOME LOAN MORT CORP	04/17/2014	4,000,000.00	4,020,656.00	4,014,514.03	1.250		0.922	411	05/12/2017
3137EADJ5	15-002	FEDERAL HOME LOAN MORT CORP	09/02/2014	4,000,000.00	4,009,788.00	4,001,085.24	1.000		0.979	488	07/28/2017
3137EABA6	15-003	FEDERAL HOME LOAN MORT CORP	09/03/2014	4,000,000.00	4,288,716.00	4,253,464.82	5.125		1.174	600	11/17/2017
3137EADN6	15-006	FEDERAL HOME LOAN MORT CORP	12/04/2014	4,000,000.00	3,992,160.00	3,974,776.92	0.750		1.109	656	01/12/2018
3137EADH9	15-010	FEDERAL HOME LOAN MORT CORP	02/24/2015	4,000,000.00	4,010,080.00	4,010,591.24	1.000		0.787	459	06/29/2017
3135G0BA0	13-019	FEDERAL NATL MORTGAGE ASSN	04/22/2013	4,000,000.00	4,009,320.00	4,003,033.12	2.375		0.411	15	04/11/2016
31359M4D2	14-009	FEDERAL NATL MORTGAGE ASSN	12/20/2013	4,000,000.00	4,164,056.00	4,144,696.20	5.000		0.817	323	02/13/2017
3135G0ZB2	14-024	FEDERAL NATL MORTGAGE ASSN	05/02/2014	4,000,000.00	4,004,676.00	3,995,553.18	0.750		0.856	389	04/20/2017
3135G0MZ3	15-001	FEDERAL NATL MORTGAGE ASSN	08/28/2014	4,000,000.00	4,005,172.00	3,990,082.81	0.875		1.053	519	08/28/2017
3135G0PQ0	15-004	FEDERAL NATL MORTGAGE ASSN	10/01/2014	4,000,000.00	4,002,500.00	3,981,050.50	0.875		1.181	578	10/26/2017
3135G0MZ3	15-009	FEDERAL NATL MORTGAGE ASSN	02/20/2015	4,000,000.00	4,005,172.00	3,999,819.91	0.875		0.878	519	08/28/2017
3135G0TG8	15-016	FEDERAL NATL MORTGAGE ASSN	05/21/2015	4,000,000.00	4,000,936.00	3,996,016.58	0.875		0.929	683	02/08/2018
3135G0WJ8	16-003	FEDERAL NATL MORTGAGE ASSN	07/10/2015	4,000,000.00	3,995,740.00	3,991,291.56	0.875		0.978	785	05/21/2018
880591EQ1	14-015	TENNESSEE VALLEY AUTHORITY	01/21/2014	4,000,000.00	4,063,640.00	4,006,318.25	1.750		1.685	932	10/15/2018
880591EQ1	14-019	TENNESSEE VALLEY AUTHORITY	03/06/2014	3,966,000.00	4,029,099.06	3,982,722.61	1.750		1.578	932	10/15/2018
880591EC2	14-020	TENNESSEE VALLEY AUTHORITY	03/13/2014	4,000,000.00	4,275,492.00	4,239,148.42	4.500		1.429	735	04/01/2018
880591EA6	14-028	TENNESSEE VALLEY AUTHORITY	05/15/2014	4,000,000.00	4,232,380.00	4,232,442.41	5.500		0.978	478	07/18/2017
880591CU4	15-005	TENNESSEE VALLEY AUTHORITY	10/08/2014	4,000,000.00	4,356,016.00	4,339,629.52	6.250		1.194	628	12/15/2017
880591EQ1	16-001	TENNESSEE VALLEY AUTHORITY	07/08/2015	2,663,000.00	2,705,368.33	2,700,718.40	1.750		1.182	932	10/15/2018
880591CU4	16-002	TENNESSEE VALLEY AUTHORITY	07/08/2015	1,515,000.00	1,649,841.06	1,653,113.17	6.250		0.871	628	12/15/2017
<b>Subtotal and Average</b>				<b>168,144,000.00</b>	<b>170,431,687.45</b>	<b>169,867,791.48</b>			<b>1.006</b>	<b>548</b>	
<b>Treasury Securities - Coupon</b>											
912828KT6	13-013	UNITED STATE TREASURY	01/18/2013	4,000,000.00	4,007,064.00	4,000,848.67	2.375		0.422	4	03/31/2016
912828RF9	13-023	UNITED STATE TREASURY	06/04/2013	4,000,000.00	4,009,416.00	4,007,334.51	1.000		0.568	157	08/31/2016
912828RJ1	13-024	UNITED STATE TREASURY	06/27/2013	4,000,000.00	4,010,468.00	4,003,410.08	1.000		0.831	187	09/30/2016
912828RJ1	14-002	UNITED STATE TREASURY	08/05/2013	4,000,000.00	4,010,468.00	4,006,873.51	1.000		0.660	187	09/30/2016
912828RF9	14-003	UNITED STATE TREASURY	08/19/2013	4,000,000.00	4,009,416.00	4,004,137.55	1.000		0.756	157	08/31/2016
912828RM4	14-005	UNITED STATE TREASURY	10/30/2013	4,000,000.00	4,010,936.00	4,009,439.38	1.000		0.600	218	10/31/2016
912828RU6	14-006	UNITED STATE TREASURY	11/22/2013	4,000,000.00	4,007,344.00	4,008,283.51	0.875		0.567	248	11/30/2016
912828RX0	14-007	UNITED STATE TREASURY	12/06/2013	4,000,000.00	4,007,500.00	4,006,844.34	0.875		0.648	279	12/31/2016

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**CITY OF SUNNYVALE**  
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CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
<b>Treasury Securities - Coupon</b>											
912828SC5	14-008	UNITED STATE TREASURY	12/09/2013	4,000,000.00	4,007,344.00	4,005,817.56	0.875		0.701	310	01/31/2017
912828SC5	14-013	UNITED STATE TREASURY	01/10/2014	4,000,000.00	4,007,344.00	3,999,162.75	0.875		0.900	310	01/31/2017
912828SM3	14-026	UNITED STATE TREASURY	05/08/2014	4,000,000.00	4,013,436.00	4,006,811.94	1.000		0.829	369	03/31/2017
912828VQ0	16-007	UNITED STATE TREASURY	08/19/2015	4,000,000.00	4,050,936.00	4,030,053.39	1.375		1.048	856	07/31/2018
912828RE2	16-008	UNITED STATE TREASURY	08/21/2015	4,000,000.00	4,064,220.00	4,046,034.18	1.500		1.017	887	08/31/2018
912828L40	16-011	UNITED STATE TREASURY	10/15/2015	3,000,000.00	3,010,431.00	3,013,088.94	1.000		0.821	902	09/15/2018
<b>Subtotal and Average</b>				<b>55,000,000.00</b>	<b>55,226,323.00</b>	<b>55,148,140.31</b>			<b>0.740</b>	<b>353</b>	
<b>Total and Average</b>				<b>321,964,132.61</b>	<b>325,234,586.78</b>	<b>324,561,919.61</b>			<b>0.843</b>	<b>401</b>	

**CITY OF SUNNYVALE**  
**Portfolio Management**  
**Activity By Type**  
**February 28, 2016 through March 26, 2016**

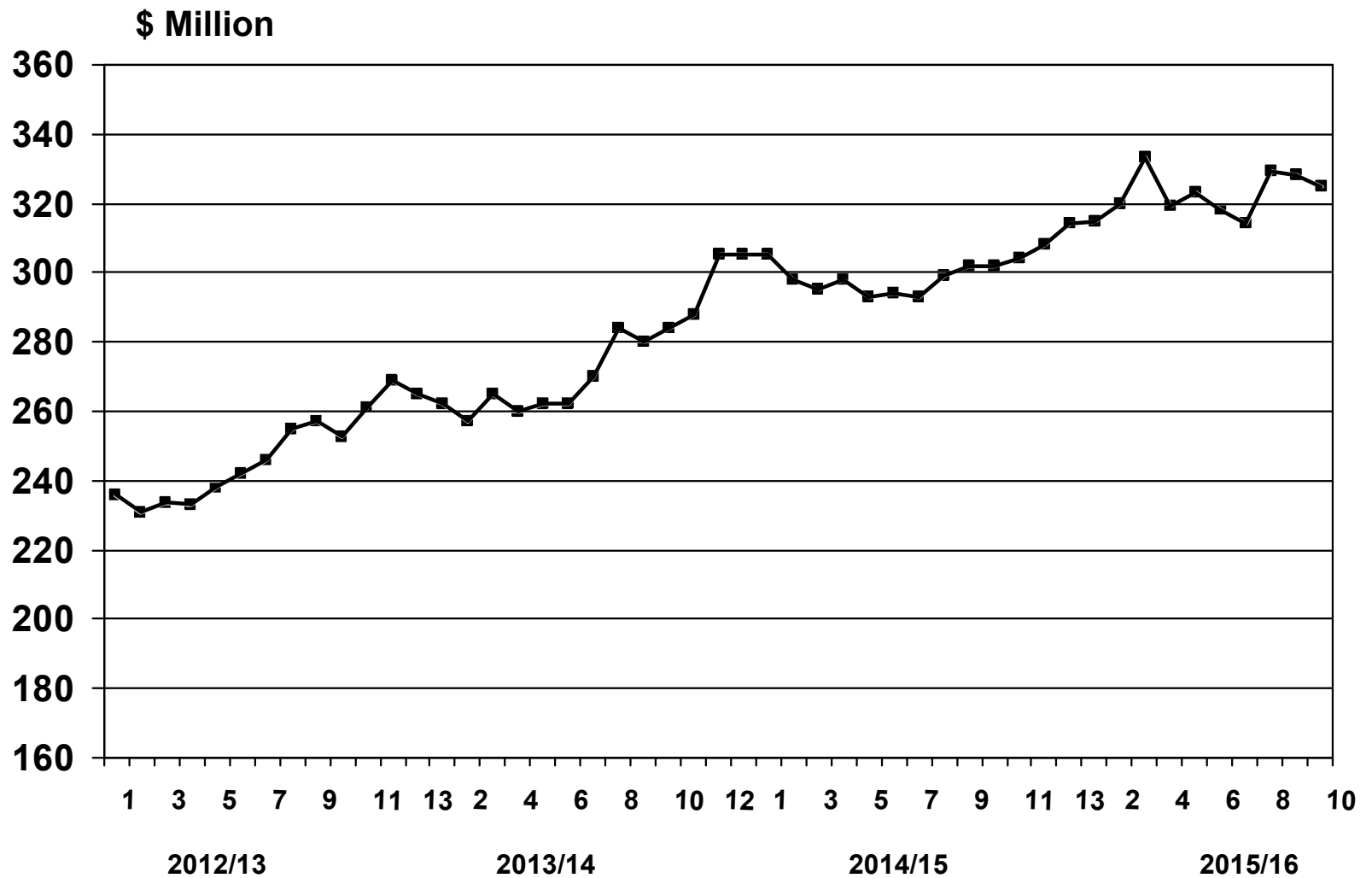
Page 1

CUSIP	Investment #	Issuer	Stated Rate	Transaction Date	Purchases or Deposits	Redemptions or Withdrawals	Balance
<b>Managed Pool Accounts (Monthly Summary)</b>							
		<b>Subtotal</b>					<b>64,876,132.61</b>
<b>Medium Term Notes</b>							
		<b>Subtotal</b>					<b>34,669,855.21</b>
<b>Federal Agency Issues - Coupon</b>							
313375RN9	13-018	FEDERAL HOME LOAN BANK	1.000	03/11/2016	0.00	3,000,000.00	
		<b>Subtotal</b>			<b>0.00</b>	<b>3,000,000.00</b>	<b>169,867,791.48</b>
<b>Treasury Securities - Coupon</b>							
		<b>Subtotal</b>					<b>55,148,140.31</b>
<b>US Govt Mortgage Passthroughs</b>							
313401TJ0	87-009	FEDERAL HOME LOAN MORT CORP	10.000	03/01/2016	0.00	0.00 **	
		<b>Subtotal</b>			<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
		<b>Total</b>			<b>0.00</b>	<b>3,000,000.00</b>	<b>324,561,919.61</b>

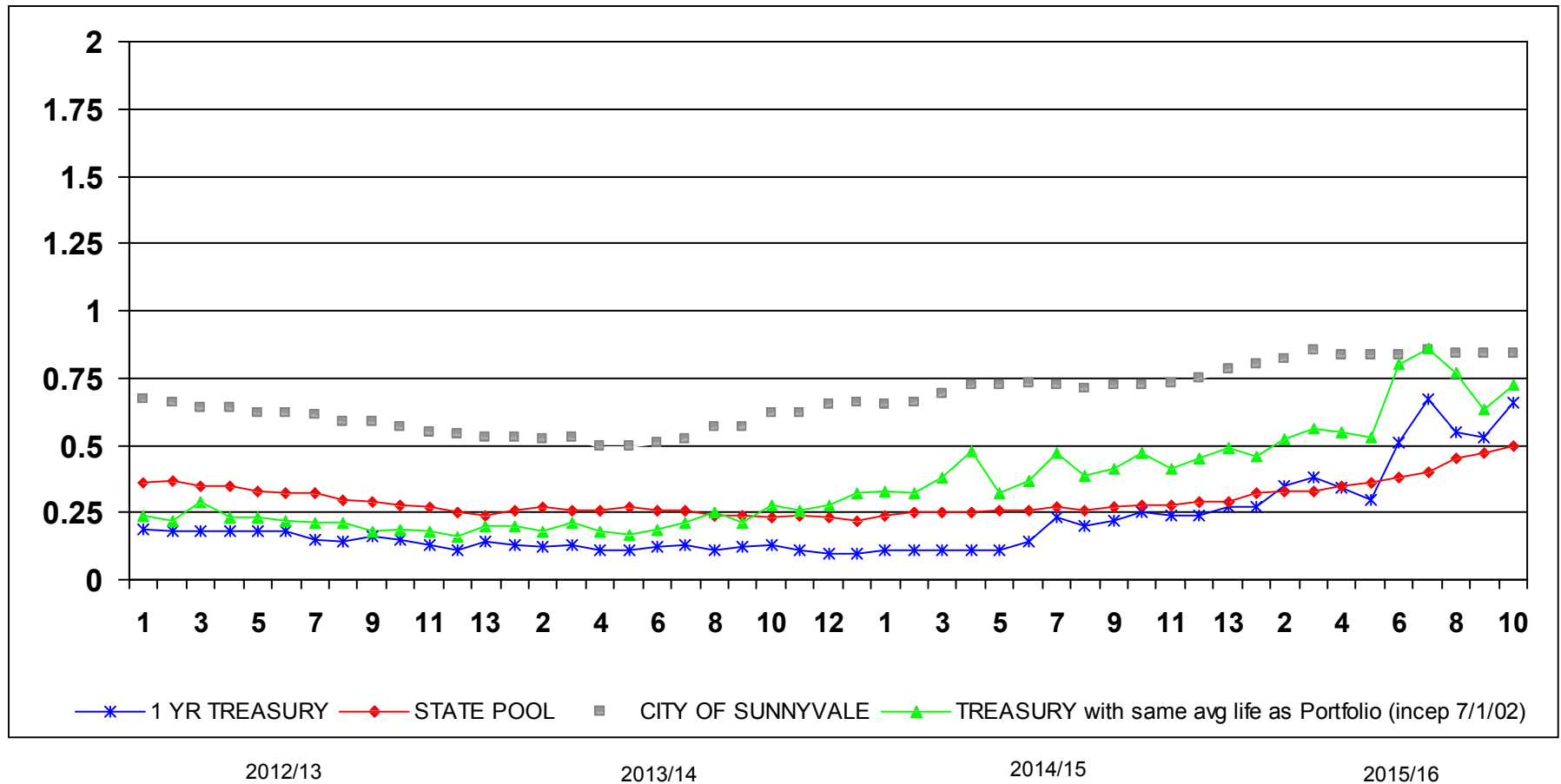
\*\* - Indicates incomplete recording of maturity redemption.

# INVESTMENT PORTFOLIO

## PORTFOLIO TREND



# INVESTMENT PORTFOLIO COMPARISON OF ANNUAL YIELDS







# City of Sunnyvale

## Agenda Item

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16-0375

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Adopt a Resolution to Authorize the Filing of Fiscal Year 2016/17 Transportation Development Act (TDA) Article 3 Applications for Pedestrian and Bicycle Projects

#### BACKGROUND

TDA Article 3 is a source of funds created by State legislation and processed through the Santa Clara Valley Transportation Authority (VTA) and Metropolitan Transportation Commission (MTC) that annually returns to local agencies sales tax revenues earmarked for bicycle and pedestrian projects. To receive funds in the Fiscal Year (FY) 2016/17 funding cycle from VTA and MTC, the City must submit potential projects that have been reviewed by the City's Bicycle and Pedestrian Advisory Commission (BPAC), must be in an approved bicycle or pedestrian plan, have environmental clearance prior to expenditure (for construction projects only), have an authorizing resolution (Attachment 1), and be able to begin construction within one year. In FY 2016/17, \$115,088 is guaranteed to the City for eligible projects.

The BPAC considered FY 2016/17 TDA candidate projects at its March 17, 2016 meeting and voted unanimously in favor of staff's recommendation (Attachment 2 - Excerpt from draft BPAC meeting minutes).

#### EXISTING POLICY

**General Plan, Chapter 3, *Land Use and Transportation Element*:**

- **Policy LT 5.5** - Support a variety of transportation modes.
- **Policy LT 5.7** - Pursue local, state, and federal transportation funding sources to finance City transportation capital improvement projects consistent with City priorities.
- **Policy LT 5.8** - Provide a safe and comfortable system of pedestrian and bicycle pathways.

#### ENVIRONMENTAL REVIEW

The Council adopted a Mitigated Negated Declaration for the Mary Avenue Bike Lanes on October 12, 2013.

#### DISCUSSION

The determination of candidate TDA Article 3 projects for FY 2016/17 was based on review of budgeted and unbudgeted projects in the Resource Allocation Plan, TDA eligibility requirements, consideration of the Pedestrian Safety and Opportunities Study, Bicycle Capital Improvement Program and Bicycle Plan, School Traffic Study, citizen requests, as well as, Commission members' and staff's knowledge of bicycle and pedestrian facility safety priority needs in the City.

Staff identified and prioritized seven candidate projects for BPAC's consideration listed below in order

of priority:

1. Mary Avenue Bicycle Lanes Project - Matching Grant Funds  
Description: Installation of bike lanes from Fremont to Iowa Avenue.  
Approximate Cost: \$800,000
2. Mathilda Avenue and Indio Way Intersection Improvements  
Description: Add a bicycle and pedestrian detection system and remove the four “porkchop” islands.  
Approximate Cost: \$850,000
3. Maude Avenue Bicycle Lanes Project  
Description: Conceptual alternatives were developed to install bike lanes, modify parking, and improve mobility on Maude Avenue between Mathilda Avenue and Fair Oaks Avenue.  
Approximate Cost: \$396,000
4. Sunnyvale-Saratoga Road and Remington Drive Intersection Improvements  
Description: Add green bike lanes at the conflict areas and upgrade the pedestrian and bicycle detection system.  
Approximate Cost: \$93,000
5. Knickerbocker Drive Street Space Allocation Study  
Description: Conduct a street space allocation study to consider the addition of bike lanes on Knickerbocker Drive.  
Approximate Cost: \$90,000
6. Mary Avenue and Olive Avenue Intersection Improvements  
Description: Conduct a traffic study to determine what safety improvement device should be installed at this location such as a traffic signal or in-roadway warning light system at crosswalks.  
Approximate Cost: \$130,000
7. Mary Avenue and Evelyn Avenue Intersection Improvements  
Description: Install high visibility crosswalks, upgrade signage, and upgrade the pedestrian detection system.  
Approximate Cost: \$100,000

The Staff’s top priority and preference for use of the funds is to complete the Mary Avenue Bicycle Lane Project from Iowa Avenue to Maude Avenue. On October 8, 2013, City Council approved the Mary Avenue Bicycle Lane Project and selected a design concept to construct bike lanes from Fremont Avenue to Maude Avenue. The project includes removal of the existing striping, pavement repairs, slurry seal, new striping, new bike lanes, green bike lanes at the conflict points with dedicated right-turn pockets (at the intersections with California, Central, and Corte Madera), and signal modifications. As part of the design process, the construction estimate for the full length of the project exceeded the \$1.2 million budget.

Based on the estimate and available funding, the project will be implemented in phases. The existing budget is sufficient to install bike lanes from Fremont Avenue to Iowa Avenue; however it is not sufficient to complete the project all the way to Maude Avenue. The installation of bike lanes between

Iowa Avenue and Maude Avenue will require an additional \$800,000 and will be completed as a later phase once funding is secured.

The guaranteed TDA FY 2016/17 funds would be used for the purpose of providing local matching funds for the project. Staff is currently pursuing Transportation Fund for Clean Air (TFCA) and One Bay Area Grant (OBAG) grant funds to complete this last phase of the project. Availability of local match helps improve chance of success for acquiring these grant funds.

### **FISCAL IMPACT**

TDA Article 3 is a program that reimburses cities for the incurred costs of selected projects. No local matching funds are required for Guarantee Fund projects. The VTA estimates the City will receive funds in the amount of \$115,088 from the City Guarantee Fund apportionment. New revenue constitutes a positive fiscal impact.

### **PUBLIC CONTACT**

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

The BPAC also held a public hearing on this item at its March 17, 2016 meeting and voted 7-0 in favor of staff's recommendation to use FY 2016/17 TDA grant funds for the Mary Avenue Phase 2 project (Attachment 2 - Excerpt of draft BPAC meeting minutes).

### **BOARD/COMMISSION AND STAFF RECOMMENDATION**

Adopt a resolution requesting MTC for an allocation of \$115,088 of TDA funds for FY 2016/17 to be used as grant matching funds for the Mary Avenue Bicycle Lane Project from Iowa Avenue to Maude Avenue.

The BPAC voted in favor of the recommendation 7-0.

Prepared by: Carol Shariat, Principal Transportation Engineer  
Reviewed by: Shahid Abbas, Transportation and Traffic Manager  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed by: Walter C. Rossmann, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Resolution Approving FY 2016/17 TDA Article 3 Application
2. Excerpt of the draft minutes of the BPAC meeting of March 17, 2016

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE TO AUTHORIZE THE SUBMISSION OF  
AN APPLICATION TO THE METROPOLITAN  
TRANSPORTATION COMMISSION FOR THE  
ALLOCATION OF FISCAL YEAR 2016-2017  
TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3  
(TDA ARTICLE 3) PEDESTRIAN/BICYCLE PROJECT  
FUNDING FOR THE MARY AVENUE BICYCLE LANE  
PROJECT**

WHEREAS, Article 3 of the Transportation Development Act ("TDA Article 3"), Public Utilities Code ("PUC") Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission ("MTC"), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of TDA Article 3 funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Sunnyvale desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the Mary Avenue Bicycle Lane project described in Exhibit B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists.

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

1. The City of Sunnyvale declares it is eligible to request an allocation of TDA 3 funds pursuant to Section 99234 of the Public Utilities Code.
2. There is no pending or threatened litigation that might adversely affect the project described in Exhibit B to this resolution, or that might impair the ability of the City of Sunnyvale to carry out the project.
3. The project has been reviewed by the Bicycle and Pedestrian Advisory Commission ("BPAC") of the City of Sunnyvale.

4. The City of Sunnyvale attests to the accuracy of and approves the statements in Exhibit A to this resolution.

5. A certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Santa Clara County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

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

## **EXHIBIT A**

### **Findings**

1. That the CITY OF SUNNYVALE is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the CITY OF SUNNYVALE legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the CITY OF SUNNYVALE has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the CITY OF SUNNYVALE within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the CITY OF SUNNYVALE agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

## EXHIBIT B

### TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2016/17

Applicant: City of Sunnyvale

Contact person: Shahid Abbas

Mailing Address: 456 West Olive Avenue, Sunnyvale, CA 94086

E-Mail Address: sabbas@sunnyvale.ca.gov

Telephone: 408-730-7330

Secondary Contact (in event primary not available) Carol Shariat

E-Mail Address: cshariat@sunnyvale.ca.gov

Telephone: 408-730-2713

**Short Title Description of Project: Mary Avenue Bike Lanes**

Amount of claim: \$ 115,088

**Functional Description of Project:**

**Install Class II bike lanes on Mary Avenue from Iowa Avenue to Maude Avenue**

#### Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

#### Project Elements: Engineering, Construction, and Contingency

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		115,088			
list all other sources:					
1.					
2.					
3.					
4.					
<b>Totals</b>					

Project Eligibility:	YES?/NO?
<b>A.</b> Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	Yes
<b>B.</b> Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
<b>C.</b> For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: <a href="http://www.dot.ca.gov">http://www.dot.ca.gov</a> ).	Yes
<b>D.</b> Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: _____	Yes, 10/10
<b>E.</b> Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	Yes
<b>F.</b> Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	Yes, 7/19
<b>G.</b> Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	Yes

The motion carried by the following vote:

**Yes 7 -** Chair Jones  
Vice Chair Cordes  
Commissioner Jackson  
Commissioner Kolber  
Commissioner Okuzumi  
Commissioner Rausch  
Commissioner Welch

**No 0**

**5.      [16-0285](#)      Transportation Development Act (TDA) Funding  
Recommendation**

Ms. Shariat informed the Commission that the actual amount allotted to the City this year was approximately \$100,000 and that the project needs to be submitted by early April. She added in the costs for projects that the City has identified as candidates for the guaranteed funding and switched around the City's priority of where the money should be spent. The City would like to use the guaranteed money for matching funds for the Mary Avenue Phase 2 project.

Commissioner Jackson moved and Vice Chair Cordes seconded the motion to approve to use all the money to apply for matching funds to Mary Avenue project. The motion carried by the following vote:

**Yes 7 -** Chair Jones  
Vice Chair Cordes  
Commissioner Jackson  
Commissioner Kolber  
Commissioner Okuzumi  
Commissioner Rausch  
Commissioner Welch

**No 0**

**6.      [16-0286](#)      Utility Bill Insert Concepts**

Ms. Shariat asked the Commissioners for suggestions on the design of the Utility Bill flyer. The Commission discussed ideas for the flyer and settled on a design.

Chair Jones moved and Commissioner Jackson seconded the motion to approve the design of the Utility Bill Stuffer. The motion carried by the following vote:





# City of Sunnyvale

## Agenda Item

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16-0428

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Authorize the City Manager to Execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space at School Sites

#### BACKGROUND

On June 25, 1991, the City and Sunnyvale School District entered into a 25-year agreement (Attachment 1) that required the City to construct improvements in certain School District open space recreational areas and maintain those areas (including athletic fields, swimming pools, tennis courts, and parking lots). In exchange for capital improvements and maintenance, the District allowed the use of those open space areas by the general public when not being used for school purposes.

The partnership between the City and District has been very successful. It opens approximately 73 acres of District open space facilities for Sunnyvale residents, and the City maintains it at an approximate cost of \$830,000 a year. The City also permits these facilities for popular activities such as Little League and soccer leagues and offers youth programming including day camps, classes and swim lessons. All City fields are permitted for use for more than 27,000 hours annually, while pool programs and pool rentals at Sunnyvale School District sites account for over 1,500 hours annually.

The current Agreement will expire in June of this year, and City and District staff has been meeting over the last few months to negotiate a new agreement for another 25 year period (Attachment 2).

The Parks and Recreation Commission (PRC) considered this item on April 13, 2016 and voted unanimously (4-0) to recommend the City Council authorize the City Manager to enter into an Agreement with Sunnyvale School District for the use, maintenance and improvement for public recreational purposes of various buildings and open space at school sites (Attachment 3 - Excerpt from PRC draft meeting minutes of April 13, 2016.) A summary of the PRC's discussion and action are provided in the Public Contact section below.

#### EXISTING POLICY

##### **General Plan, Chapter 3, *Land Use and Transportation-Open Space, Goal LT-8***

Adequate and Balanced Open Space - Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the City to finance, construct, maintain and operate these facilities now and in the future.

##### **General Plan, Chapter 3, *Land Use and Transportation-Open Space, Goal LT-9***

Regional Approach to Open Space - A regional approach to providing and preserving open space and providing open space and recreational services, facilities and amenities for the broader

community.

### **ENVIRONMENTAL REVIEW**

This action will continue a long-standing Agreement between the City and the District related to the operation, use and maintenance of various buildings and open space facilities, and is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 because the Agreement involves existing facilities involving no expansion of use beyond that presently existing.

### **DISCUSSION**

The new proposed agreement between the City and District keeps the general terms of the current Agreement, which allows City use of the same recreational facilities as the previous agreement in exchange for the continued maintenance, with the following key modifications and updates:

- Updated masterplans for all the school sites (included as exhibits within the agreements) that establish the open/space recreational areas subject to this agreement. The masterplans for Cumberland, Cherry Chase, and Ellis denote areas that are currently open space, but may be needed by the district for future school facilities. This affects 0.2 acres, 0.2 acres, and 0.37 acres of open space, respectively.
- Allows minor modifications to the masterplans at staff level, unless the changes affect sports/recreation areas that impact organized youth sports or athletic leagues or exceed 5,000 square feet on a single school site, either individually or combined, during the term of the agreement.
- Formalizes the maintenance of the parking lot at the Adair School Site, which serves Washington Pool.
- Sets a December 31, 2018 deadline for the City to complete its commitment to demolish the pool at the Lakewood site.
- Provides that improvements to tennis courts and pool facilities may be required during the term and both parties agree to cooperate on future projects as needed.
- Establishes an option for the City to terminate its pool obligations and uses.
- Reflects changes in the law since 1991 related to disposal of school district property. The original agreement gave the City the right to acquire up to eight acres of district open space at no cost to the City. The revised agreement is consistent with the requirements of the Education Code and continues to give the City the right to acquire up to 8 acres from district if it chooses to dispose of any property through the term of the agreement.

The proposed agreement continues for another 25 years an established partnership that serves many Sunnyvale residents and enhances the City's open space offerings. The maintenance and public use of these facilities provides important benefits to both the City and District.

### **FISCAL IMPACT**

The annual maintenance costs are \$830,000 and are included in the City's current operating budget. Some future improvements are included in the City's Capital budget, and any future additional capital improvements would need to be considered by Council as a future action.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board

outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

The Parks and Recreation Commission considered this item at a noticed public hearing on April 13, 2016. Commissioners commented favorably on the Agreement in that it provides expanded open space for the residents of Sunnyvale and there is significant public use of school athletic fields on the weekends. The Commission voted unanimously 4-0 to recommend the City Council to authorize the City Manager to execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space Areas at School Sites(Attachment 3 - Excerpt from PRC draft meeting minutes of April 13, 2016.)

### **RECOMMENDATION**

Authorize the City Manager to execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space Areas at School Sites.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed by: Cynthia Bojorquez, Director, Library and Community Services

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. 1991 Agreement
2. New Agreement
3. Excerpt from PRC draft meeting minutes of April 13, 2016

AGREEMENT BETWEEN CITY OF SUNNYVALE AND SUNNYVALE  
SCHOOL DISTRICT PERTAINING TO THE USE, MAINTENANCE  
AND IMPROVEMENT FOR PUBLIC RECREATIONAL PURPOSES OF  
VARIOUS BUILDINGS AND OPEN SPACE AREAS AT THE  
BISHOP, CHERRY CHASE, COLUMBIA, CUMBERLAND, DE  
ANZA, ELLIS, FAIRWOOD, HOLLENBECK, LAKEWOOD, SAN  
MIGUEL, SUNNYVALE MIDDLE AND VARGAS SCHOOL SITES;  
AND PERTAINING TO POSSIBLE ACQUISITION BY CITY OF  
SUNNYVALE OF LIMITED AREAS OF SCHOOL SITES OWNED BY  
SUNNYVALE SCHOOL DISTRICT

THIS AGREEMENT, made and entered into this 25<sup>th</sup> day of June, 1991, by and between CITY OF SUNNYVALE, a municipal corporation of the State of California, herein called "CITY", and SUNNYVALE SCHOOL DISTRICT OF SANTA CLARA COUNTY, herein called "DISTRICT";

W I T N E S S E T H:

WHEREAS, Section 10900 et. seq. of the Education Code authorizes cities and school districts to organize, promote and conduct programs of community recreation; to establish systems of playgrounds and recreation; and to acquire, construct, improve, maintain and operate recreation centers, including but not limited to such facilities as playgrounds, outdoor playing fields or courts, swimming pools and gymnasiums; and

WHEREAS, Section 10910 of the Education Code provides that the governing body of any school district may use or grant the use of any of the buildings or grounds of the school district to any other public authority for the organizing, promoting and conducting of community recreation whenever such use will not interfere with the use of such facilities for any other purpose of the public school system; and

## ATTACHMENT 1

WHEREAS, CITY and DISTRICT have jointly developed, maintained and kept open for public use sports and recreational facilities on the following school or middle school sites in the City of Sunnyvale: Cherry Chase, Columbia, De Anza, Hollenbeck, Lakewood and Sunnyvale Middle, and desire to continue arrangements for the use and maintenance of such facilities; and

WHEREAS, CITY and DISTRICT are interested in entering into a long-term arrangement under which CITY will undertake the maintenance of the open space recreational areas of six additional school sites to enhance their usability by school students and by the general public, and DISTRICT will make such areas available to the general public at times when such areas are not being used for school purposes; and

WHEREAS, prior to the sale, lease, conveyance, transfer or disposition of open space recreational areas among most of the school sites within the territory of DISTRICT, DISTRICT is willing to make available to CITY for acquisition a portion of such sites;

NOW, THEREFORE, in consideration of the covenants and conditions herein set forth, and pursuant to the provisions of the Education Code hereinabove referred to, it is agreed as follows:

### SECTION 1. DEFINITIONS; CONTEMPLATED IMPROVEMENTS.

(a) School open space and special facilities sites. There are attached to this Agreement and incorporated by reference herein certain exhibits, to which reference is made in this Paragraph. Each of said exhibits contains a diagram showing real property encompassing an open space area within a parcel of real property

# ATTACHMENT 1

consisting of a school site of DISTRICT, and some of said exhibits also contain diagrams of swimming pools, locker and shower rooms, tennis courts, and parking lots on some of the parcels which are used for school and/or public recreation purposes. For purposes of this Agreement, whenever reference is made to one or more school open space or recreational facilities sites, swimming pools, locker or shower rooms, tennis courts, or parking lots, such reference shall be construed to pertain to the applicable parcels of real property described in this Paragraph:

<u>Name of school open space or facility site*</u>	<u>Exhibit reference</u>
Bishop	"A"
Cherry Chase	"B"
Columbia	"C"
Cumberland	"D"
De Anza	"E"
Ellis	"F"
Fairwood	"G"
Hollenbeck	"H"
Lakewood	"I"
San Miguel	"J"
Sunnyvale Middle	"K"
Vargas	"L"

(\* - as of date of execution of this Agreement)

(b) Contemplated improvements. Section 3 of this Agreement contemplates that CITY will construct certain improvements within the open space areas of the Bishop, Cumberland, Ellis, Fairwood,

## ATTACHMENT 1

San Miguel and Vargas school sites. Those improvements are as follows:

(1) Each open space area will be graded as necessary to insure safe terrain and good drainage.

(2) The irrigation system of each open space area (i.e., controller, piping, valves and sprinklers) will be redesigned, renovated and/or replaced as needed.

(3) All landscaping within each open space area, including trees, turf, shrubs and mulches, will be redesigned, renovated and/or replaced as needed.

(4) Within each open space area, all existing portable baseball backstops, and soccer goal posts will be repaired, replaced and/or supplemented with additional portable backstops and goal posts as necessary. All fields are intended to remain as open turf for multi-purpose use. No permanent backstops, field markings, bleachers, buildings or skinned infields/basepaths are contemplated, unless determined as part of an approved site Master Plan.

(5) Within the Ellis school open space site, improvements to a small picnic site, identified as "mini-park" as shown on Exhibit "F", shall be constructed as necessary.

(6) Within the Fairwood school open space site, one permanent baseball backstop with bleachers shall be eliminated.

(7) Within the San Miguel school open space site, three (3) pieces of galvanized play equipment shall be removed, and improvements to a small picnic area, identified as "mini-park" on

Exhibit "J", shall be constructed as necessary.

SECTION 2. ASSUMPTION OR CONTINUATION BY CITY OF MAINTENANCE OBLIGATION FOR SCHOOL SITE; INSTALLATION OF WATER METERS.

(a) CITY shall continue its obligations for the mowing, trimming, fertilization, irrigation, repair and related maintenance at the expense of CITY of turf, grounds and landscaped areas at the Cherry Chase, Columbia, De Anza, Hollenbeck, Lakewood, and Sunnyvale Middle School open space areas. CITY shall maintain such open space areas consistent with standards of like classification of CITY parks.

(b) CITY shall provide at its sole expense the maintenance, gas, electricity and water utilities for the swimming facilities at the Columbia and Lakewood school sites and for the locker and shower rooms at the Lakewood school site. CITY shall provide at its sole expense the maintenance at the Sunnyvale Middle School swimming facility. As used herein, maintenance of a swimming facility includes cleaning, chemical treatment and water filtration. CITY shall provide at its sole expense all lifeguards and other supervisory personnel at the times during which City is using such facilities.

(c) CITY shall provide at its sole expense the maintenance, gas, electricity and water utilities for the tennis courts at the Sunnyvale Middle school site.

(d) CITY shall provide at its sole expense the maintenance of the parking lot at the De Anza school site.

(e) DISTRICT shall provide at its sole expense the gas,



## ATTACHMENT 1

electricity and water utilities for the swimming facility at the Sunnyvale Middle school site, and the maintenance, gas, electricity and water utilities for the locker and shower rooms at the Columbia and Sunnyvale Middle school sites.

(f) If DISTRICT converts a school which was an elementary school at the time of execution of this Agreement to a middle school, and a swimming facility is included within or adjoins such school site, and DISTRICT elects to use such swimming facility in connection with the instructional purposes of DISTRICT, then DISTRICT, upon commencement of such use, shall provide at its sole expense the gas, electricity and water utilities for such swimming facility.

(g) Commencing on July 1, 1991, CITY shall undertake the mowing, trimming, fertilization, irrigation, repair and related maintenance at the expense of CITY of turf, grounds and landscaped areas at the Bishop, Cumberland, Ellis, Fairwood, San Miguel, and Vargas school site open space areas. As soon as practicable after July 1, 1991, the authorized representative of CITY and DISTRICT shall meet with each other to identify those areas needing immediate repair. Initially, CITY shall maintain such open space areas not below minimum DISTRICT standards. After construction of the improvements to the open space areas with respect to each of the six school sites (Bishop, Cumberland, Ellis, Fairwood, San Miguel, and Vargas) CITY shall maintain such open space areas consistent with standards of like classification of CITY parks.

(h) Not later than July 1, 1992, CITY shall install or cause

## ATTACHMENT 1

to be installed at each school site which is the subject of this Agreement, at the sole expense of CITY, water metering facilities which will enable measurement of the quantities of water used by CITY to irrigate each open space area on each such site for which CITY is responsible, or used by CITY to provide water to other facilities on each such school site as to which CITY is required to furnish water pursuant to this Agreement.

(i) Notwithstanding any other provision of this Agreement to the contrary, DISTRICT shall be responsible for preparation and maintenance of buildings and open space areas at the expense of DISTRICT in connection with special events or other functions of DISTRICT, including but not limited to graduation ceremonies and athletic events.

(j) CITY shall have no obligation for the mowing, trimming, fertilization, irrigation, repair or related maintenance at the expense of CITY of turf, grounds, landscaped areas, buildings, parking lots, fences, sidewalks, trees or other facilities owned by DISTRICT not reflected in the exhibits to this Agreement.

(k) DISTRICT shall provide for the removal of garbage, refuse, debris, rubbish, litter and other solid waste produced on each school site as a result of DISTRICT activities.

(l) CITY will determine the location of portable backstops as required in order to maintain acceptable field condition standards.

(m) In undertaking its maintenance obligations under this Agreement, CITY shall minimize the impact on DISTRICT use of facilities during school hours, but priority shall be given to CITY

## ATTACHMENT 1

maintenance personnel and equipment between the hours of 6:00 a.m. to noon as to the areas to be maintained by CITY. The authorized representatives of CITY and DISTRICT shall meet annually and review scheduling of maintenance at the various school sites. For the purposes of providing required turf and grounds maintenance, and with two weeks advance notice, CITY may curtail all DISTRICT use of those areas maintained by CITY four times during the school year. CITY shall attempt to schedule such maintenance in coordination with school calendars, and on days when school is not in session, where possible. CITY shall curtail DISTRICT use only if necessary, and for a maximum of one day each time. General maintenance schedules shall be coordinated by the Superintendent of Parks of CITY and the District Site Administrator of DISTRICT.

(n) For the purpose of abating hazardous conditions on the various school sites, CITY may curtail DISTRICT use of those areas maintained by CITY at any time and without prior notification. In such cases CITY will minimize DISTRICT's lack of access to the facility.

(o) At least once annually, the Director of Parks and Recreation of CITY and the Superintendent of DISTRICT, or their authorized representatives shall meet to discuss the use and maintenance of those areas maintained by CITY pursuant to this Agreement.

(p) Except issues concerning safety, any and all concerns or issues of DISTRICT governing the general maintenance or use of those areas maintained by CITY pursuant to this Agreement shall be

## ATTACHMENT 1

communicated to CITY by the Superintendent of School or the Director of Operational Services of DISTRICT and shall be communicated with the Director of Parks and Recreation of CITY or his or her authorized representative.

(q) Upon assumption of maintenance responsibility for a school open space site pursuant to this Agreement, CITY shall modify the signs identifying the site to designate the responsibility of CITY and DISTRICT as to ownership, use, maintenance and improvements of the site.

### SECTION 3. IMPROVEMENTS TO SCHOOL SITES.

(a) CITY shall prepare, at its expense, subject to subsection (k), a Master Plan for the design of the open space site improvements contemplated by this Agreement for the open space areas at the Bishop, Cumberland, Ellis, Fairwood, San Miguel, and Vargas school sites. The Master Plan will also identify potential future locations of sites of portable school facilities to the extent DISTRICT is able to identify such sites.

(b) The Master Plan for each school open space site shall be the governing document which determines the precise improvements to be installed at the open space areas at the Bishop, Cumberland, Ellis, Fairwood, San Miguel, and Vargas school sites. The description of certain improvements in Section 1(b) of this Agreement as to the various school open space sites are illustrative examples only. Although it is contemplated by the parties that the improvements developed in each Master Plan will be substantially similar to those generally described in Section 1(b)

## ATTACHMENT 1

of this Agreement as school open space improvements, where there is any conflict between any school open space site improvement generally described in Section 1(b) of this Agreement and any improvement described in a Master Plan, the Master Plan shall prevail.

(c) (1) CITY and DISTRICT may provide in any Master Plan for a school open space site for the construction by CITY of special recreational improvements for exclusive or primary use of DISTRICT in addition to those improvements contemplated by this Agreement. Prior to the approval of a Master Plan for a school open space site, DISTRICT may provide for the construction of such special improvements by DISTRICT without approval of CITY. DISTRICT shall provide CITY with a copy of the plans and specifications for such improvements for its review prior to their construction. Any such special improvement shall be designated as such in the Master Plan. DISTRICT shall be responsible for all capital costs, including cost of installation, and all costs of maintenance with respect to such improvements.

(2) CITY and DISTRICT may provide in any Master Plan for a school open space site for the construction by CITY of special recreational improvements for exclusive or primary use of CITY in addition to those improvements contemplated by this Agreement. CITY shall provide DISTRICT with a copy of the plans and specifications for such improvements for its review prior to their construction. Any such special improvement shall be designated as such in the Master Plan. CITY shall be responsible for all capital

## ATTACHMENT 1

costs, including cost of installation, and all costs of maintenance with respect to such improvements. The costs of such improvements are not within the expenditure limitations set forth in subsection (k).

(d) CITY shall consult and coordinate its preparation of each such Master Plan with DISTRICT. CITY and DISTRICT shall appoint representatives for purpose of such consultation and coordination.

(e) Upon completion of the preparation of each Master Plan, it shall be presented to the respective governing bodies of CITY and DISTRICT for approval. No such Master Plan shall be effective unless and until it shall have been approved by the governing boards of CITY and DISTRICT.

(f) If either party during the term of this Agreement seeks the installation of substantial improvements not included in any approved Master Plan to one or more school sites designated in this Agreement, CITY shall prepare an appropriate amendment to the pertinent Master Plan. The cost and expense of preparation of such amendment shall be by the party proposing it, or shall be borne jointly if CITY and DISTRICT jointly propose it. No such amendment shall be effective unless and until it shall have been approved by the governing boards of CITY and DISTRICT. The cost of installation and maintenance of any such improvement shall be borne by the party which proposed it, or shall be borne jointly if CITY and DISTRICT jointly proposed it.

(g) CITY is empowered to undertake and shall be responsible for all activities related to the construction and installation of

# ATTACHMENT 1

the improvements within the open space areas of the Bishop, Cumberland, Ellis, Fairwood, San Miguel and Vargas school sites in accordance with each adopted Master Plan, including preparation of plans and specifications, selection and payment of services of consultants, advertising and calling for bids for construction and installation of the improvements, awarding construction contracts, supervision of construction and installation of the improvements, and payment of costs of such construction and installation. No contract for construction shall be awarded unless and until DISTRICT shall have approved the plans and specifications. No contract for construction of any school building, as defined in Chapter 2 of Part 23 of Title 2 of the Education Code, shall be awarded without the prior approval of the State Architect, where required.

(h) Except as provided in subsection (i) and Section 10, the commencement and completion of construction and installation of the improvements for the various school open space sites under this Agreement shall occur not later than the following dates:

<u>School open space site</u>	<u>Commencement</u>	<u>Completion</u>
Bishop School	June 30, 1992	June 30, 1993 <del>Nov</del>
Cumberland School	June 30, 1992	June 30, 1993 Nov
Ellis School	June 30, 1992	June 30, 1993 Oct
Fairwood School	June 30, 1993	June 30, 1994
San Miguel School	June 30, 1993	June 30, 1994
Vargas School	June 30, 1993	June 30, 1994 Nov

(i) The required date of completion of construction and installation of any improvement required pursuant to this Agreement shall be extended where and to the extent that delay is attributable to weather or circumstances beyond the control of CITY

## ATTACHMENT 1

or any contractor constructing or installing improvements under the authority of CITY.

(j) DISTRICT recognizes that the construction of improvements pursuant to this Agreement may occur during times of the year when its schools are in session. CITY will endeavor to schedule construction activities so as to cooperate with DISTRICT and will assure that adequate safety precautions are in place. CITY shall consult with DISTRICT as to the scheduling and timing of construction of the improvements so as to minimize any adverse impact such construction may have on the instructional program of DISTRICT.

(k) (1) Except as provided in subsection (k)(2), CITY shall not be required to expend more than an aggregate of two million dollars (\$2,000,000.00), adjusted by changes in the Consumer Price Index as calculated pursuant to subsection (k)(3), for all activities related to preparation of all Master Plans and the construction and installation of the improvements within the open space areas of the Bishop, Cumberland, Ellis, Fairwood, San Miguel and Vargas school sites in accordance with each adopted Master Plan, including preparation of plans and specifications, selection and payment of services of consultants, advertising and calling for bids for construction and installation of the improvements, awarding construction contracts, and supervision of construction and installation of the improvements in any approved Master Plan. Except as provided in subsection (k)(2), the improvements developed in each Master Plan will be substantially similar to those



## ATTACHMENT 1

generally described in Section 1(b) of this Agreement as school open space improvements. It is the intent of CITY to assure that all Master Plan elements for which CITY is responsible will be constructed.

(2) CITY may expend funds in excess of two million dollars (\$2,000,000.00), adjusted by changes in the Consumer Price Index as calculated pursuant to subsection (k)(3), for the activities described in subsection (k)(1) with the specific authorization of the City Council of CITY. CITY may approve improvements in any Master Plan which are in addition to those generally described in Section 1(b) with the specific authorization of the City Council of CITY and the Board of Education of DISTRICT. The City Council of CITY shall have sole discretion in determining whether it shall grant such authorizations.

(3) The expenditure limitations set forth in this subsection shall be adjusted as follows:

a. The Consumer Price Index for All Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose area for all items (1982-84 = 100) compiled by the U.S. Department of Labor Bureau of Labor Statistics for June, 1991, shall be determined.

b. Such index for June, 1993, shall be determined.

c. The increase of such index between June, 1991, and June, 1993, if any, shall be calculated as follows and then stated as a percent (%):  $(b. - a.) / a.$  (The quantity b. minus a., divided by a.).

d. The expenditure limitations shall be adjusted in

## ATTACHMENT 1

accordance with the percent (%) of increase, if any, calculated under c.

(4) Upon completion of construction and installation of all improvements subject to the expenditure limitation set forth in subsection (k)(1), CITY shall calculate the total expenditures for all activities related to such improvements described in subsection (k)(1). If such total is less than two million dollars (\$2,000,000.00), adjusted by changes in the Consumer Price Index as calculated pursuant to subsection (k)(3) ("adjusted expenditure limitation"), then not later than sixty (60) days after such calculation, CITY shall pay DISTRICT an amount equivalent to the difference between such adjusted expenditure limitation and such total.

SECTION 4. FACILITY USAGE POLICY FOR RECREATIONAL AREAS AND INTERIOR FACILITIES AT SCHOOL SITES. (a) The following usage policy shall be effective upon execution of this Agreement with respect to school open space areas and interior facilities at Cherry Chase, Columbia, De Anza, Hollenbeck, Lakewood and Sunnyvale Middle school sites, and with respect to swimming pools, locker rooms, shower rooms and tennis courts at Columbia, Lakewood and Sunnyvale Middle school sites.

(b) The following usage policy shall be effect on July 1, 1991, with respect to school open space areas and interior facilities at the Bishop, Cumberland, Ellis, Fairwood, San Miguel, and Vargas school sites.

(c) The items contained in this section are intended to define

## ATTACHMENT 1

basic guidelines in order to maximize recreational opportunities for both students of DISTRICT and residents of CITY.

(d) The policy set forth in this section may be modified from time to time by agreement of the Director of Parks and Recreation of CITY and the Superintendent of DISTRICT or their authorized representatives. Either party may recommend to the other modifications to this policy.

(e) (1) DISTRICT shall have priority use of school open space areas, locker rooms, shower rooms, and tennis courts governed by this Agreement between the hours of 8:00 a.m. to 4:00 p.m. on days during which school is in session, except as set forth in subsection (f). Generally, this will apply to Monday through Friday from September to mid-June of each year. CITY will have priority use of facilities after 4:00 p.m. on days when school is in session and all other times, including weekends, holidays and summer vacation. Exceptions to this schedule can be agreed upon by the Director of Parks and Recreation of CITY and the Superintendent of DISTRICT or their authorized representatives. CITY will cooperate with DISTRICT so as to give DISTRICT adequate opportunity to use each school site for its activities, programs and needs.

(2) CITY shall have exclusive use of the swimming pools on the Columbia and Sunnyvale Middle school sites on days during which school is not in session and between 4:00 p.m. and 8:00 a.m. on days during which school is in session. CITY shall have exclusive use of the swimming facility at the Lakewood school site. Special exceptions to this schedule can be agreed upon by the Director of

## ATTACHMENT 1

Parks and Recreation of CITY and the Superintendent of DISTRICT or their authorized representatives.

(f) DISTRICT shall have priority use of facilities during days and times other than those listed in subsection (e) for DISTRICT activities such as summer school, school special events, afterschool athletics, and similar activities. Specific schedules shall be agreed upon by the Director of Parks and Recreation of CITY and the Superintendent of DISTRICT or their authorized representatives. Non-school related groups will be notified of school priority and may be required to relocate due to school special events.

(g) During school hours the facilities described above in this section may be used for public related recreational activities, except in the areas of the facilities mutually designated by the Director of Parks and Recreation of CITY and the Superintendent of DISTRICT or their authorized representatives as those which can be used by the public during hours when school classes are in session.

(h) CITY shall be responsible for administering facility reservations for public use of open space, swimming pools, athletic fields or tennis courts for each school site. CITY shall be solely responsible for determining a priority use system, as well as fees to be charged to the public and/or organized groups for use of school sites during such times that the sites are under control of CITY. Such fees shall be required to conform to all applicable rules, regulations, ordinances and/or laws governing school grounds in addition to those applicable to CITY property. All fees

## ATTACHMENT 1

collected shall be the property of CITY. Copies of CITY's reservation and priority use policy will be provided to DISTRICT.

(i) When school buildings are under lease by DISTRICT to private users, the Director of Parks and Recreation of CITY shall allow such users reasonable use of recreational open space to meet the specialized recreational needs of the user. Such requests may be granted when reasonable advance notice is given and the use does not interfere with public related recreational activities.

(j) Not later than August 31, 1991, CITY and DISTRICT shall enter into a written agreement, which shall provide the following:

(1) That CITY shall be entitled to access to and the use of the gymnasium, multipurpose rooms, and other special use interior facilities, included related equipment, such as backstops, poles, nets and scoreboards, at the Bishop, Cherry Chase, Columbia, Cumberland, De Anza, Ellis, Fairwood, Hollenbeck, Lakewood, San Miguel, Sunnyvale Middle and Vargas school sites for public recreational purposes; and

(2) The terms and conditions under which CITY shall be entitled to access to and use of such facilities, including but not limited to the cost to CITY for such access and use; responsibility for loss or damage to facilities; and responsibility for maintenance of such facilities and for the cost of such maintenance.

(k) Amendments, revisions or modifications to this policy will be the responsibility of the Director of Parks and Recreation of CITY and the Superintendent of DISTRICT or their authorized

representatives.

SECTION 5. OBLIGATION OF DISTRICT NOT TO SELL, LEASE OR DISPOSE OF CERTAIN OPEN SPACE OR OTHER AREAS FOR 25 YEARS.

(a) As used in this section and in Section 6 of this Agreement, the term "restricted site" shall mean any school open space area or portion thereof at the Bishop, Cherry Chase, Columbia, Cumberland, Ellis, Fairwood, Lakewood, San Miguel, Sunnyvale Middle, or Vargas school sites, or any swimming pool, locker room, shower room or tennis court facility at the Columbia, Lakewood, or Sunnyvale Middle school sites.

(b) DISTRICT shall have the power to sell, lease, convey, transfer, or otherwise dispose of the Benner school site without first offering said site to CITY for its acquisition.

(c) DISTRICT shall not sell, lease, convey, transfer, or otherwise dispose of any restricted site prior to July 1, 2016.

SECTION 6. OBLIGATION OF DISTRICT NOT TO SELL, LEASE OR DISPOSE OF CERTAIN OPEN SPACE AND OTHER AREAS WITHOUT GRANTING CITY RIGHT OF ACQUISITION.

(a) DISTRICT shall not sell, lease, convey, transfer, or otherwise dispose of any restricted site on or after July 1, 2016, without following the procedure set forth in this section.

(b) DISTRICT shall not sell, lease, convey, transfer, or otherwise dispose of any school open space area or portion thereof at the De Anza or Hollenbeck school sites without following the procedure set forth in this section.

(c) (1) Upon the execution of this Agreement, there is

established a reserve bank consisting of eight (8) acres of real property. The reserve bank shall never exceed eight (8) acres. The reserve bank is depleted to the extent specified in this paragraph when CITY acquires from DISTRICT an area which is the subject of potential acquisition by CITY from DISTRICT.

(2) Upon execution of this Agreement, the areas of potential acquisition are the school open space areas at the De Anza and Hollenbeck school sites.

(3) Whenever the CITY shall acquire school open space areas at the De Anza or Hollenbeck school sites from DISTRICT, the reserve bank shall be deemed depleted to the extent of the amount of land acquired by CITY.

(4) If, as of June 30, 2016, sufficient real property shall not have been acquired by CITY from DISTRICT to have completely depleted the reserve bank, the restricted sites shall be added to the areas of potential acquisition subject to the reserve bank. The addition of the restricted sites to the areas of potential acquisition shall not increase the acreage of the reserve bank beyond eight (8) acres. Whenever the CITY shall acquire school open space areas from among any restricted site or sites, the reserve bank shall be deemed depleted to the extent of the amount of such land acquired by CITY.

(d) Prior to selling, leasing, conveying, transferring or otherwise disposing of any school site or facility or portion thereof to which the procedure described in this section applies, DISTRICT shall first give CITY written notice of its intent to

ATTACHMENT 1

sell, lease, convey, transfer or otherwise dispose of such property.

(e) Not more than thirty (30) days after the date of the written notice of intent CITY may give DISTRICT written notice that CITY is interested in exercising its rights of acquisition under this section. If CITY fails to give DISTRICT timely notice pursuant to this subsection with respect to a school site or portion thereof, it shall have no further rights with respect to such site or portion.

(f) If CITY gives DISTRICT timely notice of interest in exercising its right of acquisition pursuant to subsection (e), CITY shall have the right to acquire the site or a portion thereof at no cost to CITY if the site is a restricted site and is within the reserve bank as specified in subsection (c), to the extent that such reserve bank shall not have been depleted.

(g) With respect to any real property which CITY is entitled to acquire from DISTRICT at no cost pursuant to subsection (f), DISTRICT shall convey such property to CITY through a legal entity qualified to perform escrow services in California not later than thirty (30) days from the date CITY gives DISTRICT its notice of interest to acquire the property. CITY shall be responsible for all escrow expenses.

(h) Notwithstanding any provision of this Agreement to the contrary, the CITY shall have no further right to acquire real property from DISTRICT pursuant to this section, and DISTRICT shall have no obligation to notify CITY pursuant to subsection (d) once



CITY shall have acquired an aggregate of real property sufficient to have depleted such reserve bank, to wit: eight (8) acres.

(i) CITY shall not sell any portion of any real property acquired from DISTRICT pursuant to this section, nor cease to use such property for recreational purposes unless and until CITY shall have offered to DISTRICT a first right of refusal to repurchase such real property at the repurchase price within sixty (60) days from the date of written notice by CITY to DISTRICT of the intent of CITY to sell such property or to terminate recreational uses thereon. For purposes of this Agreement, and for purposes of Sections 39396 and 39398 of the Education Code, the repurchase price shall be twenty-five per cent (25%) of the fair market value of the real property or affected portion thereof. The fair market value of any such real property shall be determined by a written report prepared by a qualified real estate appraiser jointly selected by CITY and DISTRICT. The fee for such appraisal shall be borne equally by CITY and DISTRICT. If CITY and DISTRICT are unable to agree upon an appraiser to determine fair market value, said value shall be determined by the Superior Court of the County of Santa Clara, State of California.

SECTION 7. CERTAIN AGREEMENTS SUPERSEDED. This Agreement supersedes the following agreements between CITY and DISTRICT, which agreements shall be terminated upon execution of this Agreement:

(a) Agreement of October 26, 1971, pertaining to development and maintenance for recreational purposes of CITY parks and

## ATTACHMENT 1

DISTRICT school sites adjacent to one another.

(b) Agreement of June 30, 1986, for the joint use of Cherry Chase School.

(c) Agreement of June 30, 1986, for the joint use of Columbia School-Park.

(d) Agreement of November 14, 1977, pertaining to development, use and maintenance of the De Anza School site.

(e) First Amendment to Agreement for Joint Use of Recreational Facilities, dated November 14, 1977. Said amendment is dated April 15, 1986.

(f) Agreement of June 30, 1986, for the joint use of Hollenbeck School.

(g) Agreement of August 7, 1972, pertaining to the development, use and maintenance for recreational purposes of Lakewood School site.

(h) Agreement of October 9, 1972, pertaining to development, use and maintenance for recreational purposes of the Mango school site.

(i) Agreement of October 9, 1972, pertaining to development, construction and maintenance of an outdoor swimming facility at the Madrone Middle School site on Morse Avenue.

SECTION 8. DUTY OF PARTIES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS. (a) CITY shall defend, indemnify and hold harmless DISTRICT, its officers, agents and employees from any and all claims or causes of action for death or injury to persons, or damage to or loss of property arising out of the negligent or

inadequate supervision of any community recreation activities conducted by CITY at any school open space site for which CITY has undertaken the responsibility for maintenance, improvement or rehabilitation under this Agreement or under previous agreements between the parties, or due to the failure of CITY to construct or cause the construction of any improvement for which CITY is responsible under this Agreement, or due to the negligence of CITY or its officers, agents or employees in the use by CITY of the interior of any building of DISTRICT arising out of this Agreement, except where such claim or cause of action arises from the sole negligence of DISTRICT, its officers, agents or employees.

(b) DISTRICT shall defend, indemnify and hold harmless CITY, its officers, agents and employees from any and all claims or causes of action for death or injury to persons, or damage to or loss of property arising out of the negligent or inadequate supervision of any educational or recreational activities conducted by DISTRICT at any school open space site for which CITY has undertaken the responsibility for maintenance, improvement or rehabilitation under this Agreement or under any previous agreement between the parties, except where such claim or cause of action arises from the sole negligence of CITY, its officers, agents or employees.

(c) CITY shall defend, indemnify and hold harmless DISTRICT, its officers, agents and employees from any claims or causes of action for death or injury to persons, or damage to or loss of property accruing on or after July 1, 1991, attributable to the

physical condition of any school open space site for which CITY has undertaken responsibility for maintenance, improvement or rehabilitation under this Agreement arising out of the maintenance of such site by CITY, except for those claims or causes of action to which DISTRICT is responsible pursuant to subsection (b).

SECTION 9. TIME OF THE ESSENCE. Time is of the essence of this Agreement.

SECTION 10. FORCE MAJEURE. If, due to act of God; fire; flood; storm; inclement weather; earthquake; drought; acute restrictions or riot; war or insurrection; plant or animal infestation or disease; sudden or severe energy shortage; strike; work stoppage; work slowdown or other concerted job action; or other condition of emergency or disaster beyond the control of CITY which makes performance of its construction, rehabilitation and/or maintenance obligations under this Agreement impossible or extremely impracticable, such obligations shall be suspended during such time any such condition or conditions exist.

SECTION 11. DISCRIMINATION PROHIBITED. Neither CITY nor DISTRICT shall discriminate in the employment of persons engaged in the performance of this Agreement on account of race, color, national origin, ancestry, sex, physical handicap, or medical condition, in violation of state or federal laws, or any other basis otherwise prohibited by state or federal law.

SECTION 12. NOTICES. All notices hereunder shall be given in writing and mailed, postage prepaid, by certified mail, addressed as follows:

To CITY

City Manager  
City of Sunnyvale  
P.O. Box 3707  
Sunnyvale, California 94088-3707

To DISTRICT

Superintendent  
Sunnyvale School District  
830 West McKinley Avenue  
Sunnyvale, California 94088

SECTION 13. EFFECT OF WAIVER OF BREACH OR VIOLATION. The waiver by either party of any breach or violation of any term, covenant, or condition of this Agreement or of any provision of law shall not be deemed to be a waiver of any other term, covenant, or condition or law. The subsequent acceptance by either party of any money which may become due hereunder shall not be deemed a waiver of any preceding breach or violation by the other party of any term or condition of this Agreement, or of any applicable law.

SECTION 14. LEGAL ACTIONS; ATTORNEY FEES; SPECIFIC PERFORMANCE.

(a) Any disputes regarding this Agreement shall be resolved according to the laws of the State of California. Any legal proceedings shall be instituted in the courts of the State of California and County of Santa Clara, irrespective of any claim of diversity of citizenship or other possible jurisdictional conditions.

(b) The prevailing party in any action brought to enforce the terms of this Agreement or arising out of this Agreement may recover its reasonable costs and attorney's fees expended in connection with such an action from the other party.

(c) In any action to enforce the provisions of Sections 5 and 6 of this Agreement, specific performance shall be a remedy

available in addition to any other remedies provided by law.

SECTION 15. INTEGRATED AGREEMENT. This document represents the entire and integrated Agreement between CITY and DISTRICT and supersedes all prior negotiations, representations or agreements, either written or oral. This agreement shall not be construed as nor deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action herein for any cause whatever.

SECTION 16. AMENDMENT OF AGREEMENT. This Agreement may be amended only by written instrument, signed by both CITY and DISTRICT.

SECTION 17. ALL PROVISIONS OF AGREEMENT ARE CONDITIONS. All provisions of this Agreement are expressly made conditions.

SECTION 18. TERMINATION OF AGREEMENT. (a) Except as provided in subsections (b) and (c) this Agreement shall terminate on June 30, 2016.

(b) Subsection 6(i) of this Agreement shall continue to be in full force and effect after June 30, 2016.

(c) If, as of June 30, 2016, sufficient real property shall not have been acquired by CITY from DISTRICT to have completely depleted the reserve bank established pursuant to Section 5(c), then subsections (a) through (h), inclusive, of Section 6 of this Agreement shall continue to be in full force and effect until the

ATTACHMENT 1

reserve bank is depleted, to wit: CITY shall have obtained a total of eight (8) acres pursuant to this Agreement.

IN WITNESS WHEREOF, CITY and DISTRICT have executed this Agreement on the 25<sup>th</sup> day of June, 1991.

ATTEST:  
City Clerk

By

Carol Ann Dwyer  
Deputy City Clerk

CITY OF SUNNYVALE ("CITY")

Richard Napier  
Mayor

APPROVED AS TO FORM:

Thomas R. Bradley  
City Attorney

SUNNYVALE SCHOOL DISTRICT  
("DISTRICT")

Manuel D. Mantle  
President

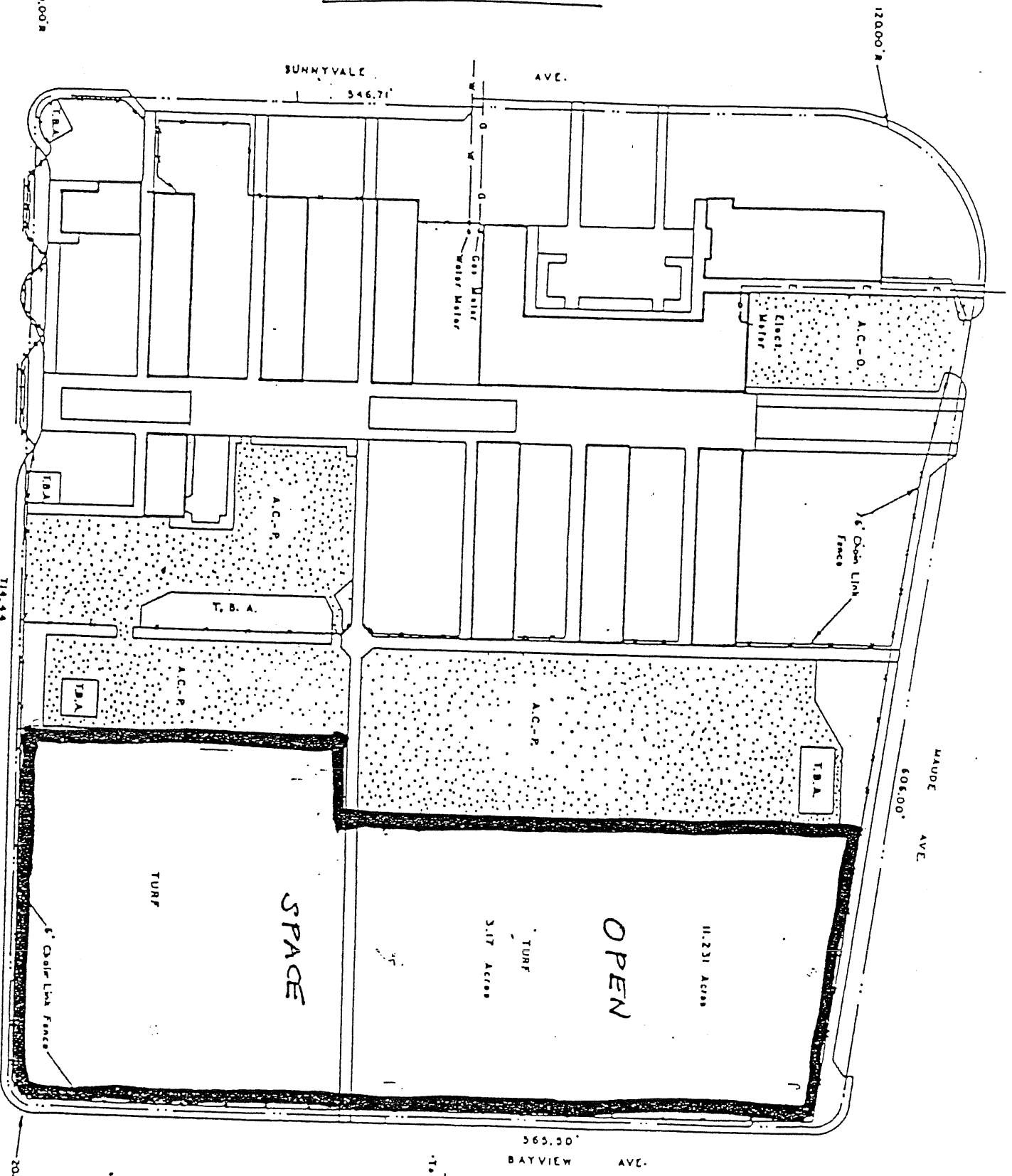
APPROVED AS TO FORM:  
BROWN AND CONRADI, APLC

by/ Jonathan R. Dancy  
Attorney for District

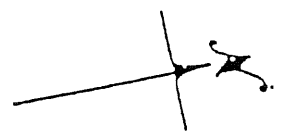
# EXHIBIT A

SCALE 1"=100'

BISHOP ELEMENTARY SCHOOL  
450 N. SUNNYVALE AVE



A.C.-P.	100,438 sq. ft.
A.C.-O.	10,320 sq. ft.
Total A.C.	110,758 sq. ft.







# EXHIBIT "C"

## ATTACHMENT 1

9.2557

MORSE  
A.C.-P. 53,880 sq.ft.  
A.C.-O. 39,329 sq.ft.  
TOTAL AC 33,209 sq.ft.

○ GAS VALVES  
○ WATER VALVES  
○ ELECTRICAL PANELS

### LEGEND

CHAIN LINK FENCE

Chain Link Fence

TURF  
4.33 ACRES

OPEN  
SPACE

TURF  
5.53 ACRES

MAIN TURF & MINI  
PARK WATER VALVE & ADRAGE 25.02 ACRES

TURF CONTROLLER

MADRONE  
A.C.-P. 49,248 sq.ft.  
A.C.-O. 11,920 sq.ft.  
TOTAL A.C. 61,168 sq.ft.

Chain Link Fence

15' P.G.B.E. FRONT OF WAY

ROLLER  
MINI PARK  
MORSE

A.C.-O.

A.C.-P.

A.C.-O.

ELECT.

GAS

MADRONE

LOCKERS  
SHOWERS

TURF  
CONTROLLER

Chain Link Fence

MAIN WATER VALVE  
FOR SWIMMING  
POOL

1" = 120'

MORSE

AVC

W

1140.00'

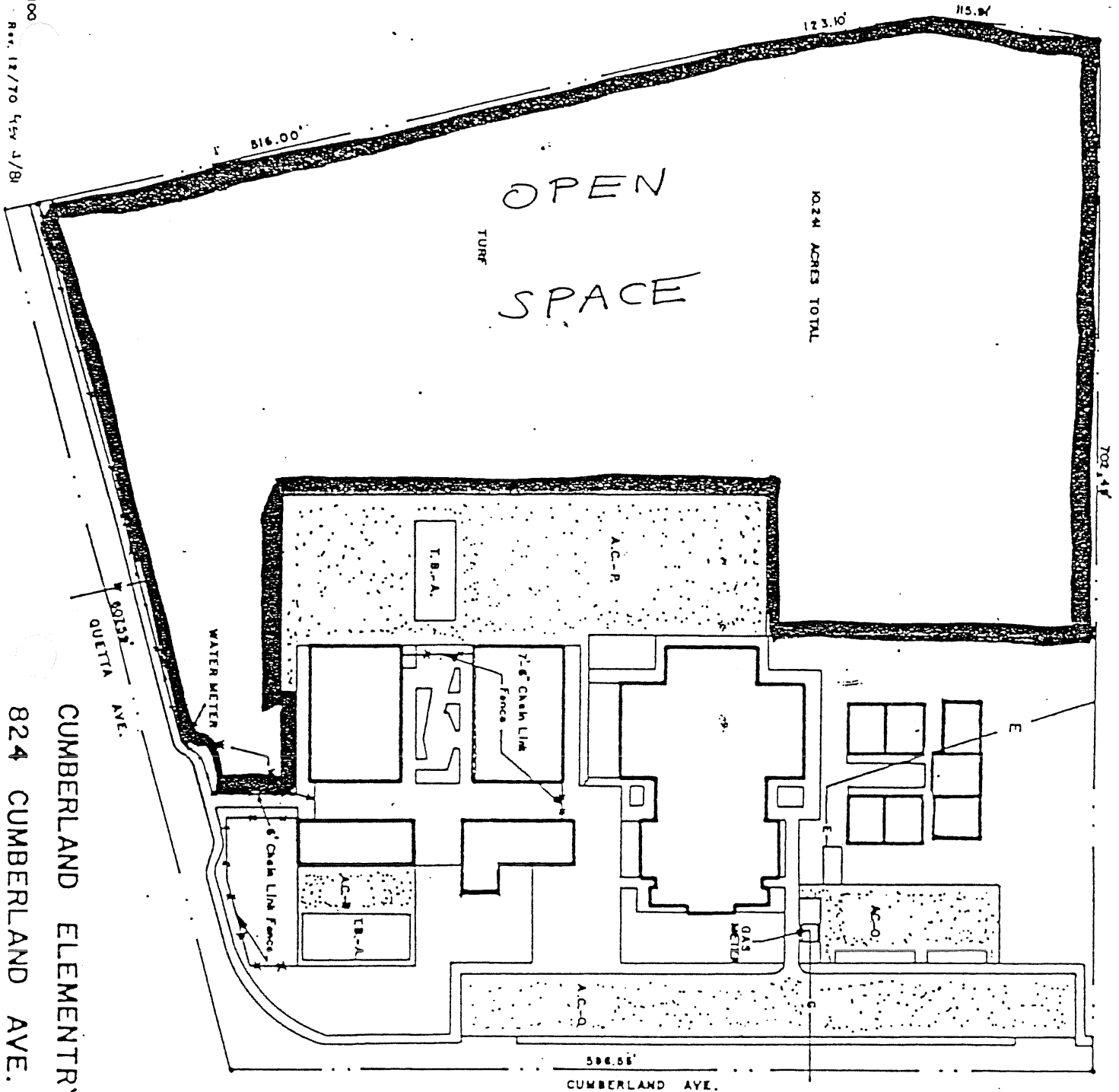
COLUMBIA COMMUNITY SCHOOL

739 MORSE

3.91

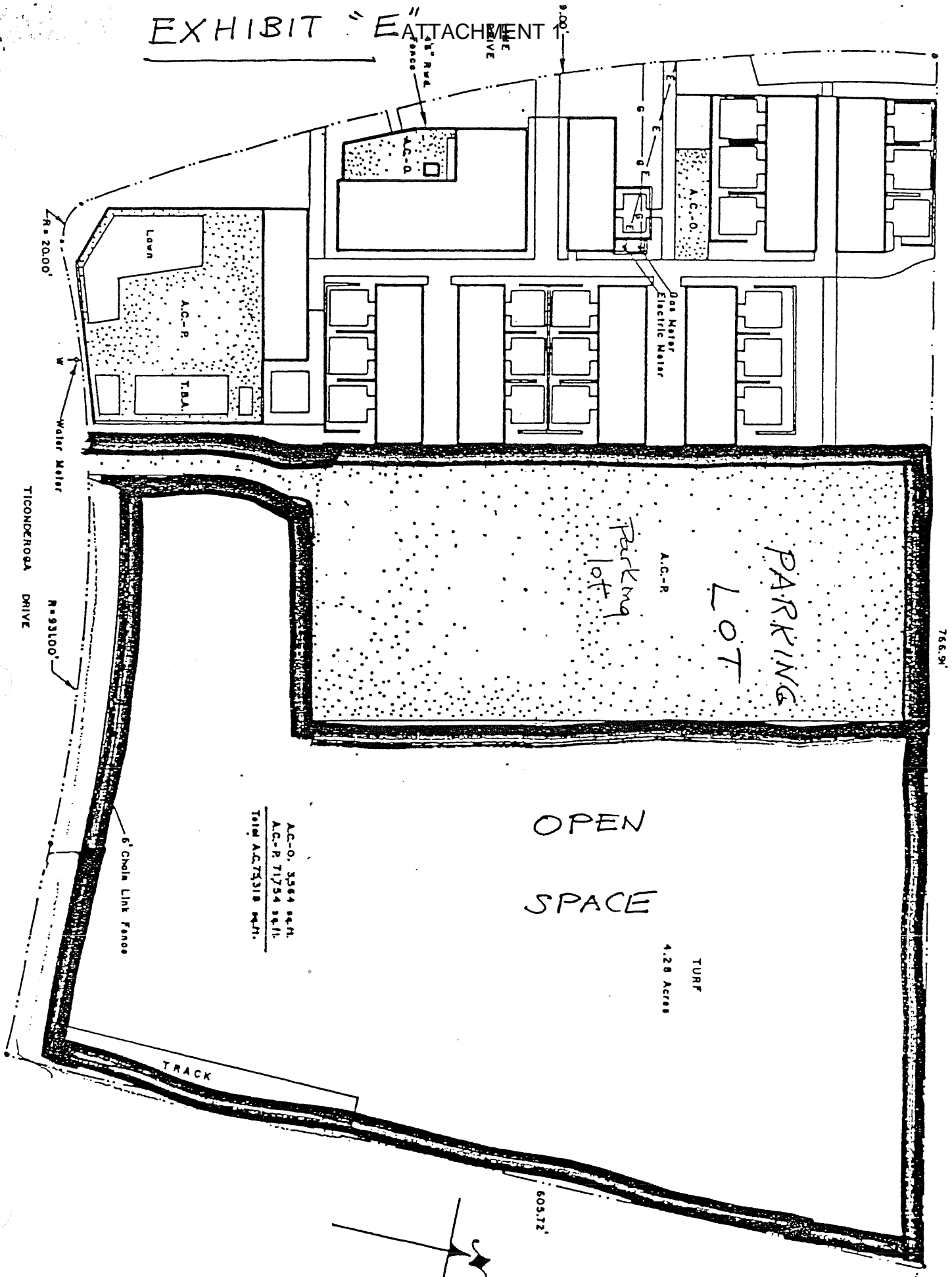
ATTACHMENT 1  
EXHIBIT "D"

SCALE 1"=100'  
REV. 12/70 LSW J/B



CUMBERLAND ELEMENTARY SCHOOL  
824 CUMBERLAND AVE.

# EXHIBIT "E" ATTACHMENT



A.C.-O. 3,984 sq. ft.  
 A.C.-R. 71,754 sq. ft.  
 Total A.C. 75.318 sq. ft.

# EXHIBIT 5 ATTACHMENT 1

SCALE 1"=80'

DATE 4/01

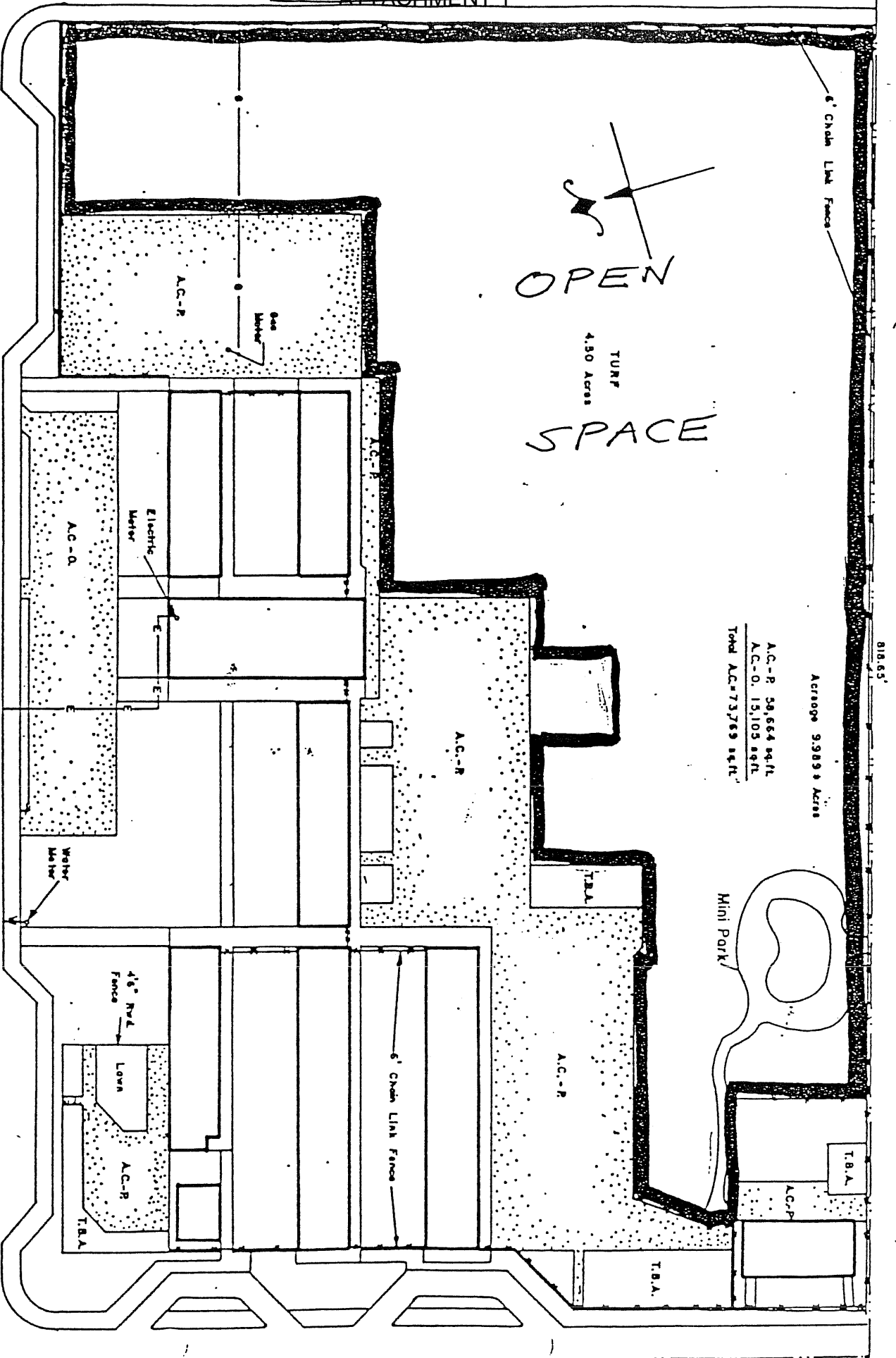
OLIVE

018.65'

AVENUE

ELLIS ELEMENTARY SCHOOL

RETRACT OLIVE AVENUE

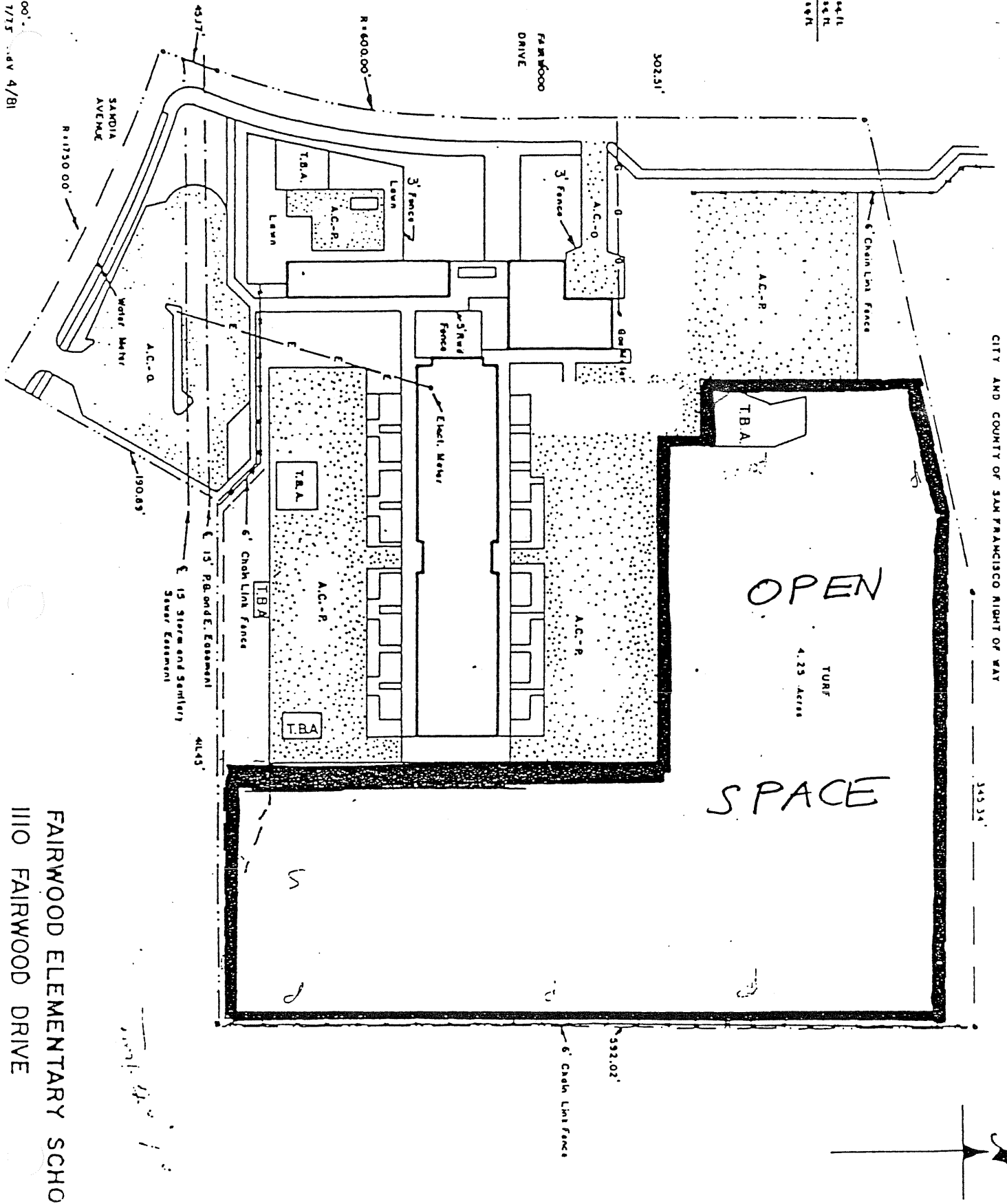


# EXHIBIT "G"

A.C.-R. 69,967 sq ft  
A.C.-O. 27,103 sq ft  
Total A.C. 97,070 sq ft

0.212 Acres

SCALE: 1"=100'  
REV 4/81  
P.B.Y./M.C.W. 7/75



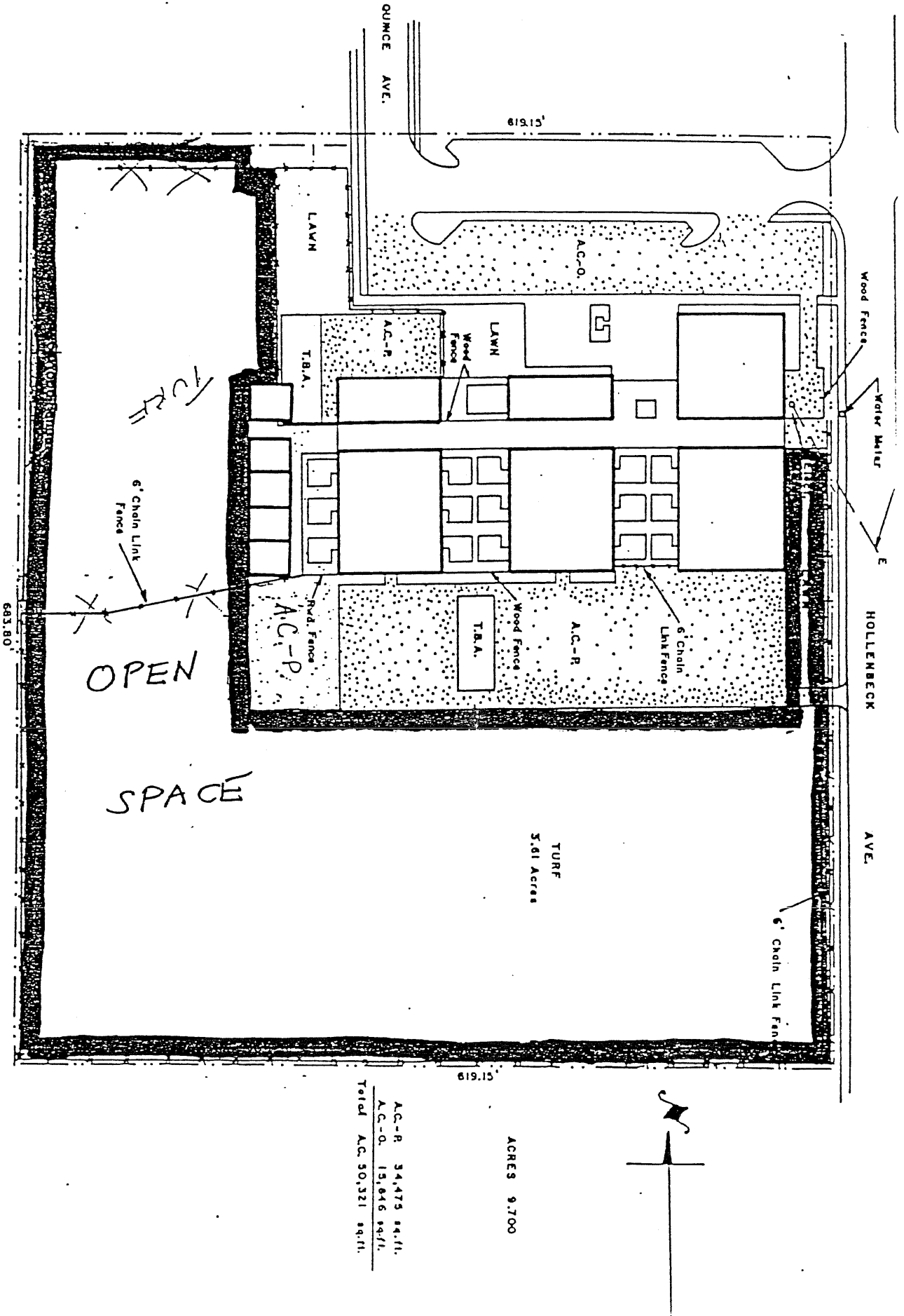
CITY AND COUNTY OF SAN FRANCISCO RIGHT OF WAY

345.34'

FAIRWOOD ELEMENTARY SCHOOL  
1110 FAIRWOOD DRIVE

# EXHIBIT H "ATTACHMENT H"

SCALE 1" = 100'-0"  
R.B.Y./M.C.M. 7/73  
REV. 9/91



AC-R	34,475 sq.ft.
AC-O	15,046 sq.ft.
Total AC	50,321 sq.ft.

ACRES 9.700

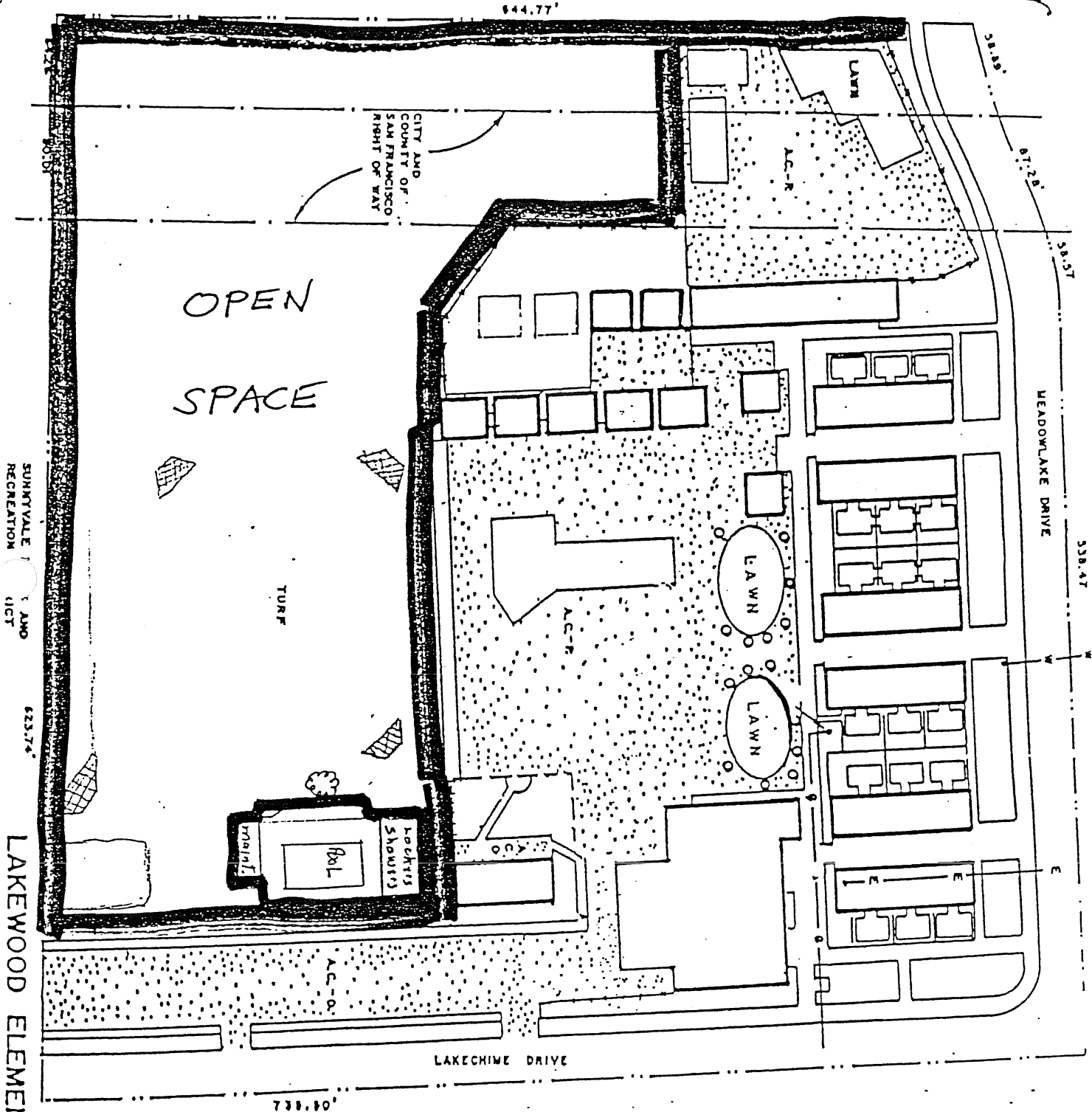
HOLLENBECK ELEMENTARY SCHOOL  
1185 HOLLENBECK RD.

# ATTACHMENT "I"

AC-92, 103 AC-11  
 0-18,300 sq. ft.  
 AC-92, 003 sq. ft.

12,220 ACRES

SCALE 1"=100'  
 1/4"=100' MCM, 7/73 Rev.



SUNNYVALE AND RECREATION DIST

LAKEWOOD ELEMENTARY SCHOOL  
 750 LAKEWOOD DRIVE



# EXHIBIT J ATTACHMENT 1

AC-F = 64,663 sq ft  
AC-Q = 2,863 sq ft  
Total AC = 67,526 sq ft

0.02 Acre

334.73'

445.4'

6' Chain Link Fence

OPEN  
SPACE

Turf  
330 Acres

T.B.A.

T.B.A.

Grass  
Play Equipment

6' Chain Link Fence

637.66'

ALVARADO AVENUE

8 = 367.99

306.43'

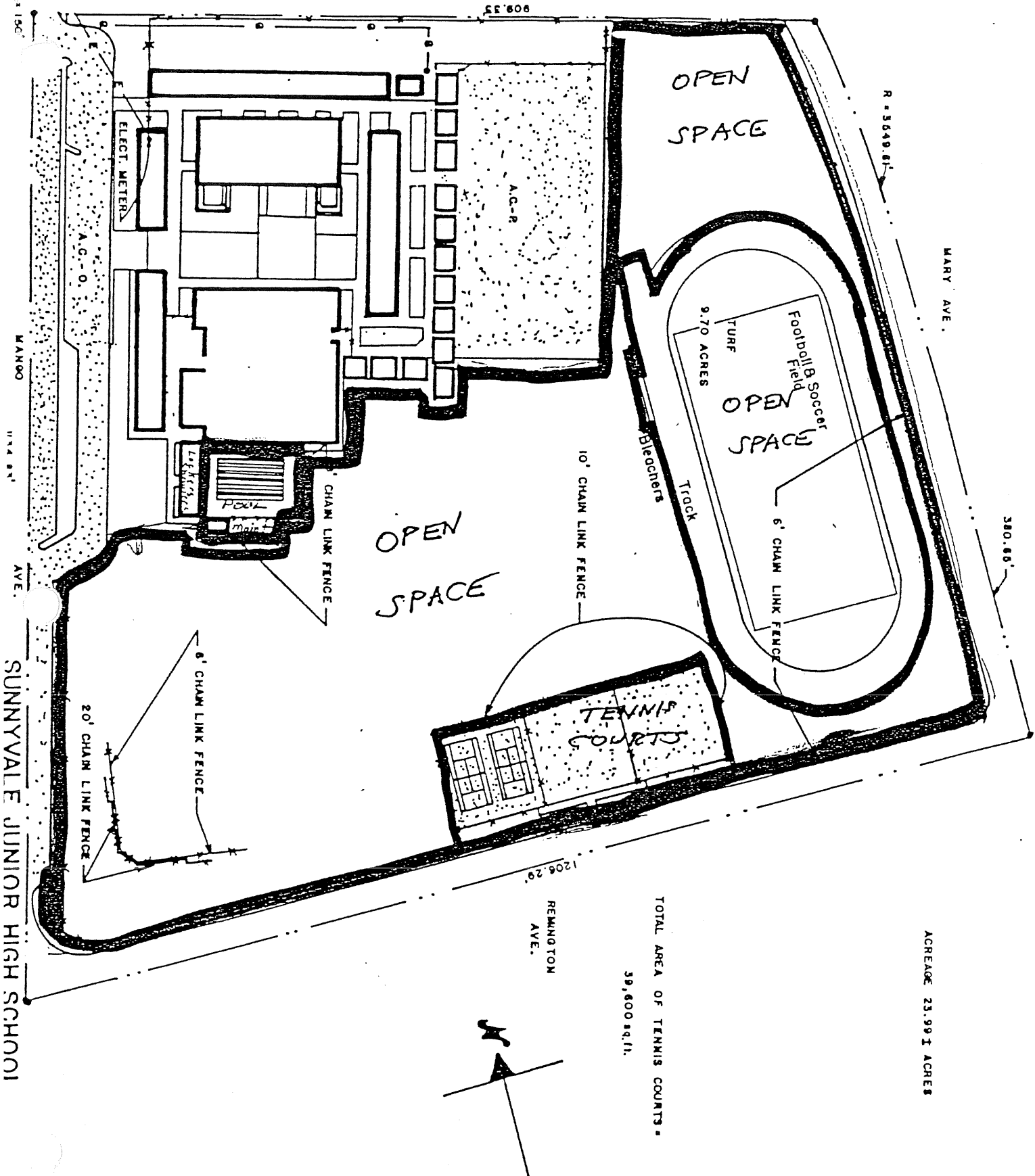
Mini Port

742.92'

SAN MIGUEL AVE.

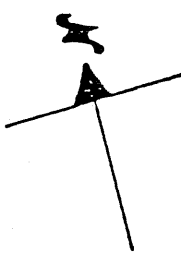
SAN MIGUEL ELEMENTARY SCHOOL

# EXHIBIT ATTACHMENT "K" 1



TOTAL AREA OF TENNIS COURTS =  
39,600 sq. ft.

ACREAGE 23.991 ACRES





# Sunnyvale School District

819 West Iowa Avenue, Sunnyvale, California 94088-3217

(408) 522-8200 • FAX: (408) 522-833

Joseph W. Rudnicki, Ed.D., Superintendent

October 9, 2006

City of Sunnyvale  
Department of Parks and Recreation  
221 Commercial Street  
P.O. Box 3707  
Sunnyvale, CA 94088

Attention: Curtis Black, Superintendent of Parks

Reference: Revision of Exhibit "L" for the Lease Agreement dated June 25, 1991

*VIA FAX AND U.S. MAIL*

Dear Mr. Black:

As per your request at our meeting of September 28, 2006, this letter will serve to notify you that Sunnyvale School District will be conducting a construction project in the near future at the Vargas Elementary School located at 1054 Carson Avenue in Sunnyvale and as such we will need to revise Exhibit "L" of our Lease Agreement dated June 25, 1991 for the said school to reflect the proposed changes to the Open Space area.

I have attached to this letter a copy of Exhibit "L" and the site plans for Vargas Elementary School showing the before construction footprint and the after construction footprint to the open space area.

I want to thank you for your efforts in assisting us with this process.

Sincerely,

Rob Williams  
Director of Facility Modernization and Construction

cc: Dr. Benjamin Picard, Deputy Superintendent  
Dave A. Lewis, City of Sunnyvale, Director Parks and Recreation

RECEIVED

OCT 12 2006

PARKS & REC.

## Board of Education

Jeffrey Arnett • Wendy Bockholt • Phyllis Fowler • Anita Herrmann • Nancy Newkirk

EXHIBIT "L"

.430.41'

Choi Link Fence

Wood Fence

1. B. A.

1-5-2

Leva

Elocl. Major.

64 Major Major

CANSON DA

710.00

SITE 10.60 ACRES

5. Chain Link Fence

City Reservoir

530.31'

OPEN

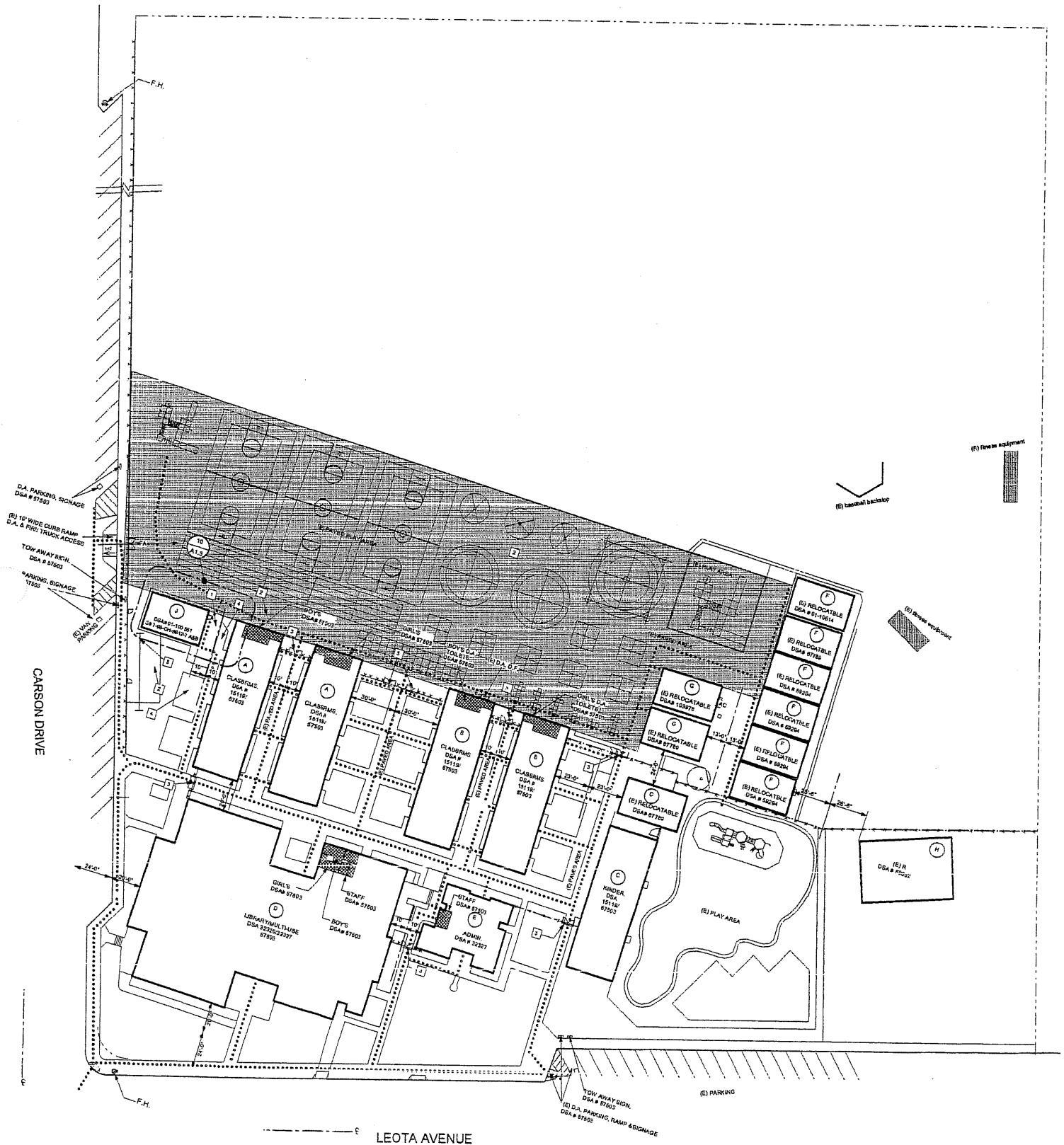
TURF  
3.07 ACROSS

SPACE

A.C.-P.	44,340	64.11
A.C.-O.	3,154	64.11
<b>TOTAL A.C.</b>	<b>35,274</b>	<b>64.11</b>

VARGAS  
ELEMENTARY SCHOOL

## ATTACHMENT 1



**EXISTING SITE PLAN - VARGAS ELEMENTARY SCHOOL**  
Scale: 1" = 30 ft



## ATTACHMENT 1



(01

011

**AGREEMENT BETWEEN CITY OF SUNNYVALE AND SUNNYVALE  
SCHOOL DISTRICT PERTAINING TO THE USE, MAINTENANCE AND  
IMPROVEMENT FOR PUBLIC RECREATIONAL PURPOSES OF VARIOUS  
BUILDINGS AND OPEN SPACE AREAS AT SCHOOL SITES OWNED BY  
SUNNYVALE SCHOOL DISTRICT**

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between CITY OF SUNNYVALE, a chartered municipal corporation of the State of California, (herein called "CITY"), and SUNNYVALE SCHOOL DISTRICT OF SANTA CLARA COUNTY, (herein called "DISTRICT"), (individually a "Party" and collectively, the "Parties").

**RECITALS**

**WHEREAS**, Section 10900, *et. seq.* of the California Education Code authorizes cities and school districts to organize, promote and conduct programs of community recreation; to establish systems of playgrounds and recreation; and to acquire, construct, improve, maintain and operate recreation centers, including but not limited to such facilities as playgrounds, outdoor playing fields or courts, swimming pools and gymnasiums; and

**WHEREAS**, Section 10905 of the Education Code authorizes cities and school districts to enter into agreements with each other for the maintenance of recreation centers; and

**WHEREAS**, Section 10910 of the Education Code provides that the governing body of any school district may use or grant the use of any of the buildings or grounds of the school district to any other public authority for the organizing, promoting and conducting of community recreation whenever such use will not interfere with the use of such facilities for any other purpose of the public school system; and

**WHEREAS**, since 1991, the CITY and DISTRICT have, in accordance with the "Comprehensive 1991 Open Space Agreement", dated June 25, 1991, and a series of amendments thereto, collaboratively and jointly improved, developed, maintained and kept open for public use sports and recreational facilities on the following school or middle school sites in the City of Sunnyvale: Adair, Bishop, Cherry Chase, Columbia, Cumberland, De Anza, Ellis, Fairwood, Hollenbeck, Lakewood, San Miguel, Sunnyvale Middle, and Vargas school sites (the "School Sites") and;

**WHEREAS**, the Comprehensive 1991 Open Space agreement established a "reserve bank" of 8 acres of school open space areas that DISTRICT would make available for

acquisition by CITY in consideration for City's agreement to construct certain improvements at the School Sites; and

**WHEREAS**, CITY and DISTRICT are interested in continuing their arrangement under which CITY maintains the open space and recreational areas of the school sites to enhance their usability by students and by the general public, and DISTRICT will make such areas available to the general public at times when such areas are not being used for school purposes; and

**WHEREAS**, prior to the sale, lease, conveyance, transfer or disposition of open space or recreational areas among most of the school sites within the territory of DISTRICT, DISTRICT is willing to make available to CITY for acquisition a portion of such sites pursuant to the Naylor Act (Ed. Code, §17485, *et seq.*); and

**WHEREAS**, this Agreement shall supersede and replace the Comprehensive 1991 Open Space Agreement and all amendments thereto and to individual Master Plans approved pursuant to the former agreement.

**NOW, THEREFORE**, in consideration of the covenants and conditions herein set forth, and pursuant to the provisions of the Education Code hereinabove referred to, it is agreed as follows:

## **SECTION 1. DEFINITIONS**

(a) School Open Space and Recreational Areas. There are attached to this Agreement and incorporated by reference herein certain exhibits, to which reference is made in this Paragraph and throughout the Agreement. Each of said exhibits contains a diagram showing real property encompassing each school site's school facilities and open space areas. Each Exhibit shall be referred to herein as a "Master Plan" for the specific site to which it refers, and collectively in this Agreement, the open space areas and recreational facilities depicted in and described in the Master Plans shall be referred to herein as "Open Space/Recreational Area(s)", and school facilities outside of the Open Space/Recreational Areas shall be referred to herein as the "School Facilities". For purposes of this Agreement, Exhibit references are as follows:



<b><u>Name of Site</u></b>	<b><u>Exhibit Reference</u></b>
Bishop	"A"
Cherry Chase	"B"
Columbia	"C"
Cumberland	"D"
De Anza	"E"
Ellis	"F"
Fairwood	"G"
Hollenbeck	"H"
Lakewood	"I"
San Miguel	"J"
Sunnyvale Middle	"K"
Vargas	"L"
Washington Park-Adair School Site	"M"

## **SECTION 2. MAINTENANCE OBLIGATION FOR OPEN SPACE/RECREATIONAL AREAS**

(a) City Maintenance of Open Space Sites. CITY shall be responsible for the mowing, trimming, fertilization, irrigation, repair and related maintenance at the expense of CITY of turf, grounds and landscaped Open Space/Recreational Areas. In addition, CITY shall be responsible for paving and upkeep of the parking lot at the Adair school site. CITY shall maintain such Open Space/Recreational Areas consistent with standards of like classification of CITY parks.

(b) City and District Maintenance Responsibilities for Sunnyvale Middle School Pool.

(1) CITY shall provide at its sole expense the maintenance at the Sunnyvale Middle School swimming facility. As used herein, maintenance of a swimming facility includes cleaning, chemical treatment and water filtration. DISTRICT shall provide at its sole expense the gas, electricity and water utilities for the swimming pool and the maintenance, gas, electricity and water utilities for the locker and shower rooms at the Sunnyvale Middle school site. (2) Pool Supervision During City Use. CITY shall provide at its sole expense all lifeguards and other supervisory personnel at the times during which City is using the Sunnyvale Middle pool facility.

(3) Option to Terminate City's Pool Obligations and Use. At any time during the term of this Agreement, CITY may choose to terminate its obligations under this section and its use of the Sunnyvale Middle School swimming facility by providing notice to district of its intention to terminate such obligations and use one year in advance of the termination.

(c) City Maintenance of Sunnyvale Middle Tennis Courts. CITY shall provide at its sole expense the maintenance, gas, electricity and water utilities for the tennis courts at the Sunnyvale Middle school site. Maintenance of tennis courts shall be consistent with standards of like classification for City tennis courts.

(d) City Maintenance of De Anza Parking Lot. CITY shall provide at its sole expense the maintenance of the parking lot at the De Anza school site.

(e) City Maintenance of Adair School Site Parking Lot. CITY shall provide at its sole expense the maintenance of the parking lot at the Adair School Site Parking Lot.

(f) CITY shall demolish the abandoned swimming pool at the Lakewood site and return the area to its original turfed condition by December 31, 2018.

(g) Notwithstanding any other provision of this Agreement to the contrary, DISTRICT shall be responsible for preparation and maintenance of buildings and Open Space/Recreational Areas at the expense of DISTRICT in connection with special events or other functions of DISTRICT, including but not limited to graduation ceremonies and athletic events.

(h) CITY shall have no obligation for the mowing, trimming, fertilization, irrigation, repair or related maintenance at the expense of CITY of turf, grounds, landscaped areas, buildings, parking lots, fences, sidewalks, trees or other facilities owned by DISTRICT that are not Open Space/Recreational Areas as depicted/described on the attached Master Plans.

(i) DISTRICT shall provide for the removal of garbage, refuse, debris, rubbish, litter and other solid waste produced on each school site as a result of DISTRICT activities.

(j) CITY will determine the location of portable backstops as required in order to maintain acceptable field condition standards.

(k) In undertaking its maintenance obligations under this Agreement, CITY shall minimize the impact on DISTRICT use of facilities during school hours, but priority shall be given to CITY maintenance personnel and equipment between the hours of 6:00 a.m. to noon as to all Open Space/Recreational Areas. The authorized representatives of CITY and DISTRICT shall meet annually and review scheduling of maintenance at the various school sites. For the purposes of providing required turf and grounds maintenance, and with two

weeks advance notice, CITY may curtail all DISTRICT use of those areas maintained by CITY four times during the school year. CITY shall attempt to schedule such maintenance in coordination with school calendars, and on days when school is not in session, where possible. CITY shall curtail DISTRICT use only if necessary, and for a maximum of one day each time. General maintenance schedules shall be coordinated by the Superintendent of Parks of CITY and the District Site Administrator of DISTRICT.

(l) For the purpose of abating hazardous conditions on the various school sites, CITY may curtail DISTRICT use of Open Space/Recreational Areas maintained by CITY at any time and without prior notification in which case CITY will minimize DISTRICT's lack of access to the grounds or facilities; provided, however, that CITY shall provide DISTRICT with notice at least 72 hours in advance of application of pesticides or other substances subject to notification requirements of the Healthy Schools Act (Ed. Code, section 17608 et seq.) in order to ensure that DISTRICT is able to provide legally-required notice to parents, for which notice DISTRICT takes full responsibility assuming timely notice by CITY.

(m) At least once annually, the Director of Public Works of CITY and the Superintendent of DISTRICT, or their authorized representatives shall meet to discuss the use and maintenance of those areas maintained by CITY pursuant to this Agreement.

(n) Except issues concerning safety, any and all concerns or issues of DISTRICT governing the general maintenance or use of those areas maintained by CITY pursuant to this Agreement, or performance of any duties described in this Agreement, shall be communicated to CITY by the Superintendent of School or the Director of Operational Services of DISTRICT and shall be communicated with the Director of Public Works of CITY or his or her authorized representative.

### **SECTION 3. IMPROVEMENTS TO SCHOOL SITES**

(a) Master Plans for each Open Space/Recreational Areas subject to this Agreement, including a description of the facilities, buildings and improvements that are included with such Open Space/Recreational Areas are attached to this Agreement as Exhibit A. The Master Plans for Cumberland, Cherry Chase, and Ellis denote areas of each campus that may be needed during the Term for expansion of School Facilities Areas. If, during the Term, the DISTRICT will require those areas for School Facilities, DISTRICT shall notify CITY but shall not be required to comply with any other requirements of this section regarding amendment of Master Plans.

(b) The Master Plan for each school site shall be the governing document which determines the specific Open Space/Recreational Areas subject to this Agreement.

(c) (1) CITY and DISTRICT agree that CITY may construct special recreational improvements for exclusive or primary use of DISTRICT if desired, consistent with applicable Master Plans and the agreement of both parties.

(2) CITY and DISTRICT agree that City may construct special recreational improvements for exclusive or primary use of CITY if desired, consistent with applicable Master Plans and the agreement of both parties. In the event of CITY-constructed improvements, CITY shall provide DISTRICT with a copy of the plans and specifications for any such improvements for its review prior to their construction. Any such special improvement shall be designated as such in the Master Plan, which shall be kept updated by CITY. CITY shall be responsible for all capital costs, including cost of installation, and all costs of maintenance with respect to such improvements.

(3) CITY and DISTRICT agree that capital improvements to the tennis courts and Columbia and Sunnyvale Middle School pools and pool facilities may be required during the term of this agreement and agree to cooperate to develop capital improvement plans for those facilities. Funding and construction of such capital improvements shall be subject to agreement, appropriation and approval as required by the rules, ordinances, policies and procedures for CITY and DISTRICT.

(d) CITY and DISTRICT acknowledge that DISTRICT may need to amend Master Plans in the future when necessitated by student growth, to add capacity, reconfigure sites or buildings to meet student needs, meet State of California legal mandates for facilities or programs, or provide new facilities of a type or size that could affect the Open Space/Recreational Areas subject to this Agreement. In the event DISTRICT anticipates the need to amend any Master Plan in a manner that proposes to reduce the Open Space/Recreational Area on a specific campus in order to add School Facilities to serve school programs and meet student needs, District shall immediately notify CITY of any such proposals, including a description of the proposal, the extent of open space/recreational area proposed to be impacted, and a detailed description of reasons for the proposal, including an explanation of why District does not believe the change can occur within District's existing School Facilities area. The parties shall in good faith work to minimize the impact of such need on the amount of Open Space/Recreational Area so as not to significantly impede community use and access. District agrees that it shall first consider all available alternatives, and any alternatives proposed by City, to confine the need to existing School Facilities Areas. After consideration of the foregoing, DISTRICT may amend a Master

Plan for the purposes described in this subsection without the approval of CITY, provided, however, that City Council approval shall be required for proposals affecting open space/recreation areas for which the City issues permits for organized youth sports or athletic leagues (for example, soccer or baseball fields) or for proposals to remove areas totaling five thousand (5,000) square feet or more on a single master plan site, either individually or combined with any other area removal during the term of this agreement. DISTRICT shall be responsible for the preparation of any amended Master Plan necessitated by a proposal pursuant to this section.

(e) Other Amendments to Master Plans. If either party during the term of this Agreement seeks changes to any approved Master Plan other than as described in subsection (d) above, CITY shall prepare an appropriate amendment to the pertinent Master Plan. CITY and DISTRICT shall appoint representatives to consult and coordinate on any proposed amendment to a Master Plan purpose of such consultation and coordination. The cost and expense of preparation of such amendment shall be by the party proposing it, or shall be borne jointly if CITY and DISTRICT jointly propose it. The cost of installation and maintenance of any such improvement shall be borne by the party which proposed it, or shall be borne jointly if CITY and DISTRICT jointly proposed it. All amendments to the Master Plans shall not be effective unless and until approved by the governing boards of CITY and DISTRICT.

(f) No contract for construction of any school building, as defined in Chapter 2 of Part 23 of Title 2 of the Education Code, shall be awarded without the prior approval of the State Architect, where required.

(g) DISTRICT recognizes that the construction of improvements pursuant to this Agreement may occur during times of the year when its schools are in session. CITY will endeavor to schedule construction activities so as to cooperate with DISTRICT and will assure that adequate safety precautions are in place. CITY shall consult with DISTRICT as to the scheduling and timing of construction of the improvements so as to minimize any adverse impact such construction may have on the instructional program of DISTRICT.

#### **SECTION 4. FACILITY USAGE POLICY FOR OPEN SPACE/RECREATIONAL AREAS**

(a) The following usage policy shall be effective upon execution of this Agreement with respect to school Open Space/Recreational Areas at all school sites.

(b) The items contained in this section are intended to define basic guidelines in order to maximize recreational opportunities for both students of DISTRICT and residents of CITY.

(c) The policy set forth in this section may be modified from time to time by agreement of the Director of Library and Community Services of CITY and the Superintendent of DISTRICT or their authorized representatives. Either party may recommend to the other modifications to this policy.

(d) (1) DISTRICT shall have priority use of school Open Space/Recreational Areas, between the hours of 8:00 a.m. to 4:00 p.m. on days during which school is in session, except as set forth in subsection (f). Generally, this will apply to Monday through Friday from mid-August to mid-June of each year. CITY will have priority use of facilities after 4:00 p.m. on days when school is in session and all other times, including weekends, holidays and summer vacation. Exceptions to this schedule can be agreed upon by the Director of Library and Community Services of CITY and the Superintendent of DISTRICT or their authorized representatives. CITY will cooperate with DISTRICT so as to give DISTRICT adequate opportunity to use each school site for its activities, programs and needs.

(2) CITY shall have exclusive use of the swimming pools on the Columbia and Sunnyvale Middle school sites on days during which school is not in session and between 4:00 p.m. and 8:00 a.m. on days during which school is in session. Special exceptions to this schedule can be agreed upon by the Director of Library and Community Services of CITY and the Superintendent of DISTRICT or their authorized representatives.

(e) DISTRICT shall have priority use of facilities during days and times other than those listed in subsection (d) for DISTRICT activities such as summer school, school special events, afterschool athletics, and similar activities. Specific schedules shall be agreed upon by the Director of Library and Community Services of CITY and the Superintendent of DISTRICT or their authorized representatives. Non-school related groups will be notified of school priority and, provided DISTRICT gives notice at least thirty (30) calendar days in advance, may be required to relocate due to school special events.

(f) During school hours, Open Space/Recreational Areas may be used for public related recreational activities, only with the express permission of the Superintendent of the DISTRICT.

(g) CITY shall be responsible for administering facility reservations for public use of Open Space/Recreational Areas. CITY shall be solely responsible for determining a priority use system, as well as fees to be charged to the public and/or organized groups for use of Open Space/Recreational Areas during such times that the sites are under control of CITY.

Such fees shall be required to conform to all applicable rules, regulations, ordinances and/or laws governing school grounds in addition to those applicable to CITY property. All fees collected shall be the property of CITY. Copies of CITY's reservation and priority use policy will be provided to DISTRICT.

(h) When school buildings are under lease by DISTRICT to private users for education purposes between the hours of 8am and 4 pm, such private users shall have access to the Open Space/Recreational Areas on the same basis as the DISTRICT.

## **SECTION 5. USE OF CITY AND DISTRICT FACILITIES**

CITY shall provide to DISTRICT, at no cost, after CITY-scheduled activities and consistent with CITY policy on facility use, the use of a reasonable number of reserved park picnic areas in various CITY parks on weekdays for each class in each DISTRICT school site, from May 15-June 15 each year for the purpose of end of school year celebrations. DISTRICT shall provide CITY by February 1 of each year, a written request stating the specific dates and times picnic facilities are to be reserved for use by the DISTRICT. Any picnic facilities that are requested after the February 1 deadline will be subject to all regular facility reservation policies including rental fees, according to the facility rental rate schedule in effect at that time. All facilities requested by DISTRICT shall be used only by organizations under the direct control of the DISTRICT or a school site, and shall be only for the use of student celebrations.

### **(a) City Use of District Facilities.**

DISTRICT and CITY will continue to meet as needed to schedule the CITY use of DISTRICT facilities, including but not limited to gyms, technology labs, and other meeting and programming spaces for summer programs.

## **SECTION 6. OBLIGATION OF DISTRICT NOT TO SELL, LEASE OR DISPOSE OF CERTAIN OPEN SPACE/RECREATIONAL AREAS FOR 25 YEARS WITHOUT GRANTING CITY RIGHT OF ACQUISITION.**

(a) Restricted Sites. As used in this section, the term "restricted site" shall mean any school open space area or portion thereof at the Bishop, Cherry Chase, Columbia, Cumberland, Ellis, Fairwood, Lakewood, San Miguel, Sunnyvale Middle, or Vargas school sites, or any swimming pool, locker room, shower room, or tennis court facility at the Columbia, Lakewood, or Sunnyvale Middle School sites.

(b) Reserve Bank. The 1991 Agreement established a reserve bank consisting of eight (8) acres of DISTRICT real property which the Parties intended to transfer to CITY during the original term of the Agreement on a right-of-first-refusal basis. The Parties agree that the reserve bank shall continue through the term of this Agreement as described herein. The reserve bank shall never exceed eight (8) acres. The reserve bank shall be deemed satisfied to the extent of the amount of land acquired by City pursuant to this section.

(c) Unless inconsistent with Education Code section 17485, *et seq.*, DISTRICT shall not sell, lease, convey, transfer, or otherwise dispose of any school site subject to District's jurisdiction that includes Open Space/Recreational Areas, or portion thereof, for purposes other than public education during the term of this Agreement without following the procedure set forth in this section.

(d) Prior to selling, leasing, conveying, transferring or otherwise disposing of any Open Space/Recreational Areas, or portion thereof, which is not already leased to another party or needed for public education purposes, DISTRICT shall first give CITY written notice of its intent to sell, lease, convey, transfer or otherwise dispose of such property in accordance with Education Code section 17489.

(e) Not more than sixty (60) days after the date of the written notice of intent CITY may give DISTRICT written notice that CITY is interested in exercising its rights of acquisition under this section for open space or recreational purposes. If CITY fails to give DISTRICT timely notice pursuant to this subsection with respect to a school site or portion thereof, it shall have no further rights with respect to such site or portion.

(f) If CITY gives DISTRICT timely notice of interest in exercising its right of acquisition pursuant to subsection (c), CITY and District shall enter into an agreement granting to City, at no cost to City in consideration of the public recreational interests and the City's maintenance and construction of improvements at the school sites, a permanent open space easement for recreational use over the applicable site or other such alternative agreement for the disposition of property as provided in Education Code section 17498. City shall be responsible for any transactional expenses such as recording fees associated with the agreement. Notwithstanding any provision of this Agreement to the contrary, the City shall have no further right to acquire real property from District pursuant to this section, and District shall have no obligation to notify City pursuant to this section once City shall have acquired, by easement or other agreement made pursuant to this section, an aggregate of real property sufficient to have satisfied the reserve bank; to wit: eight (8) acres. CITY's obligations regarding disposal of any real property acquired from DISTRICT



pursuant to this section shall be subject to the provisions Education Code section 17485 et seq.

## **SECTION 7. DUTY OF PARTIES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS**

(a) CITY shall protect, defend, indemnify and hold harmless DISTRICT, its officers, agents and employees from and against any and all demands, claims, liability or expense on account of suits, verdicts, judgments, costs or claims of any nature or kind arising out of or in any way connected with the CITY's negligent performance or nonperformance under this Agreement, including CITY's operations on, possession, use, management, alteration or control of the DISTRICT's property, except for any claims, causes of action or liability, or portions thereof, arising from the concurrent or sole negligence or intentional malfeasance of DISTRICT, its officers, agents or employees.

(b) DISTRICT shall protect, defend, indemnify and hold harmless CITY, its officers, agents and employees from and against any and all demands, claims, liability or expense on account of suits, verdicts, judgments, costs or claims of any nature or kind arising out of or in any way connected with the DISTRICT's negligent performance or nonperformance under this Agreement, including DISTRICT's operations on, possession, use, management, alteration or control of the DISTRICT's property except for any claims, causes of action or liability, or portions thereof, arising from the sole negligence or intentional malfeasance of CITY, its officers, agents or employees.

(c) CITY shall defend, indemnify and hold harmless DISTRICT, its officers, agents and employees from any claims or causes of action for death or injury to persons, or damage to or loss of property accruing on or after July 1, 1991, attributable to the physical condition of any school Open Space/Recreational Area site for which CITY has undertaken responsibility for maintenance, improvement or rehabilitation under this Agreement arising out of the maintenance of such site by CITY, except for those claims or causes of action to which DISTRICT is responsible pursuant to subsections (a) and (b).

## **SECTION 8. INSURANCE**

(a) DISTRICT, at its sole cost and expense, will obtain and maintain, in full force and effect, during the term of this agreement the following insurance:

(1) Commercial General Liability insurance with limits of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate, insuring both

parties, their officers, employees, agents, and each of them with respect to DISTRICT's participation and the services performed by DISTRICT under this Agreement.

(2) Automobile Liability insurance with a combined single limit of one million dollars (\$1,000,000).

(3) Workers' Compensation with statutory limits and Employers' Liability with limits of one million dollars (\$1,000,000) per accident for bodily injury or disease.

Concurrently with execution of this Agreement, DISTRICT will file with CITY's Risk Manager a certificate of insurance showing evidence that the coverage above is in place. The Commercial General Liability policy shall include an additional insured endorsement that names the City of Sunnyvale, its officers, agents, employees and volunteers as additional insureds.

(b) CITY, at its sole cost and expense, will obtain and maintain, in full force and effect, during the term of this Agreement the following insurance:

(1) Commercial General Liability insurance with limits of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate, insuring both parties, their officers, employees, agents, and each of them with respect to CITY's participation and the services performed by CITY under this Agreement.

(2) Automobile Liability insurance with a combined single limit of one million dollars (\$1,000,000).

(3) Workers' Compensation with statutory limits and Employers' Liability with limits of one million dollars (\$1,000,000) per accident for bodily injury or disease.

Concurrently with execution of this agreement, CITY will file with DISTRICT a certificate of insurance showing evidence that the coverage above is in place, or a letter regarding self-insurance. The Commercial General Liability policy shall include an additional insured endorsement that names the Sunnyvale School District, its officers, agents, employees and volunteers as additional insureds.

**SECTION 9. TIME OF THE ESSENCE.** Time is of the essence with respect to this Agreement.

**SECTION 10. FORCE MAJEURE.** If, due to act of God; fire; flood; storm; inclement weather; earthquake; drought; acute restrictions or riot; war or insurrection; plant or animal infestation or disease; sudden or severe energy shortage; strike; work stoppage;

work slowdown or other concerted job action; or other condition of emergency or disaster beyond the control of CITY which makes performance of its construction, rehabilitation and/or maintenance obligations under this Agreement impossible or extremely impracticable, such obligations shall be suspended during such time any such condition or conditions exist.

**SECTION 11. DISCRIMINATION PROHIBITED.** Neither CITY nor DISTRICT shall discriminate in the employment of persons engaged in the performance of this Agreement on account of race, color, national origin, ancestry, sex, physical handicap, or medical condition, in violation of state or federal laws, or any other basis otherwise prohibited by state or federal law.

**SECTION 12. NOTICES.** All notices hereunder shall be given in writing and mailed, postage prepaid, by certified mail, addressed as follows:

To CITY                      City Manager  
                                     City of Sunnyvale  
                                     P.O. Box 3707  
                                     Sunnyvale, CA 94088

To DISTRICT                Superintendent  
                                     Sunnyvale School District  
                                     819 West Iowa Avenue  
                                     Sunnyvale, CA 94088

**SECTION 13. EFFECT OF WAIVER OF BREACH OR VIOLATION.** The waiver by either party of any breach or violation of any term, covenant, or condition of this Agreement or of any provision of law shall not be deemed to be a waiver of any other term, covenant, or condition or law. The subsequent acceptance by either party of any money which may become due hereunder shall not be deemed a waiver of any preceding breach or violation by the other party of any term or condition of this Agreement, or of any applicable law.

**SECTION 14. DISPUTES; LEGAL ACTIONS; ATTORNEY FEES; SPECIFIC PERFORMANCE.**

(a) If a question arises regarding interpretation of this Agreement or its performance, or the alleged failure of a party to perform, the Party raising the question or making the allegation shall give written notice thereof to the other Party. The parties shall promptly meet in an effort to resolve the issues raised. The CITY hereby appoints its Director of Public Works or designee as its representative and the DISTRICT hereby appoints the Superintendent or designee as its representative. If the parties fail to resolve the issues raised, alternative forms of dispute resolution, including mediation, may be pursued by mutual agreement. It is the intent of the Parties to the maximum extent possible that litigation be avoided as a method of dispute resolution.

(b) If the parties are unable to resolve a dispute as provided in subsection (a), the dispute(s) regarding this Agreement shall be resolved according to the laws of the State of California. Any legal proceedings shall be instituted in the courts of the State of California and County of Santa Clara, irrespective of any claim of diversity of citizenship or other possible jurisdictional conditions.

(c) The prevailing party in any action brought to enforce the terms of this Agreement or arising out of this Agreement may recover its reasonable costs and attorney's fees expended in connection with such an action from the other party.

(d) In any action to enforce the provisions of Section 6 of this Agreement, specific performance shall be a remedy available in addition to any other remedies provided by law.

**SECTION 15. INTEGRATED AGREEMENT.** This document represents the entire and integrated Agreement between CITY and DISTRICT and supersedes all prior negotiations, representations or agreements, either written or oral. This agreement shall not be construed as nor deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action herein for any cause whatever.

**SECTION 16. AMENDMENT OF AGREEMENT.** This Agreement may be amended only by written instrument, signed by both CITY and DISTRICT.

**SECTION 17. ALL PROVISIONS OF AGREEMENT ARE CONDITIONS.** All provisions of this Agreement are expressly made conditions.

**SECTION 18. TERMINATION OF AGREEMENT.** This Agreement shall terminate on June 30, 2041, unless extended by mutual agreement of the parties.

IN WITNESS WHEREOF, CITY and DISTRICT have executed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

CITY OF SUNNYVALE ("CITY")

City Clerk

By \_\_\_\_\_

Deputy City Clerk

\_\_\_\_\_

City Manager

APPROVED AS TO FORM:

SUNNYVALE SCHOOL DISTRICT  
("DISTRICT")

\_\_\_\_\_

City Attorney

\_\_\_\_\_

Superintendent

## **EXHIBITS "A" Through "M"**

DIAGRAMS SHOWING REAL PROPERTY ENCOMPASSING EACH SCHOOL SITE'S  
SCHOOL FACILITIES AND OPEN SPACE AREAS.

<b><u>Exhibit Reference</u></b>	<b><u>Name of Site</u></b>
"A"	Bishop
"B"	Cherry Chase
"C"	Columbia
"D"	Cumberland
"E"	De Anza
"F"	Ellis
"G"	Fairwood
"H"	Hollenbeck
"I"	Lakewood
"J"	San Miguel
"K"	Sunnyvale Middle
"L"	Vargas
"M"	Washington Park-Adair School Site





Bishop  
Elementary  
School

EXHIBIT A



LEGEND

-  DISTRICT PROPERTY LINE
-  SCHOOL PROPERTY MAINTAINED BY CITY



# Cherry Chase Elementary School

## EXHIBIT B

8745  
Sq. Ft.

- LEGEND**
- DISTRICT PROPERTY LINE
  - SCHOOL PROPERTY MAINTAINED BY CITY
  - FUTURE SCHOOL FACILITY AREA





Columbia  
Middle  
School

EXHIBIT C



GYM FACILITY  
NOT  
MAINTAINED  
BY CITY

LEGEND

- DISTRICT PROPERTY LINE
- SCHOOL PROPERTY MAINTAINED BY CITY






# Cumberland Elementary School

## EXHIBIT D



4600 Sq. Ft

### LEGEND

-  DISTRICT PROPERTY LINE
-  SCHOOL PROPERTY MAINTAINED BY THE CITY
-  FUTURE SCHOOL FACILITY AREA



# De Anza School

## EXHIBIT E

### LEGEND

- DISTRICT PROPERTY LINE
- SCHOOL PROPERTY MAINTAINED BY CITY





# Ellis School

## EXHIBIT F



LEGEND

DISTRICT ROPERTY LINE

SCHOOL PROPERTY MAINTAINED BY THE CITY

FUTURE SCHOOL FACILITY AREA





Fairwood  
School

# EXHIBIT G



## LEGEND

-  DISTRICT PROPERTY LINE
-  SCHOOL PROPERTY MAINTAINED BY CITY



Hollenbeck  
(Challenger)  
School

# EXHIBIT H

## LEGEND

DISTRICT PROPERTY LINE

SCHOOL PROPERTY  
MAINTAINED BY CITY







Lakewood School

EXHIBIT I

SF PUC PROPERTY

LEGEND

-  DISTRICT PROPERTY LINE
-  SCHOOL PROPERTY MAINTAINED BY CITY

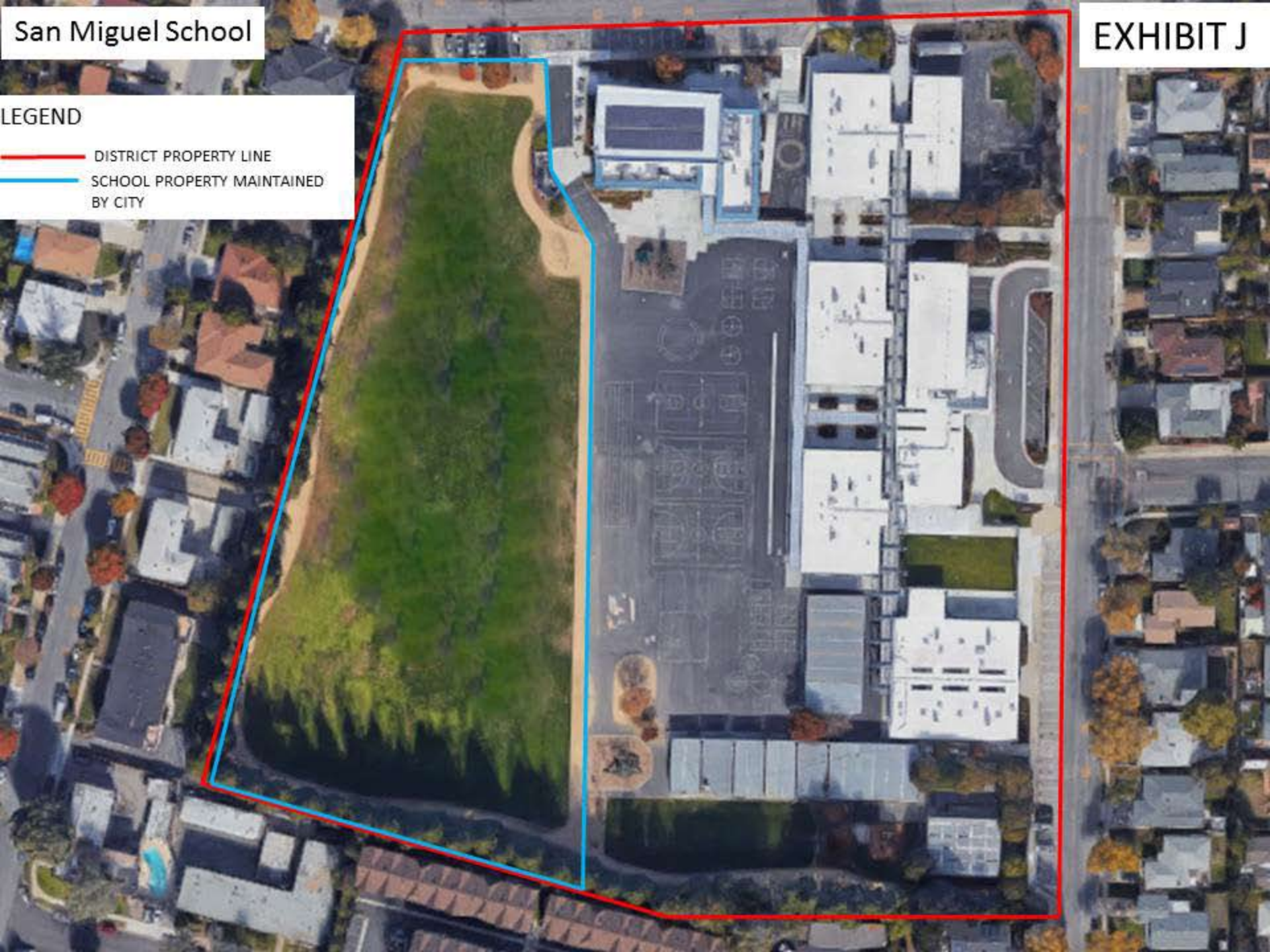


# San Miguel School

# EXHIBIT J

## LEGEND

- DISTRICT PROPERTY LINE
- SCHOOL PROPERTY MAINTAINED BY CITY



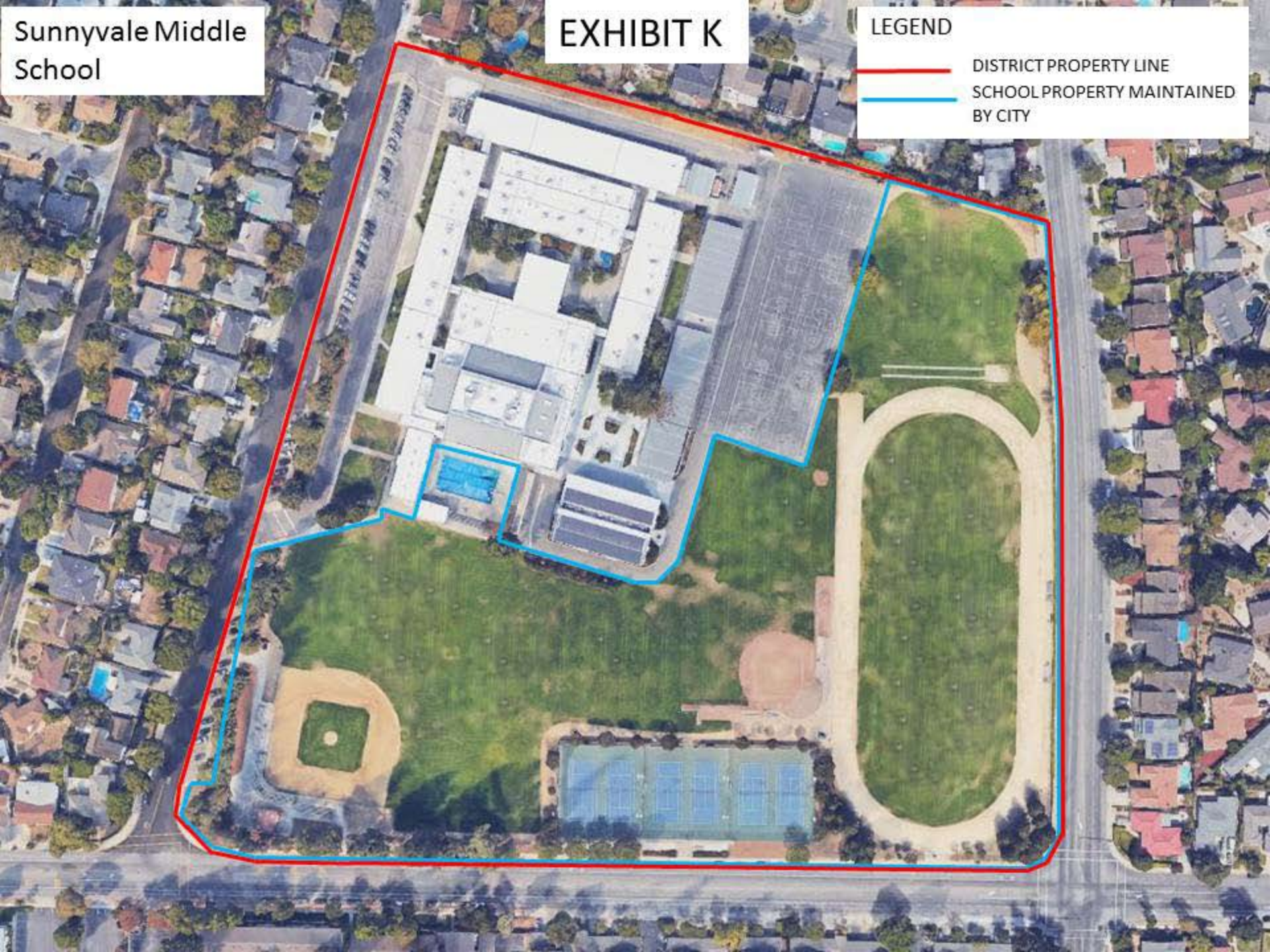


Sunnyvale Middle School

EXHIBIT K

LEGEND

- DISTRICT PROPERTY LINE
- SCHOOL PROPERTY MAINTAINED BY CITY





LEGEND



DISTRICT PROPERTY LINE

SCHOOL PROPERTY MAINTAINED  
BY CITY





Washington Park  
Adair School Site

EXHIBIT M



LEGEND

- DISTRICT PROPERTY LINE
- SCHOOL PROPERTY MAINTAINED BY CITY

Commissioner Din moved, and Chair Pasqua seconded the motion to approve the Parks and Recreation Commission Minutes of March 9, 2016 as submitted. Commissioner Pochowski and Vice Chair Kenton abstained. The motion carried by the following vote:

**Yes:** 2 - Chair Pasqua  
Commissioner Din

**No:** 0

**Absent:** 1 - Commissioner Alexander III

**Abstain:** 2 - Vice Chair Kenton  
Commissioner Pochowski

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

- 2      [16-0267](#)      Recommend to the City Council to Authorize the City Manager to Execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement of Various Buildings and School Open Space

Superintendent of Parks and Golf James Stark presented the staff report. He answered Commissioners' questions. Commissioner Pochowski asked why the City would terminate their obligations to maintain a pool. Vice Chair Kenton asked if it would be possible to receive a redline version of the agreement to call out the changes. Chair Pasqua stated that collaborating with the school district is a great use of resources.

Chair Pasqua opened the public hearing. There were no public comments and he closed the public hearing.

Vice Chair Kenton moved, and Commissioner Pochowski seconded the motion to recommend to the City Council to authorize the City Manager to enter into a Joint Use Agreement with Sunnyvale School District for the Maintenance and Use of Open Space. The motion carried with the following vote:

**Yes:** 4 - Chair Pasqua  
Vice Chair Kenton  
Commissioner Din  
Commissioner Pochowski

**No:** 0

**Absent:** 1 - Commissioner Alexander III

Commissioners provided their rationale for their vote. Commissioner Pochowski stated the agreement with the school district is positive. He stated he sees a lot of public activity on school grounds during weekends. At Commissioner Pochowski's request, Superintendent Stark provided data about public usage of school district land. Vice Chair Kenton stated he voted to support the agreement because it expands the amount of open space available to the public. Commissioner Din stated he echoes the other Commissioners' comments, and stated he has good memories of spending time at Poderosa. He stated the land is beneficial for residents and students alike.

### **STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

### **NON-AGENDA ITEMS & COMMENTS**

#### **-Commissioner Comments**

Chair Pasqua inquired about the status of a joint use agreement with Santa Clara School District. Superintendent Stark committed to follow up.

Chair Pasqua provided an update on the April 5, 2016 Council Meeting which reviewed the Butcher House Study Issue. Superintendent Stark gave an overview of the item at Commissioner Din's request. Council's vote failed to move the Butcher House into the orchard area. Council will work directly with the Heritage Society to determine if there is an alternate location for the Butcher House. The maintenance shed will be moved to beautify the entrance of the Heritage Museum.

#### **-Staff Comments**

Superintendent of Community Services Daniel Wax presented information about navigating the City Website to access Council and Commission agendas and reports.

Superintendent Wax provided the following announcements:

- The City is recruiting for Commissioners, applications are due on April 15, 2016
- A form will be available to public requesting to name a park or facility. Commissioners will be presented the information submitted as an agenda item.
- The State of the City will be on July 9, 11 a.m. - 2 p.m., at the Civic Center. The event will include the Mayor's Address, Community Awards and family friendly activities.
- The next Commission meeting will be on Wednesday, May 18 in the Neighborhood Room of the Community Center, a joint meeting with the Arts Commission.





# City of Sunnyvale

## Agenda Item

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**16-0432**

**Agenda Date: 5/3/2016**

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### **SUBJECT**

Adopt Ordinance No. 3080-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Properties Located between Dartshire Way and Devonshire Way and Kingfisher Way and Flicker Way from R-0 (Low Density Residential) Zoning District to R-0/S (Low Density Residential/Single-Story) Zoning District

### **RECOMMENDATION**

Adopt Ordinance No. 3080-16.

### **ATTACHMENT**

1. Ordinance No. 3080-16

## ORDINANCE NO. 3080-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTIES LOCATED BETWEEN DARTSHIRE WAY AND DEVONSHIRE WAY AND KINGFISHER WAY AND FLICKER WAY FROM R-0 (LOW DENSITY RESIDENTIAL) ZONING DISTRICT TO R-0/S (LOW DENSITY RESIDENTIAL/SINGLE-STORY) ZONING DISTRICT**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to rezone certain properties located between Dartshire Way and Devonshire Way and Kingfisher Way and Flicker Way within the R-0 (Low Density Residential) Zoning District to the R-0/S (Low Density Residential/Single-Story) Zoning District. The location of the property is set forth on the scale drawing attached as Exhibit A.

SECTION 2. CEQA - EXEMPTION. The City Council finds that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 of Title 14 of the California Code of Regulations (minor alterations in land use limitations that do not result in any changes in land use or density). In addition, the ordinance is exempt under the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA. (Section 15061(b)(3)). The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on April 19, 2016, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

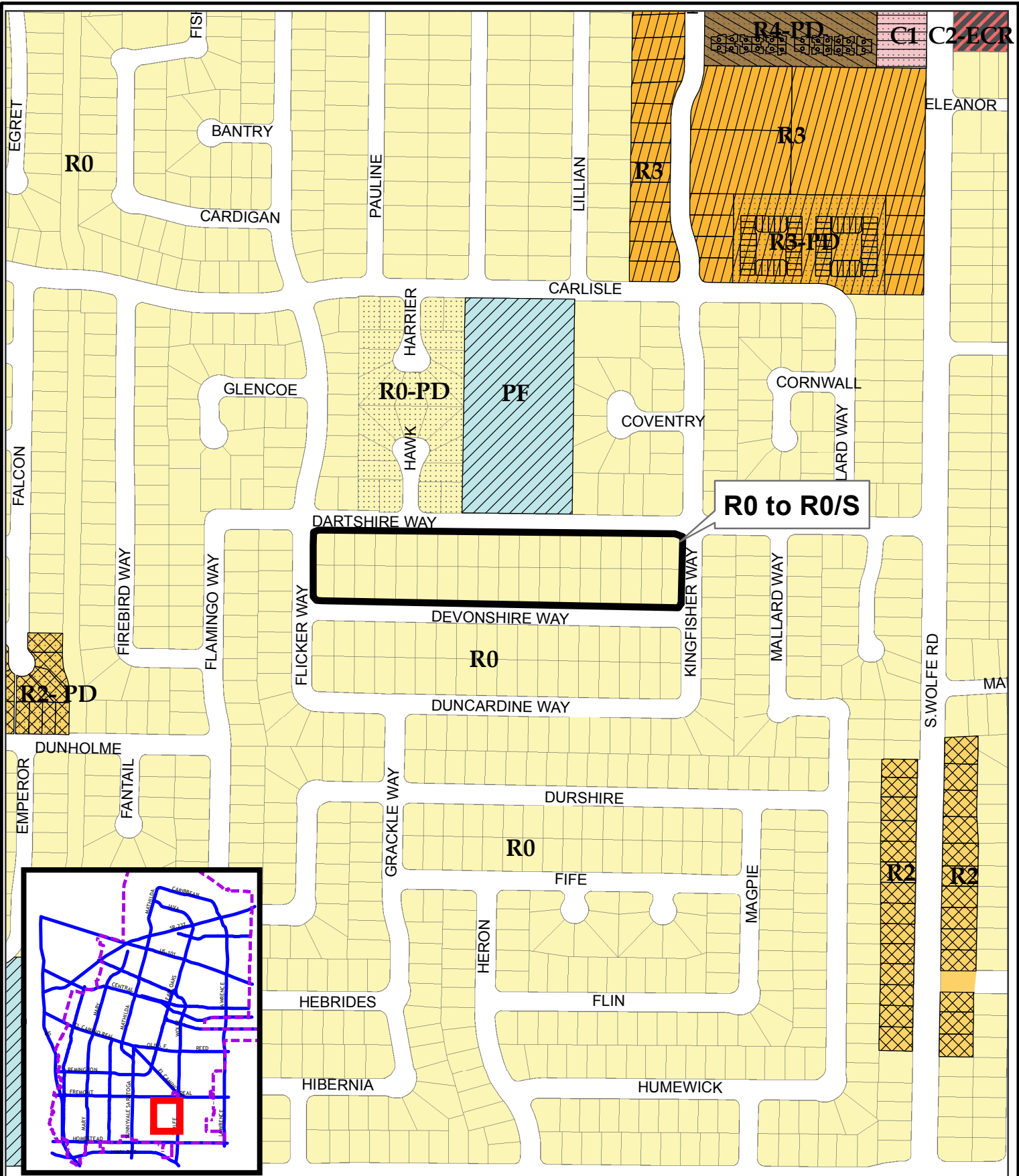
(SEAL)

APPROVED AS TO FORM:

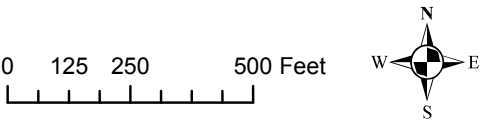
\_\_\_\_\_  
City Attorney



**EXHIBIT A**



Rezoning Map  
2015-8091  
Fairwood Tract No. 2944 (Lots 113-148)  
Single-Story Combining District Rezoning





# City of Sunnyvale

## Agenda Item

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**16-0433**

**Agenda Date: 5/3/2016**

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### **SUBJECT**

Adopt Ordinance No. 3081-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property Located at 1111 Lockheed Way From MP-I (Moffett Park- Industrial) To MP-TOD (Moffett Park - Transit Oriented Development)

### **RECOMMENDATION**

Adopt Ordinance No. 3081-16.

### **ATTACHMENT**

1. Ordinance No. 3081-16

## ORDINANCE NO. 3081-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTY LOCATED AT 1111 LOCKHEED WAY FROM MP-I (MOFFETT PARK-INDUSTRIAL) TO MP-TOD (MOFFETT PARK – TRANSIT ORIENTED DEVELOPMENT)**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to re-zone the property at 1111 Lockheed Way, Lots 2 and 4, from MP-I (Moffett Park - Industrial) to MP-TOD (Moffett Park – Transit Oriented Development). The location of the properties is set forth on the scale drawing attached as Exhibit “A.”

SECTION 2. CEQA. The environmental effects of the proposed amendment to the Precise Zoning Plan and Zoning District Map were analyzed in the Moffett Towers II Subsequent Environmental Impact Report (the “SEIR”), SCH #2001052121. The City Council reviewed the SEIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the proposed amendment. The City Council certified the SEIR as having been prepared in compliance with the requirements of the California Environmental Quality Act (“CEQA”), made necessary findings, adopted a statement of overriding considerations related to certain air quality and cumulative traffic impacts, and adopted a Mitigation Monitoring and Reporting Program (Resolution No. 747-16). The City Council incorporates by this reference the findings contained in the SEIR as to the environmental effects of the proposed amendment, together with the additional findings contained in this Resolution.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. 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 newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on April 19, 2016, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2016, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
RECUSAL:

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM:

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

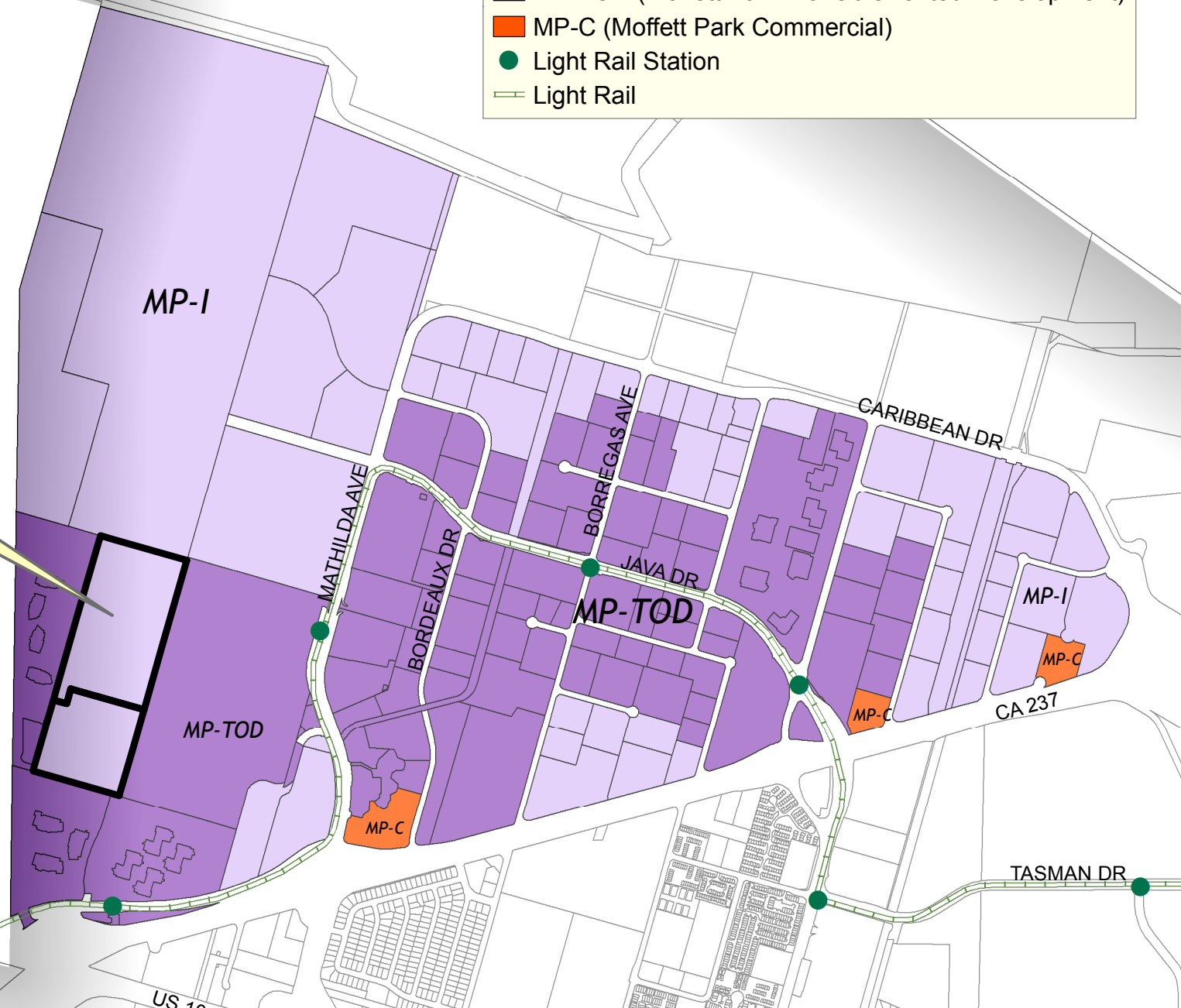
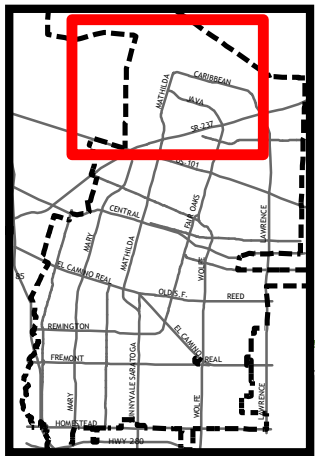
## EXHIBIT A

### Moffett Park Subdistricts

- MP-I (Moffett Park-Industrial)
- MP-TOD (Moffett Park Transit-Oriented Development)
- MP-C (Moffett Park Commercial)
- Light Rail Station
- Light Rail

*City of Mountain View*

Rezone from MP-I to MP-TOD





# City of Sunnyvale

## Agenda Item

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**16-0434**

**Agenda Date: 5/3/2016**

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### **SUBJECT**

Adopt Ordinance No. 3082-16 Amending Chapter 19.37 (Landscaping, Irrigation and Usable Open Space) and Section 19.48.090 (Pools and Spas) of Chapter 19.48 (Fences, Distances between Buildings and Extensions into Yards) of Title 19 (Zoning) of the Sunnyvale Municipal Code to Update the Water-Efficient Landscaping Regulations Pursuant to California State Law

### **RECOMMENDATION**

Adopt Ordinance No. 3082-16.

### **ATTACHMENT**

1. Ordinance No. 3082-16



## ORDINANCE NO. 3082-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CHAPTER 19.37 (LANDSCAPING, IRRIGATION AND USABLE OPEN SPACE) AND SECTION 19.48.090 (POOLS AND SPAS) OF CHAPTER 19.48 (FENCES, DISTANCES BETWEEN BUILDINGS AND EXTENSIONS INTO YARDS) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE TO UPDATE THE WATER-EFFICIENT LANDSCAPING REGULATIONS PURSUANT TO CALIFORNIA STATE LAW**

WHEREAS, the adoption and enforcement of this Ordinance is necessary to manage the City of Sunnyvale's ("City") potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the City. This Ordinance is essential to ensure a reliable and sustainable minimum supply of water for the public health, safety and welfare; and

WHEREAS, the California Water Conservation in Landscaping Act was implemented by a statewide Landscape Task Force, which was overseen by the California Urban Water Conservation Council, to create a Model Water-Efficient Landscape Ordinance (Model Ordinance) that local agencies may adopt. The Water Conservation in Landscaping Act was amended pursuant to AB 2717 (Chapter 682, Stats. 2004) and AB 1881 (Chapter 559, Stats. 2006) to update the Model Ordinance; and

WHEREAS, on May 11, 2010, the City Council of the City of Sunnyvale adopted Ordinance No. 2918-10, adding a new Chapter 19.37 (Landscaping, Irrigation and Usable Open Space) to the Sunnyvale Municipal Code to comply with AB 1881, which required cities and counties to adopt the updated Model Ordinance or an equivalent document which is "at least as effective as" the Model Ordinance in conserving water; and

WHEREAS, on April 1, 2015, Governor Brown issued Executive Order B-29, which directed State agencies to implement immediate measures to save water, increase enforcement against water waste, and streamline government response to ongoing drought conditions; and

WHEREAS, Executive Order B-29 directed the Department of Water Resources ("DWR") to update the State Model Ordinance through expedited regulation to increase water efficiency standards for new and existing landscapes through more efficient standards, graywater usage, onsite storm water capture, and limitations of the portions of landscape that can be covered in turf or high water use plants; and

WHEREAS, local agencies are required to adopt the revised State Model Ordinance or adopt a local or regional ordinance at least as effective in conserving water; and

WHEREAS, the City of Sunnyvale has developed this updated Landscaping, Irrigation and Usable Open Space Ordinance in conjunction with the Bay Area Water Supply and Conservation Agency and other local agencies to meet the requirements and guidelines of the Model Ordinance and to address the unique physical characteristics within the City of Sunnyvale's jurisdiction, in order to ensure that this Ordinance will be "at least as effective as" the Model Ordinance in conserving water; and

WHEREAS, although this Landscaping, Irrigation and Usable Open Space Ordinance is more streamlined and simplified than the Model Ordinance, the Council finds that it is "at least as effective as" the Model Ordinance for the following reasons: (1) this Ordinance applies to more accounts than the Model Ordinance does because it lowers the size threshold for applicable rehabilitated landscaped areas from 1,000 square feet to 500 square feet for residential and non-residential projects, to better reflect the typical landscaped areas located within the City of Sunnyvale; (2) this Ordinance includes a default no turf restriction in the irrigated area and requires that at least 80% of the plants be native plants, low water using plants, or no water using plants (unless the applicant elects to perform a water budget); and (3) this Ordinance requires covers on newly constructed pools and spas. The Model Ordinance does not contain any such default turf restrictions or specified plant requirements; and

WHEREAS, although this Ordinance is more streamlined and simplified than the Model Ordinance, the Council further finds that it is "at least as effective as" the Model Ordinance because this Ordinance includes water budget parameters and values and landscaping requirements that are consistent with the Model Ordinance. By using the same water budget parameters as the Model Ordinance (e.g., plant factors, irrigation efficiency), this Ordinance will be as effective as the Model Ordinance in developing landscaping water budgets. By using the same, and in some cases more stringent, landscaping parameters as the Model Ordinance for, among other things, slope restrictions and width restrictions for turf, irrigation times, and minimum mulch requirements, this Ordinance will be at least as effective as the Model Ordinance in achieving water savings; and

WHEREAS, Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof; and

WHEREAS, the Council finds and determines that this Ordinance is consistent with the provisions requiring reductions in outdoor water use for landscaping in the California Green Building Standards Code, as such provisions will be implemented in the coming years. Such requirements include the development of a water budget for landscaping irrigation in accordance with methodology outlined in either the Model Ordinance or pursuant to a locally adopted ordinance; and

WHEREAS, the State Legislature has identified the provision of a more reliable water supply and the protection, restoration and enhancement of the Delta ecosystem as a high priority for the state. Pursuant to this, in November 2009, the State Legislature passed Senate Bill 7 (7<sup>th</sup>



Extraordinary Session) requiring certain urban water suppliers to reduce per capita urban water use by 20% by the year 2020. Accordingly, the Council finds that implementation of this Ordinance is consistent with the policies and goals established by the State Legislature in enacting SB 7 (7<sup>th</sup> Extraordinary Session).

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

SECTION 1. CHAPTER 19.37 AMENDED. Chapter 19.37 (Landscaping, Irrigation and Usable Open Space) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

### **Chapter 19.37.**

#### **LANDSCAPING, IRRIGATION AND USABLE OPEN SPACE**

- 19.37.010. Purpose.**
- 19.37.020. Applicability.**
- 19.37.030. Definitions.**
- 19.37.040. Minimum landscaped area and usable open space.**
- 19.37.050. Water efficiency design requirements.**
- 19.37.060. General planting, soil management and water feature design requirements.**
- 19.37.070. Reserved.**
- 19.37.080. Reserved.**
- 19.37.090. Reserved.**
- 19.37.100. Usable open space design requirements.**
- 19.37.110. Irrigation system design requirements.**
- 19.37.120. Landscaping and irrigation approval.**
- 19.37.130. Landscaping irrigation audit and maintenance.**

#### **19.37.010. Purpose.**

The purpose of this chapter is to ensure that adequate landscaped areas and usable open space are provided where applicable for all zoning districts; to promote the conservation and efficient use of water and to prevent the waste of this valuable resource; and to promote water conservation as one component of sustainable building practices. This chapter shall be construed to assure consistency with the requirements of the Water Conservation in Landscaping Act of the California Government Code, or any successor statute, and any applicable implementing regulations, as they exist at the time of enactment or as later amended. In addition to compliance with the provisions in this chapter, projects shall comply with stormwater management requirements set forth in Chapter 12.60.

**19.37.020. Applicability.**

(a) Unless otherwise provided by this section, all lots in all zoning districts are subject to Section 19.37.040 (Minimum Landscaped Areas and Usable Open Space) and 19.37.120 (Landscaping and Irrigation Approval). The following types of projects are subject to certain provisions of this chapter as specified:

(1) Single-Family and Two-Family Dwelling New Construction. New landscaping installations of 500 square feet or more in connection with the construction of a new single-family or two-family dwelling unit shall meet all requirements of this chapter. Such projects with less than 500 square feet of landscaped area are subject only to Section 19.37.040 (Minimum Landscaped Area and Usable Open Space).

(2) New Landscaping Installations. New landscaping installations of 500 square feet or more for any use except for existing single-family and two-family dwellings shall meet all requirements of this chapter. Such projects with less than 500 square feet of landscaped area are subject only to Section 19.37.040 (Minimum Landscaped Area and Usable Open Space) and Section 19.37.120 (Landscaping and Irrigation Approval).

(3) Rehabilitated Landscapes. Projects to rehabilitate existing landscaped areas between 1,000 square feet and 2,500 square feet are subject to all requirements of this chapter, except that an irrigation audit is not required. Rehabilitated landscape projects on existing landscaped areas over 2,500 square feet shall meet all requirements of this chapter. Rehabilitated landscape projects less than 1,000 square feet are subject only to Section 19.37.040 (Minimum Landscaped Area and Usable Open Space) and Section 19.37.120 (Landscaping and Irrigation Approval).

(4) Graywater for Landscapes. Landscape projects of 2,500 square feet or less using a graywater system that conforms to Title 16 and the California Plumbing Code or rainwater captured on site to meet all of its planting water needs are subject only to Section 19.37.110 (Irrigation System Design Requirements).

(b) Specific Plans, Precise Plans and other Specialized Plan Areas. Properties within a specific plan, precise plan or other specialized plan area are subject to the minimum landscaped area, usable open space, or modified frontage strip and buffer design requirements prescribed in those individual plans. All other requirements in this chapter apply to such projects.

(c) Exemptions. The following projects are exempt from this chapter:

(1) Individual single-family or two-family dwelling landscape projects that are not in connection with construction of a new dwelling unit, except that Section 19.37.040(e)(2) applies;

(2) - (4) [Renumbered; text unchanged]

**19.37.030. Definitions.**

The following terms and definitions pertain to the water efficiency sections of this chapter:

“Applied water” means the portion of water supplied by the irrigation system to the landscaped area.

“Automatic irrigation controller” means an automatic timing device used to remotely control valves that operate an irrigation system using either evapotranspiration (weather-based) or soil moisture data.

“Certified professional” means a licensed landscape architect, a licensed landscape contractor, a licensed professional engineer, certified irrigation designer, or any other person authorized by the state to design a landscape or irrigation system, or a certified landscape irrigation auditor.

“Conversion factor (0.62)” means the number that converts acre-inches per acre per year to gallons per square foot per year.

“Drip irrigation” means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

“Estimated total water use” (ETWU) means the total water used for the landscaped area as described in Section 19.37.050.

“ET adjustment factor” (ETAF) means a factor that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscaped area.

“Evapotranspiration rate” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

“Flow sensor” means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate, and connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves and detecting high flow conditions created by system damage or malfunction.

“Friable” means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, so that the root structure of newly planted material is allowed to spread unimpeded.

“Graywater” means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. “Graywater” includes wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers.

“Hardscape” means any durable material (pervious and non-pervious) in a landscaped area, such as decks, patios or pedestrian walkways, and other non-irrigated elements which may include art work, benches, and bicycle parking.

“Hydrozone” means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

“Irrigation audit” means an in depth evaluation of the performance of an irrigation system. An irrigation audit includes: inspection, system tune up, system

test with distribution uniformity or emission uniformity, correction of any overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

“Irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices.

“Low water use plant” means a plant species whose water needs are compatible with local climate and soil conditions, and have a regionally adjusted plant factor of 0 through 0.3, per WUCOLS.

“Master shut-off valve” means an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system.

“Maximum applied water allowance” (MAWA) means the upper limit of annual applied water for the established landscaped area, expressed in gallons per year.

“Mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

(p) “Native plant” means a plant indigenous to the coastal ranges of central and northern California, and more specifically, such plants that are suited to the ecology of the present or historic natural environment within the project’s vicinity.

“No-water using plant” means a plant species with water needs that are compatible with local climate and soil conditions such that regular supplemental irrigation is not required to sustain the plant after it has become established.

“Plant factor” or “plant water use factor” is a factor, when multiplied by ETo (reference evapotranspiration), estimates the amount of water needed by plants.

“Precipitation rate” means the rate of application of water measured in inches per hour.

“Recreational area” means areas designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf courses course tees, fairways, roughs, surrounds and greens on any private property, excluding private single-family and two-family dwelling properties.

“Reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters specific to the local climate which affect the water use of plants, expressed in inches per year, and used as the basis of calculating the maximum applied water allowance for local landscapes

“Runoff” means water which is not absorbed by the soil or landscaping to which it is applied and flows from the landscaped area.

“Soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

“Special landscaped area” (SLA) means an area of the landscaping dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, water features using recycled water, and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

“Turf” means a ground cover surface of mowed grass.

“Water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied).

“WUCOLS” means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension and the Department of Water Resources 2014

**19.37.040. Minimum landscaped area and usable open space.**

(a) Minimum Landscaped Area. Table 19.37.040 describes the minimum landscaped area and usable open space required by zoning district. In addition to the minimum landscaped area, areas not used for buildings, parking lot areas, driveways or pedestrian walkways shall be landscaped unless the review authority determines that landscaping is not necessary to achieve the purposes of this chapter. For projects not involving redevelopment of the entire site, the director of community development may allow less landscaped area than required by Table 19.37.040 if existing physical constraints on the site (such as structures, parking or circulation) limit the amount of landscaping that can be provided.

(b) Landscaped Buffer Required. A landscaped buffer is required for any property with a nonresidential use in a residential zoning district that abuts a residential use and for any use in a nonresidential zoning district which abuts a residential zoning district. Landscaped buffers must be designed to meet the following:

(1) Width. The buffer shall maintain a width of at least 10 feet.

(2) Landscaping. The buffer shall include a planted screen of approved trees and shrubs which shall be placed along the length of the buffer at intervals not to exceed twenty feet, provided, however, that the approving body may grant exceptions as part of any discretionary permit when warranted by conditions on the property.

(3) Wall Design. The buffer shall include a decorative masonry wall six feet in height measured from the highest adjoining grade. When the adjacent nonresidential building is two stories or more in height, the decorative masonry wall shall be eight feet measured from the highest adjoining grade. Where a residential use is permitted in a nonresidential zoning district, the wall shall be required on the residential property, unless a wall already exists.

(c) Landscaped Frontage Strip Required. A fifteen-foot wide landscaped frontage strip is required for all properties except for single-family properties which have a frontage on a public street. The frontage strip is measured from the inside edge of the public sidewalk, or if no sidewalk exists, from the curb. Frontage strip landscaping may be crossed by walkways and access drives.

(d) Usable Open Space Required. Usable open space is required for all duplex and multifamily residential properties as described in Table 19.37.040.

Usable open space areas that meet the definition of landscaping may contribute towards the minimum landscaped area of the site. Required usable open space shall meet the requirements of Section 19.37.100 (Usable open space design requirements).

(e) Allowances and Limitations for Single-Family Uses and Single-Family Zoning Districts.

(1) Allowances for Single-Family Zoning Districts. Yards are not required to be landscaped in single-family zoning districts; however, the provisions of this chapter apply if landscaping is provided and meets the criteria in Section 19.37.020 (Applicability).

(2) Limitation on Paved Areas in the R-0 and R-1 Zoning Districts. Not more than fifty percent of the required front yard of any lot within an R-0 or R-1 zoning district shall be paved with asphalt, concrete cement, or any other impervious surface, except as may be required to meet off-street parking and access requirements of Chapter 19.46.

**Table 19.37.040**  
**Minimum Landscaped Area and Usable Open Space by Zoning District**

<b>Zoning District</b>	<b>Usable Open Space</b>	<b>Other Landscaped Area</b>	<b>Parking Lot Landscaped Area</b>	<b>Total Landscaped Area</b>
R-0	N/A	N/A	N/A	N/A
R-1	N/A	N/A	N/A	N/A
R-1.5	N/A	N/A	N/A	N/A
R-1.7/PD	N/A	N/A	N/A	N/A
R-2	500 sq. ft./unit <sup>1</sup>	850 sq. ft./ unit	20% of the parking lot area	Total minimum landscaped area is the combination of the minimum parking lot landscaped area and other landscaped area. In no case shall this total be less than 20% of the lot area.
R-3	400 sq. ft./unit	425 sq. ft./unit		
R-4	380 sq. ft./unit	375 sq. ft./unit		
R-5	380 sq. ft./unit	375 sq. ft./ unit		
C-1	N/A	12.5% of floor area		
C-2	N/A	12.5% of floor area		
C-3	N/A	12.5% of floor area		
C-4	N/A	12.5% of floor area		
O	N/A	10% of lot area		
P-F	N/A	10% of lot area		
M-S	N/A	10% of floor area		
M-3	N/A	10% of floor area		

<sup>1</sup> One thousand square feet of usable open space is required for a property with an accessory living unit.

#### **19.37.050. Water efficiency design requirements.**

Water Efficiency in Design. Landscaped areas shall be designed to achieve water efficiency and shall be based on one of two options:

(a) Option 1—No Turf and 80 Percent Water Conserving Plants. There shall be no turf or high water use plants in the landscaped areas, and at least 80 percent of the plants installed shall be native, low water use or no water use plants.

(b) Option 2—Water Budget Calculations. If the turf limitation option is not selected, a water budget calculation shall be prepared and shall adhere to the following requirements:

(1) Plant Factors. The plant factors shall be obtained from WUCOLS or an equivalent reference approved by the California Department of Water Resources. For areas that mix plants with different water uses, the plant factor calculation shall be based on the proportion of the respective plant factors, or based on the plant factor of the higher water using plant. Mixing high and low water use plants in the same hydrozone is prohibited. The plant factor ranges from 0.0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.

Water Features. All water features not using recycled water shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.(3) Special Landscaped Areas. All special landscaped areas (SLA) shall be identified and their water use included in the water budget calculations. The reference evapotranspiration adjustment factor for SLAs shall not exceed 1.0.

(4) Reference Evapotranspiration Adjustment Factor. The reference evapotranspiration adjustment factor shall not exceed 0.55 for landscaped areas on residential properties and shall not exceed 0.45 for landscaped areas on nonresidential properties.

(5) Water Budget Calculation. The maximum applied water allowance (MAWA) for a landscape shall be calculated using the following equations:

For residential projects,  $MAWA = (ET_o) (0.62) [(0.55 \times LA) + (0.45 \times SLA)]$

For nonresidential projects,  $MAWA = (ET_o) (0.62) [(0.45 \times LA) + (0.55 \times SLA)]$

Where:

MAWA = Maximum applied water allowance (gallons per year)

ET<sub>o</sub> = Reference evapotranspiration (inches per year)

0.62 = Conversion factor (to gallons)

0.7 = Reference evapotranspiration adjustment factor (ETAF)

LA = Planted landscaped area including SLA and not including hardscapes (square feet)

0.45 = Additional water allowance for SLA in residential projects

0.55 = Additional water allowance for SLA in nonresidential projects

SLA = Special landscaped area (square feet)

(6) Estimated Total Water Use. Estimated total water use (ETWU) shall be calculated using the equation below. The sum of the ETWU calculated for all hydrozones shall not exceed the MAWA.

$$ETWU = (ET_o)(0.62) \left( \frac{PF \times HA}{IE} + SLA \right)$$

Where:

ETWU = Estimated total water use per year (gallons)

ET<sub>o</sub> = Reference evapotranspiration (inches)  
PF = Plant factor from WUCOLS  
HA = Hydrozone area [high, medium, and low water use areas]  
(square feet)  
SLA = Special landscaped area (square feet)  
0.62 = Conversion factor  
IE = Irrigation efficiency of 0.75 for overhead spray systems and 0.81  
for drip irrigation systems

**19.37.060. General planting, soil management and water feature design requirements.**

(a) Plant Material. In addition to the requirements below, plant selection and installation shall be done in accordance with accepted horticultural industry practices.

(1) - (3) [Text unchanged]

(4) Turf. Any allowable turf area shall be planted with tall fescue or similar turf requiring less water. Turf shall not be planted on slopes greater than ten percent where the toe of the slope is adjacent to an impermeable hardscape.

(b) Grouping of Plants. Plants with similar water needs shall be grouped (also described as a hydrozone). Areas that mix plants with different water uses may be allowed if a water budget is performed per Section 19.37.050 (Water Efficiency Design Requirements).

(c) Soil Management.

(1) Mulch. A minimum three-inch layer of mulch shall be applied on all exposed soil areas, except that up to five percent of the area may be left exposed if designed to provide a habitat for beneficial insects and other wildlife.

(2) Soil Amendments. Soil amendments shall be incorporated according to the soil conditions at the project site and based on what is appropriate for selected plants. Compacted soils shall be transformed to a friable condition. Compost shall be incorporated at a minimum rate of four cubic yards per 1,000 square feet of planting area to a depth of six inches, unless the soil contains more than six percent of organic matter.

(3) Grading. If the project includes grading, the grading shall be designed to minimize soil erosion, runoff and water waste. The grading shall avoid soil compaction in planted landscaped areas.

(d) [Text unchanged]

**19.37.070. Reserved.**

**19.37.080. Reserved.**

**19.37.090. Reserved.**



**19.37.100. Usable open space design requirements.**

(a) Function. Usable open space must be designed to be accessible to, and usable for outdoor living, recreation or utility use.

(b) Location. Usable open space may not be located in any required front yard area.

(c) Minimum Usable Open Space Dimensions and Area. Each usable open space area shall have at least a twelve foot dimension in any direction and a minimum area of two hundred square feet except for:

(1) - (2) [Text unchanged]

(d) Private Usable Open Space Required. In the R-4 and R-5 zoning districts, a minimum of eighty square feet per unit shall be designed as private usable open space.

**19.37.110. Irrigation system design requirements.**

(a) Irrigation System Required. All landscaped areas shall have a permanent irrigation system, except for single-family detached and two-family dwellings.

(b) Irrigation Efficiency and Design. Irrigation systems shall be designed and maintained to meet the water needs of each hydrozone and the following requirements:

(1) Efficiency. Irrigation systems must meet or exceed an average landscaping irrigation efficiency of 75 percent for overhead spray systems and 81 percent for drip irrigation systems;

(2) Drip Irrigation. Bubbler or other low-flow, non-spray irrigation system shall be provided for trees and shrubs, mulched areas, areas with slope greater than 10 percent (unless it can be demonstrated that no runoff or erosion will occur if other types of irrigation is used) and areas that are less than 10 feet wide in any direction.

(3) Overhead Spray Irrigation. Overhead spray irrigation may be used for clustered shrub plantings and turf areas at least 10 feet wide in any direction; however, it cannot be used for areas within two feet of a non-permeable surface unless it can be demonstrated that no runoff would occur, or the adjacent non-permeable surface is designed and constructed to drain entirely to landscaping.

(4) Valves. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions and plant water needs. Valves and control circuits shall be separated based on the required rate and quantity of water used. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers and turf. Manual shut-off valves are required. Master shut-off valves are required unless the irrigation system includes low pressure shut down features.

(5) Irrigation Controllers and Sensors. All irrigation controllers must utilize either evapotranspiration or soil moisture sensor data, and be capable of dual or multiple programming and capable of maintaining programming data in the event the primary power source is interrupted. Irrigation systems shall also

incorporate sensors (rain, freeze, wind, etc.) that suspend or alter irrigation operation during unfavorable weather conditions.

(6) Pressure Regulators. Pressure regulators shall be installed if the water pressure is below or exceeds the recommended pressure of the irrigation devices.

(7) Spray Heads. Spray heads and other emission devices shall be selected based on what is appropriate for the plant type within the hydrozone. Spray heads must have matched precipitation rates within each circuit. All irrigation emission devices must meet the ANSI standard, ASABE/ICC 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard".(8) Flow Sensors. Flow sensors are required for any landscaped areas of 5,000 square feet or larger.

(c) [Text unchanged]

(d) - (e) [Renumbered; text unchanged]

#### **19.37.120. Landscaping and irrigation approval.**

(a) Permit Required. Except as otherwise provided in this chapter, no person shall install or modify any landscaped area without first obtaining approval of a miscellaneous plan permit, in accordance with the procedure described in Chapter 19.82, or as part of any discretionary permit the project is subject to pursuant to this title.

(b) Landscaping and Irrigation Plans Required. Landscaping and irrigation plans shall be required for any modification or installation of new landscaping that falls within the thresholds stated in this chapter. The plans shall provide the information necessary as determined by the director of community development to comply with the provisions of this chapter.

(c) Plan Preparation by Certified Professional. Landscaping and irrigation plans shall be prepared by, and bear the signature of, a certified professional, except for new landscaping installations or landscaping rehabilitation projects with less than two thousand five hundred square feet of landscaped area.

#### **19.37.130. Landscaping irrigation audit and maintenance.**

(a) Irrigation Audit Required. Prior to approval of occupancy by a building official, a landscaping irrigation audit shall be conducted and an irrigation audit report shall be submitted for applicable projects described in Section 19.37.020 (Applicability).

(1) Audit by Third-Party Certified Professional. The landscaping irrigation audit shall be conducted and the report shall be prepared by a third party certified professional, and not by the entity who designed or installed the landscaping.

(2) [Text unchanged]

(b) Submittal of Landscaping Maintenance Schedule. Prior to the final inspection by the building official, a regular maintenance schedule shall be submitted to the director of community development for review and approval. The

maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost; replenishing mulch; fertilizing; pruning; weeding in all landscaped areas; and removing obstructions to irrigation spray heads or other emission devices. Landscaping shall be maintained in accordance with the approved maintenance schedule.

(c) [Text unchanged]

**SECTION 2. SECTION 19.48.090 AMENDED.** Section 19.48.090 (Pools and Spas) of Chapter 19.48 (Fences, Distances between Buildings and Extensions into Yards) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.48.090. Pools and spas.**

(a) – (b) [Text unchanged]

(c) Covers are required for new pool or spa installations.

**SECTION 3. CEQA - EXEMPTION.** The City Council finds, pursuant to Title 14 of the California Code of Regulations (CEQA Guidelines), that this ordinance is categorically exempt in accordance with Section 15307 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of natural resources; and in accordance with Section 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment. The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

**SECTION 4. CONSTITUTIONALITY; SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

**SECTION 6. POSTING AND PUBLICATION.** The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on April 19, 2016, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

(SEAL)

APPROVED AS TO FORM:

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



# City of Sunnyvale

## Agenda Item

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16-0197

Agenda Date: 5/3/2016

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### REPORT TO CITY COUNCIL

#### SUBJECT

**FILE #:** 2016-7068

**Location:** 160 Aries Way (APN 209-07-007)

**Proposed Project:** **DOWNTOWN SPECIFIC PLAN AMENDMENT INITIATION:** Request to study a change to the land use designation of a portion of Block 1a of the Downtown Specific Plan from very high density residential to retail and office, as well as increase the allowable height from 85 feet to 100 feet.

**Applicant/Owner:** Andy Kasik

**Environmental Review:** Exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3) because the mere initiation of a study is not a project with the potential to cause a significant impact on the environment.

**Project Planner:** Gerri Caruso (408) 730-7591

#### 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. A Specific Plan Amendment initiation (also referred to as GPI) and Specific Plan Amendment are processed in the same manner as a General Plan amendment. The process for considering a General Plan or Specific Plan amendment begins with a written request from a property owner or applicant. If the Council approves the GPI, a formal application for a General Plan Amendment (GPA) or Specific Plan Amendment (SPA) can be filed by the property owner/applicant. While staff is processing the GPA/SPA application, the applicant may also file a project application and related items for concurrent processing. Current City Council practice is to consider the GPA/SPA before the project is scheduled for a Planning Commission hearing.

Staff received a GPI request from the applicant on January 29, 2016. The applicant is requesting a change to the Downtown Specific Plan (DSP) land use designation for the portion of Block 1a that has not yet been redeveloped (DSP Map/Attachment 1). The site is 22,030 s.f. (approx. 0.51 acres) and is the current location of a U.S. Post Office and other related small commercial tenants (approximately 13,600 s.f. total) as well as 20 rental apartments.

The entire Block 1a of the DSP is 5.54 acres and includes the existing Solstice and Carmel Loft mixed use projects (the former Town and Country site). It is part of the Commercial Core district of the DSP. Block 1a was adopted with a primary use of very high density residential and allows up to 450 dwelling units and a maximum of retail/restaurant/entertainment of 52,500. After construction of the Solstice and Carmel Lofts mixed use projects the remaining development allocation for Block 1a is a total of 44 dwelling units (24 net new units). There is currently 12,600 s.f. available for retail/restaurants/entertainment in Block 1a. The property currently has approximately 13,600 s.f.

(resulting in a net decrease of 1,000 s.f. in available commercial development).

## **EXISTING POLICY**

### **Sunnyvale General Plan:**

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 ten to 20 years and strategic actions for the next five to ten years. The General Plan has a number of policies that support the development of Downtown along with higher intensity development (both housing and commercial) near transit such as bus lines and rail.

Policy LT-2.2 Encourage nodes of interest and activity, such as parks, public open spaces, well planned development, mixed use projects and other desirable uses, locations and physical attractions.

LT-2.2a Promote downtown as a unique place that is interesting and accessible to the whole City and the region.

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

LT-3.3.4a Locate higher-density housing with easy access to transportation corridors, rail transit stations, bus transit corridor stops, commercial services and jobs.

Policy LT-4.12 Permit more intense commercial and office development in the downtown, given its central locations and accessibility to transit.

### **Downtown Specific Plan:**

The goals and policies of the Downtown Specific plan create the basic priorities for implementing the downtown vision. Goals are intended as high-level outcomes desired for the community and policies are definite courses of actions to guide the present and future decisions. The primary goals for the Downtown Specific Plan are:

1. Develop land uses in the General Plan adopted by the City Council in June 2003 in an attractive and cohesive physical form that clearly identifies Sunnyvale's downtown.
2. Establish the downtown as the cultural, retail, financial and entertainment center of the community, complemented by employment, housing and transit opportunities.
3. Promote a balanced street system that serves all users well regardless of their mode of travel.
4. Protect and enhance existing neighborhoods.
5. Improve street character.

In the Downtown Specific Plan the vision for Downtown Sunnyvale was encapsulated into this statement:

*"An enhanced, traditional downtown serving the community with a variety of destinations in a pedestrian-friendly environment"*

To achieve the vision the following building blocks were identified:

- Variety of Uses
- Downtown Districts
- Connections
- Gateways
- Historical Buildings and Heritage Resources
- Plazas and Open Spaces

### **ENVIRONMENTAL REVIEW**

The decision to initiate a General Plan study does not require environmental review under the California Environmental Quality Act (CEQA) because the mere initiation of a study is not a project with the potential to cause a significant impact on the environment. (CEQA Guidelines Section 15061 (b)(3)). If initiated, the proposed Specific Plan Amendment and associated Rezoning and Special Development Permit applications will be subject to the provisions of CEQA. If the applicant proceeds with the project concept as currently envisioned, a preliminary determination is that a Mitigated Negative Declaration may be appropriate, which will include a traffic analysis and other technical studies. If significant impacts are identified during the Specific Plan Amendment study then an EIR may be required.

### **DISCUSSION**

#### **Project Description**

The applicant is requesting that the City consider changing the land use designation for DSP Block 1a to Office. Office is currently not the primary use for Block 1a, which is envisioned for very high density residential and retail/restaurant/entertainment uses (see Applicant's Request/Attachment 2).

A conceptual project was submitted with the GPI application in order to illustrate the request. The actual project would require separate permit consideration if the GPI is initiated and a DSP amendment is ultimately approved. The conceptual project is an approximately 103,000 s.f, 6-story office building with some ancillary ground floor commercial. The Floor Area Ratio (FAR) would be 4.7. The project would require 415 parking spaces. The plans indicate four levels of below grade parking with 171 parking stalls. Through consideration of a Special Development Permit the applicant would also request use of the City's downtown parking district to accommodate between 200 and 243 additional offsite parking spaces (Conceptual Plans/Attachment 3).

The current Downtown Specific Plan allows for 1.13 million s.f. of office space in the entire plan area. There are office uses in the immediate vicinity of the project site in DSP Block 1.

Block 1 is occupied by 5- and 6-story Class A office buildings (approximately 460,000 s.f. and formerly called the Mozart buildings) located west across Aries Way. The applicant proposes a Class A office project to make use of the transit oriented location near the bus and rail multi-modal hub located across Plaza del Sol at Evelyn Avenue and Frances Street.

Although the DSP Block 1 development standards allow 6 stories and a 100 foot height limit, DSP Block 1a allows 6 stories but limits the maximum height to 85 feet (including rooftop equipment and elevator shafts). The applicant is asking to study a height limit of 100 feet as part of the GPI request.

#### **Proposed DSP Amendments**

Amendments to the Downtown Specific Plan follow the same procedure for a General Plan Amendment. If initiated by the City Council, appropriate studies would be completed. A recommendation hearing would be conducted by the Planning Commission and the final determination on a Specific Plan Amendment and any related Rezoning is made by the City Council. The following finding is required:

*The city council may approve a general plan or zoning amendment upon finding that the amendment, as proposed, changed or modified is deemed to be in the public interest.*

In this case the DSP could potentially be amended to modify the allowable uses and development and design standards for a portion of Block 1a. Related standards in the Zoning Code would need to be amended accordingly.

A DSP Amendment is required to make office the primary use in this portion of DSP Block 1a and to change the related development standards to allow an increased height limit.

Table 6.1 of the DSP lists Block 1a as having a primary land use of Very High Density Residential (total 450 d.u.) with some commercial potential (52,500 s.f.). Some office is permitted by the zoning code in Block 1a, but not as a primary use.

There is not enough office development potential left in Block 1a to meet the applicant's project objectives of 100,000 s.f. of office space at 100 feet in height. Block 1a also includes the new mixed use apartment communities along Washington Avenue and Olson Way. Attachment 4 is a table of Downtown Specific Plan Development status by block.

There is current information that indicates that housing is needed in Sunnyvale and that housing near transit is in high demand. There is also demand for transit oriented office development in the City and the south bay in general.

In order to study the applicant's proposal, the City would analyze the benefits of leaving the site designation for a primary residential use (44 units before factoring any potential density bonuses for affordable housing or green buildings and approximately 12,000 s.f. of commercial). The current designation would be compared with the benefits of changing the site to allow a primary office use. The study would look at the pros and cons of a daytime employment population (office) verses a day/night resident population (housing) and how each benefits or impacts the existing and planned uses in the DSP. Traffic implications and other environmental impacts including visual impacts would be evaluated. Impacts to and benefits from local transit uses would also be discussed.

The study would also include recommendations on development standards if the site changes to office use including height, setbacks, and design standards regarding how an office building would relate to the street, Plaza del Sol and adjacent residential neighbors.

As alternatives, the study could consider the benefits and impacts of the following:

- A reduced office project that could self-park on site (after factoring credit to the parking district); or
- An office mixed use project with a ground floor retail, restaurant or entertainment component that could self-park on site (after factoring credit to the parking district).

## Parking



The applicant contemplates satisfying the requirements through an on-site underground parking garage and use of the City's parking district (up to 200 spaces within the District). The Downtown Specific Plan and the Parking District require that new development provide any net new parking spaces on-site. As part of a Block 1a DSP amendment study, a parking assessment would need to be conducted to determine the net increase in parking that would be needed and the possible effect on the parking district.

For several years the Council has deferred a potential Study Issue (CDD 11-02) titled *Downtown Development Policies for Parking*. This study issue involves a broader assessment of parking policies for the entire downtown area, whereas the parking assessment for this DSP amendment study would focus on the effects of changing the land use designation on Block 1a. The study issue summary paper notes that:

Downtown parking is a potential barrier to the redevelopment of smaller individual sites in the downtown, which may be more constrained in their options for locating the required on-site parking facilities. One such property owner has contacted staff on numerous occasions to request staff support for a deviation to the parking requirements or payment of an in-lieu fee.

This study would examine the City's downtown development policies to identify and explore alternative solutions for meeting future downtown parking needs, including alternative ways to achieve effective off-site parking downtown, including shared and joint-use parking and use of smart technology to manage public parking. It could also examine the potential for providing additional parking supply in the Parking District, including a current needs assessment, exploration of financing options, and consideration of legal issues.

If the Council were interested in exploring the broader parking issues described in the Study Issue paper, this broader study could be prepared at the cost of the Block 1a applicant, although the Council could consider allocating a portion of the funds since the scope extends beyond the vicinity of Block 1a. Whether limited or broader in scope, the study would include outreach and coordination with Parking District property owners, downtown businesses and nearby residents.

### **FISCAL IMPACT**

There are no fiscal impacts associated with initiating a General Plan or Specific Plan Amendment study. All fees and costs for development processing, related special studies and CEQA analysis would be covered by the applicant.

### **PUBLIC CONTACT**

Prior to the Planning Commission hearing both hearing dates were noticed. Public contact was made through posting the agenda on the City's official-notice bulletin board and on the City's website and the agenda and report was made available in the Reference Section of the City Library. Notices were sent to all property owners and tenants within 2,000 feet of the site (3,363 notices) (Map Attachment 5); email messages with notices were sent to the Heritage Neighborhood Association, Chamber of Commerce and the Downtown Association.

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

The Planning Commission held a public hearing on April 11, 2016 for this GPI request. In addition to the applicant's team, two members of the public spoke about the project (Planning Commission Minutes, Attachment 6).

The Planning Commission discussed with the applicant if residential development was considered as an alternative to office. Members of the public encouraged residential development and requested that efforts be made to keep a post office in the downtown. A commissioner inquired if a fiscal analysis, comparing the impacts of office and residential Downtown and citywide should be required (Planning Commission Minutes, Attachment 6).

### **ALTERNATIVES**

1. Initiate a study to consider amending a portion of Block 1a of the Downtown Specific Plan to change the primary land use designation to office including a possible increase in the height limit, prepare draft development standards, evaluate impacts to the Downtown parking district, evaluate project alternatives and conduct appropriate environmental review. Prepare related Zoning Code amendments.
2. Study an alternative land use scenario for a mixed use residential, office and retail use with potential R3 and R4 residential density including evaluating impacts to the Downtown parking district.
3. Do not initiate a Downtown Specific Plan amendment study and leave the current land use designation as Very High Density Residential (with up to 12,000 s.f. of retail use).

### **STAFF RECOMMENDATION**

Alternatives 1 and 2: 1) Initiate a study to consider amending a portion of Block 1a of the Downtown Specific Plan to change the primary land use designation to office including a possible increase in the height limit, prepare draft development standards, evaluate impacts to the Downtown parking district, evaluate project alternatives and prepare related Zoning Code amendments; and 2) Study an alternative land use scenario for a mixed use residential, office and retail use with potential R3 and R4 residential density including evaluating impacts to the Downtown parking district.

Other project alternatives to be evaluated include:

- A reduced office project that could self-park on site.
- An office mixed use project with ground floor retail, restaurant or entertainment uses that could self-park on site.

Staff finds that the GPI study is appropriate because the subject site is located in the Downtown Specific Plan in close proximity to transit where both office and residential uses are in demand. The proposal to establish an office development on the property could be consistent with the purpose of the Downtown Specific Plan.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission recommended that the City Council initiate a study to consider amending a portion of Block 1a of the Downtown Specific Plan to evaluate the applicant's request for office use with an alternative to also study mixed use residential at a density of R-3 (14-27 d.u./acre) or R-4 (27-45 d.u./acre). Mixed use could include housing, office and retail. The study should include a parking needs assessment for the Downtown parking district.

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

**ATTACHMENTS**

1. Downtown Specific Plan Map
2. Applicant's GPI Request Letter
3. Applicant's Conceptual Development Plan
4. Downtown Specific Plan Table of Build out Status by Block
5. 2,000 Foot Radius Noticing Map
6. Planning Commission Minutes, April 11, 2016

## 6. Downtown Districts

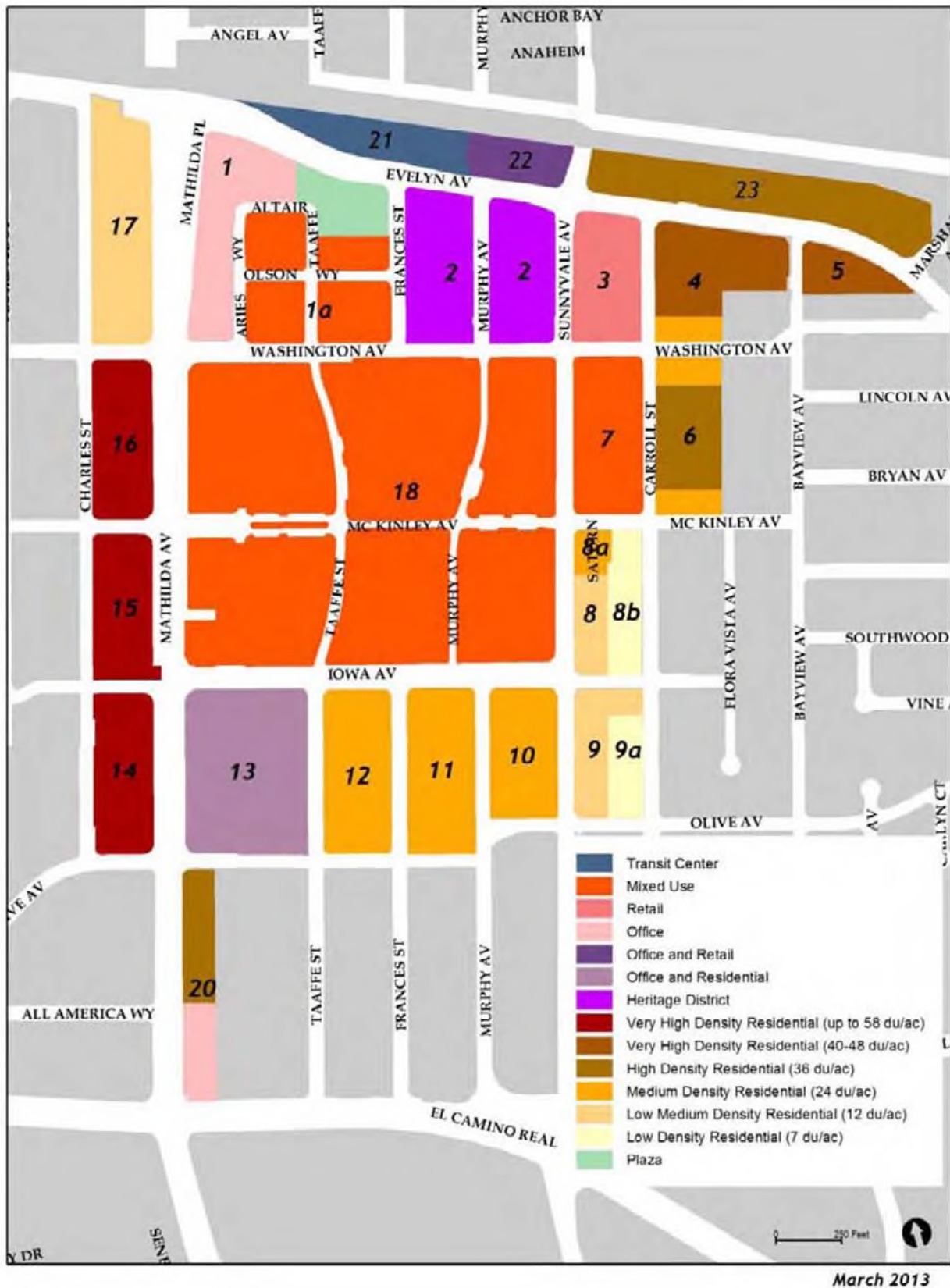


FIGURE 6.1 LAND USES



January 29, 2016

City of Sunnyvale  
C/O Momoko Ishijima, Associate Planner  
456 W. Olive Ave.  
Sunnyvale, CA – 94088-3707

Re: Specific Plan Amendment for 160 Aries Way

Dear Council Members,

I'd like to request a Specific Plan Amendment on the above referenced site for consideration of a 6-story, 100,000 SF, commercial building with ground floor retail. The existing zoning is DSP for limited retail and high density residential with a maximum building height of 85 feet. The proposed development is requesting an increase in the building height to 100 feet and a use change to limited retail and commercial office in lieu of high density residential.

The site is located in the Downtown Specific Plan Block 1a but due to its location it is adjacent to Block 1 to the north and west, which allows a 100 foot height limit and commercial use. To the south is high density residential with Plaza del Sol to the east. The sites location is ideal for commuter use of Cal Train and its proximity to specialty retail and Plaza del Sol makes it ideal for bringing weekday business to the local restaurants and specialty shops. This is nearly the last site in this area of Downtown yet to be redeveloped. As a commercial office use this site will be the transitional site between office and residential.

Parking for the building is anticipated to be a combination of 4 levels of below grade parking under the building and the adjacent public parking garage at Plaza del Sol. Reductions will be necessary in the City required parking, which will be supported by a detailed Traffic Demand Management Plan. Provided with this request is a conceptual ground level floor plan, below grade parking plans, typical upper floor plan, the sixth floor plan, and conceptual building elevations.

Regarding the proposed change from the existing zoning allowing for residential use and the request to change to office – the proximity of the residential building behind the current structure as it stands is not conducive for residential. We also feel that the downtown association from Murphy Street would be amenable to office instead of residential development as the increase in density allows for more customers and the Murphy Street retail will be affected by the Town Center development. Lastly, as it relates to the existing residential tenants in the building – we plan on doing a relocation plan for them as was discussed with Connie and Trudi in our last meeting.

I hope this provides the necessary conceptual details needed to consider this request. Should you have any questions please don't hesitate to contact me.



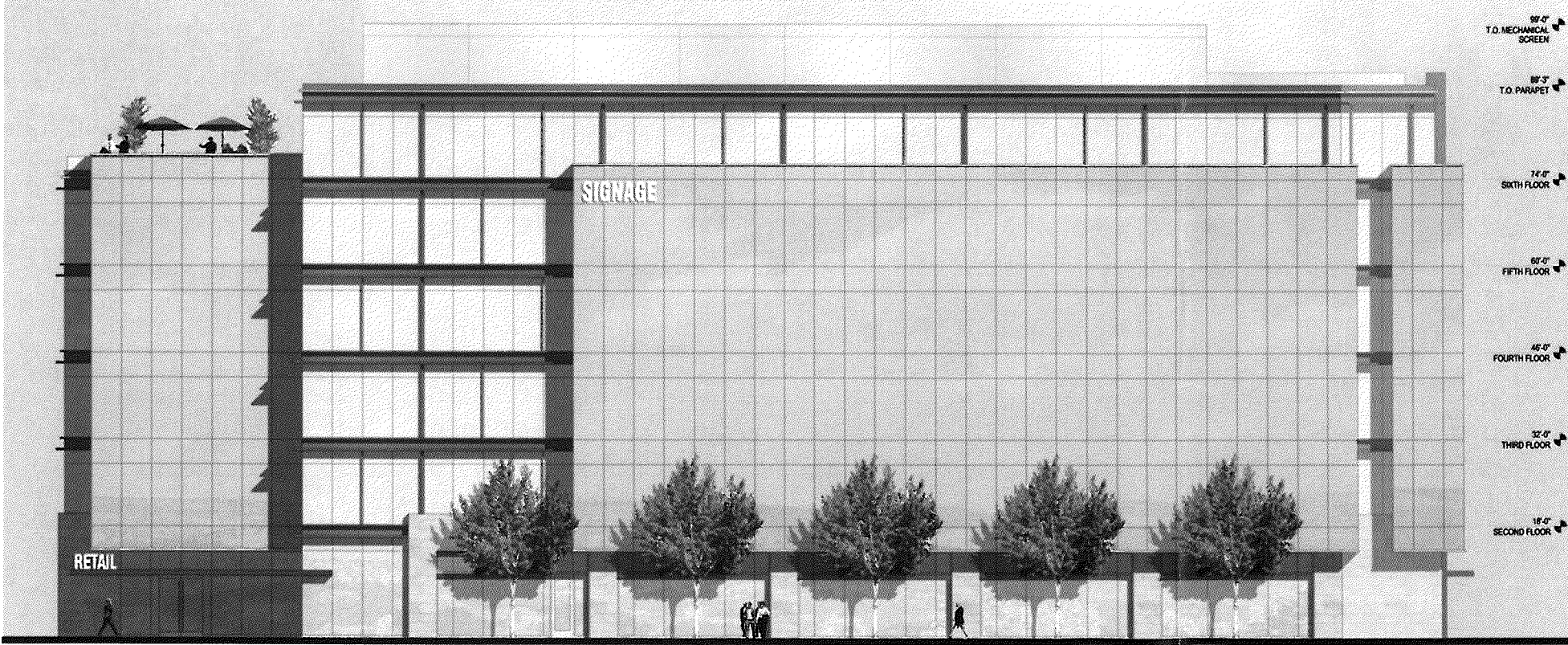
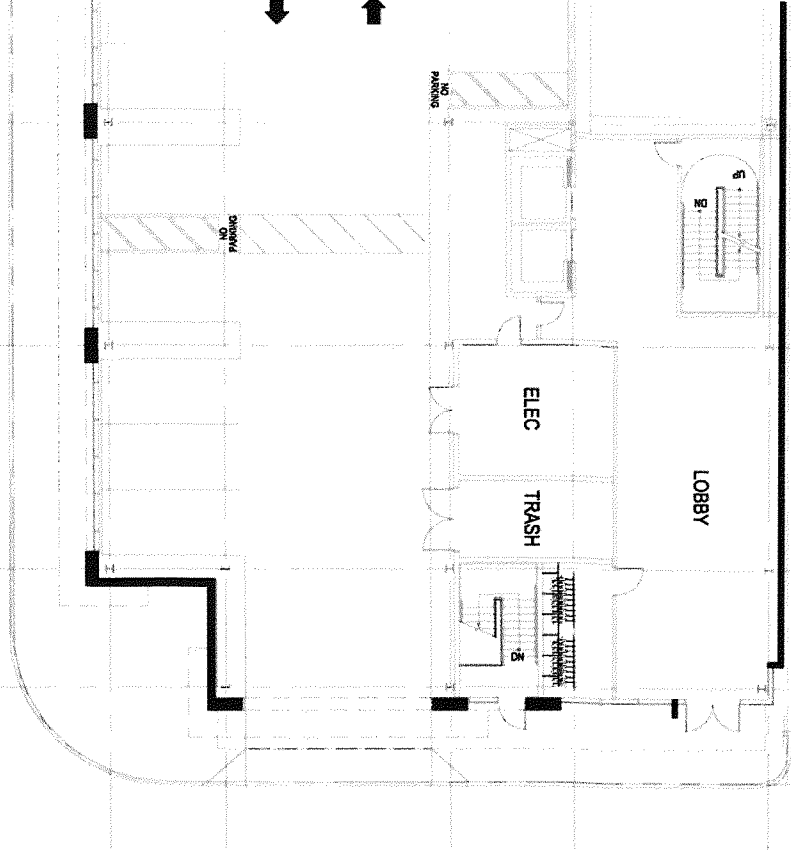
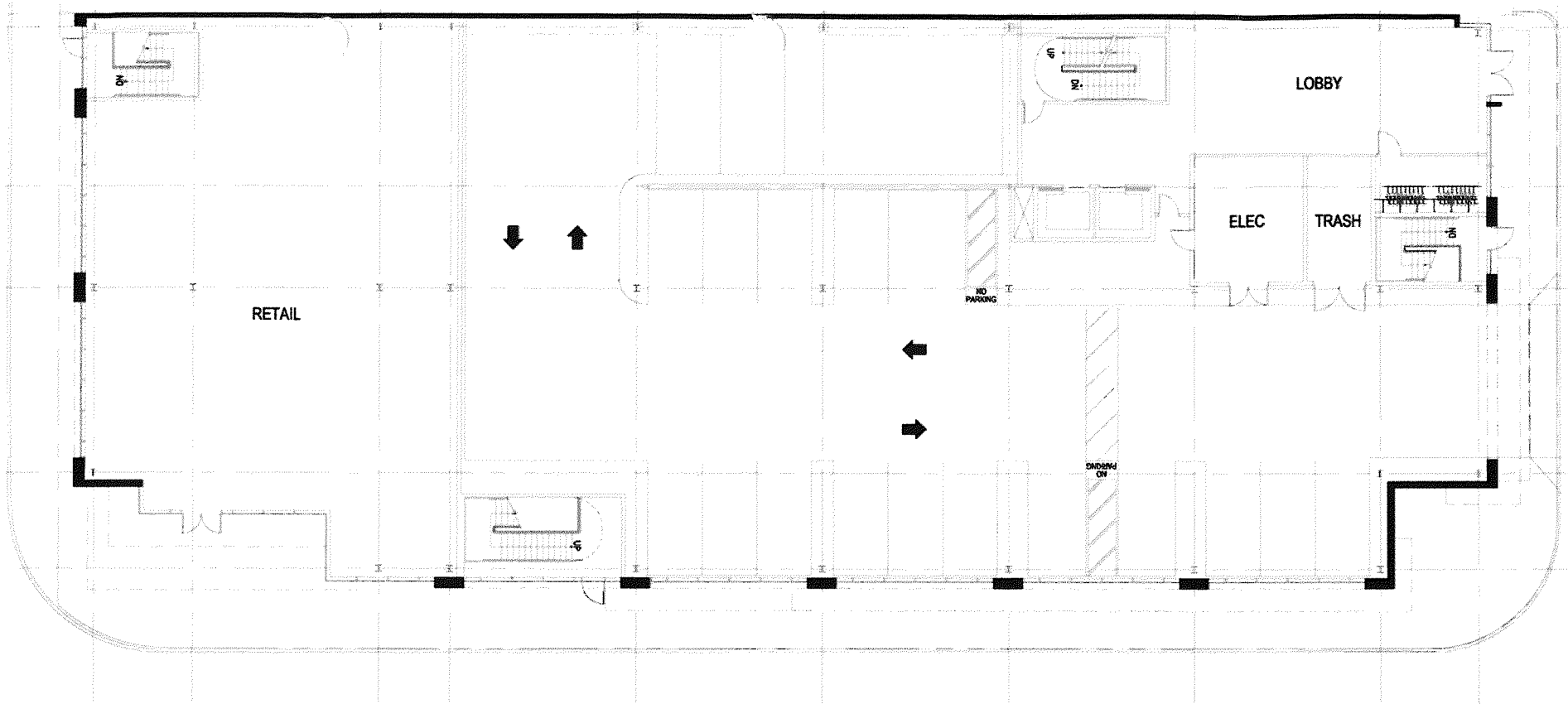
Sincerely,

A handwritten signature in black ink, appearing to read "Ara Bezdjian", is written over the typed name.

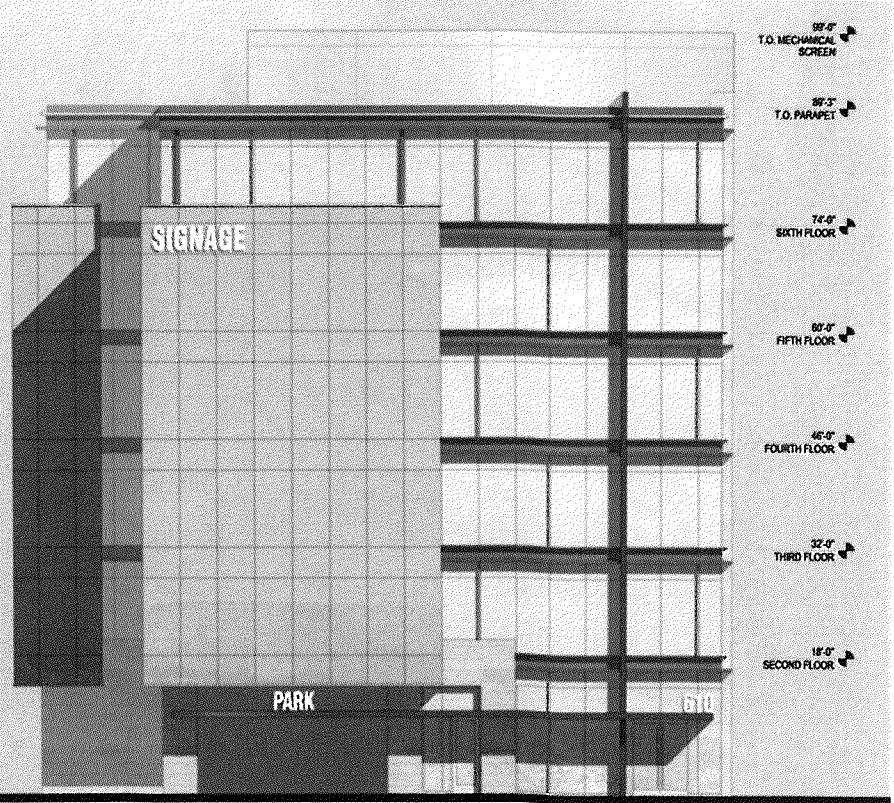
Ara Bezdjian, as agent for  
Andy Kasik

Cc: Andy Kasik, Owner  
John Duquette, ArcTec





FRONT ELEVATION



SIDE ELEVATION



**A PRELIMINARY DESIGN CONCEPT FOR**  
**160 ARIES**  
**SUNNYVALE, CALIFORNIA**

DATE: 01.25.16

ELEVATION  
OPTION 1

PROJECT #: 154079

PROJECT DATA

ASSESSOR'S PARCEL NO.: 209-07-007  
ZONING: DSP/1A  
SITE AREA: 22,030 S.F. / 0.51 ACRES

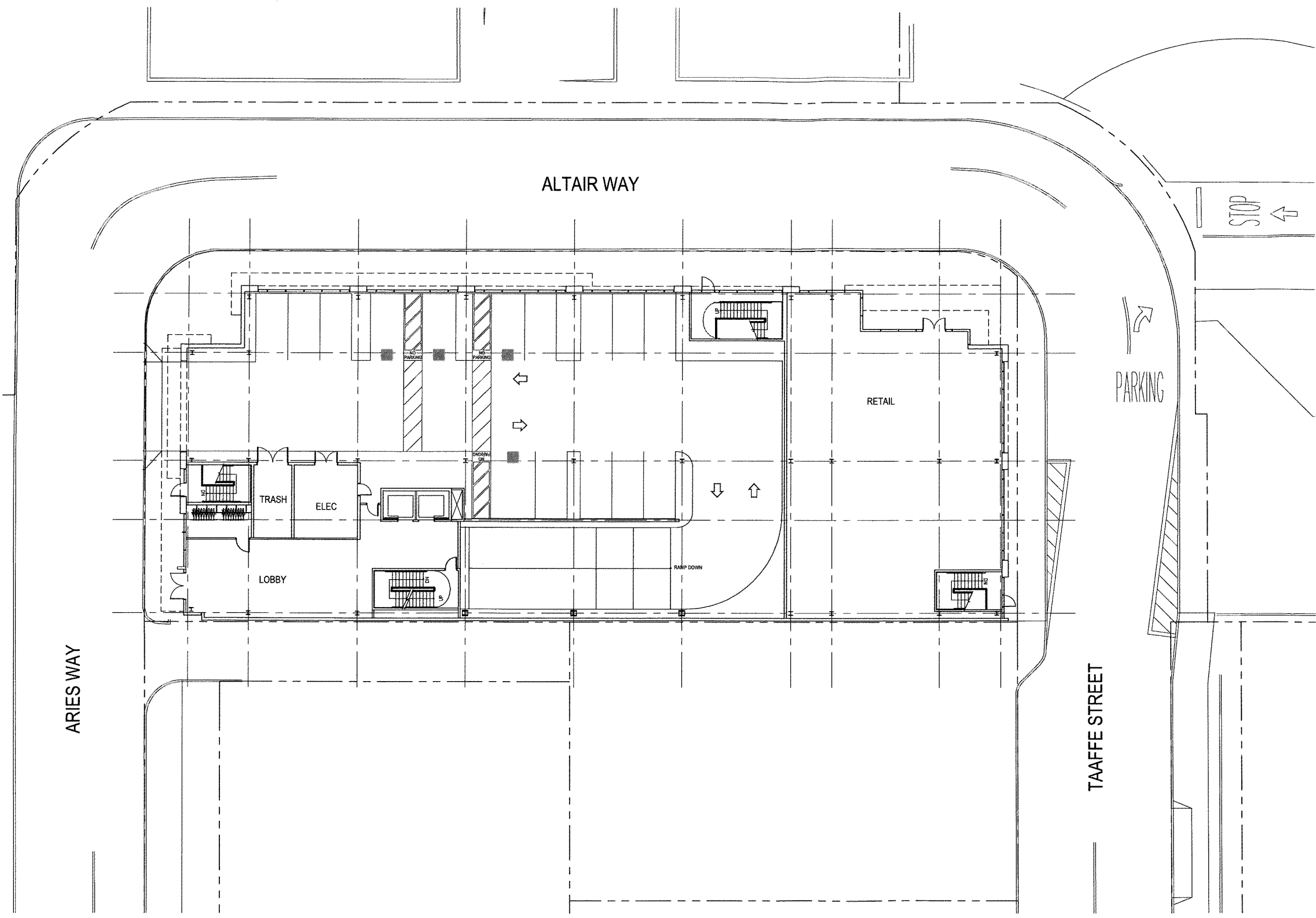
PROJECT AREA:	
LEVEL 1 RETAIL	4,930 S.F. APPROX.
LEVEL 1 OFFICE	3,305 S.F. APPROX.
LEVEL 2	19,854 S.F. APPROX.
LEVEL 3	19,854 S.F. APPROX.
LEVEL 4	19,854 S.F. APPROX.
LEVEL 5	19,854 S.F. APPROX.
LEVEL 6	15,938 S.F. APPROX.
TOTAL AREA	103,590 S.F.

F.A.R. 4.7

REQUIRED DSP PARKING RATIO 1/250 S.F.  
REQUIRED TOTAL PARKING STALLS 415 STALLS

4 LEVEL BELOW GRADE PARKING 214 SPACES\*  
-PARKING RATIO 2.07/1,000  
-NUMBER OF STALLS BELOW REQUIREMENT 201 STALLS

\*INCLUDES 43 OFF-SITE ALLOCATED PARKING STALLS



SITE PLAN

SCALE: 1" = 30'-0"



ARCHITECTURAL TECHNOLOGIES  
www.arctecinc.com  
Arizona  
2360 East Northern Avenue, Building C  
Phoenix, Arizona 85028  
P 602.953.2255 F 602.953.2388  
California  
99 Almaden Boulevard, Suite 840  
San Jose, California 95113  
P 408.496.0676 F 408.496.1121

A New Project  
**160 ARIES WAY**  
Sunnyvale, CA

DATE 01.25.16

**A1.01**

PROJECT NO: 154079



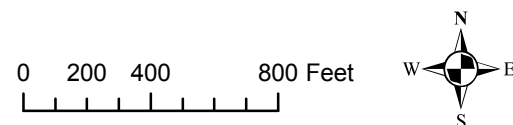
DOWNTOWN SPECIFIC PLAN TABLE  
OF BUILD OUT STATUS BY BLOCK

Block	RESIDENTIAL UNITS				SQ.FT.		
	Max. Units Allowed	Existing Units*	Units Under Construction/ Approved*	Remaining Units Allowed	Max. Sq.Ft. Allowed (Office/Retail/Rest./ Entertainment)	Existing Sq.Ft. (Office/Retail/Rest./Entertainment)	Remaining Sq.Ft. Allowed (Office/Retail/Rest./ Entertainment)
1	-	-	-	-	460,000	459,361	639
1A	450	432	0	24	52,000	53,053	-
2	-	-	8	-	250,891	184,506	66,385
3	-	-	-	-	62,000	30,109	31,891
4	173	18	67	108	-	15,575	-
5	46	21	0	25	-	1,350	-
6	112	20	24	68	-	62,023	-
7	100	100	0	100	50,000	47,658	2,342
8	15	25	0	0	-	-	-
8a	12	12	0	0	-	-	-
8b	12	11	0	1	-	-	-
9	20	20	0	0	-	1,171	-
9a	8	10	0	0	-	-	-
10	47	21	4	22	-	15,584	-
11	49	31	0	18	-	21,511	-
12	51	52	0	0	-	-	-
13	25	6	13	6	196,141	74,803	121,338
14	173	2	105	84	10,000	14,856	0
15	152	7	0	145	10,000	4,057	5,943
16	173	8	0	165	10,000	26,385	0
17	48	35	0	13	-	1,260	0
20	51	24	0	27	16,400	23,638	0
21	-	-	-	-	-	-	-
22	-	-	-	-	54,000	54,000	0
23	191	124	117	0	-	25,176	-

\* May include Green Building or Affordable Housing Density Bonus Units



2016-7068  
160 Aries Way (APN: 209-07-007 )  
2000-foot Area Map



**No: 2 -** Commissioner Simons  
Commissioner Weiss

MOTION: Vice Chair Harrison moved and Commissioner Rheaume seconded the motion to recommend to City Council Alternative 3: Adopt a resolution to amend the Moffett Park Specific Plan to change the Land Use Designation from Moffett Park Industrial to Moffett Park Transit Oriented Development for two parcels and associated text amendments, as contained in the Findings in Attachment 2 and Resolution in Attachment 3; and Alternative 5: Introduce an ordinance to Rezone two parcels within the Moffett Park Specific Plan Area from MP I (Moffett Park Industrial) to MP TOD (Moffett Park Transit Oriented Development) as contained in the Findings in Attachment 2 and Draft Ordinance in Attachment 4.

Commissioner Simons expressed concern that the environmental impacts of the application are not being considered and spoke in opposition to the motion.

Chair Melton spoke in support of the motion.

The motion carried by the following vote:

**Yes: 6 -** Chair Melton  
Vice Chair Harrison  
Commissioner Olevson  
Commissioner Klein  
Commissioner Rheaume  
Commissioner Weiss

**No: 1 -** Commissioner Simons

**5**      [16-0199](#)      **FILE #:**      2016-7068  
**Location:**      **160 Aries Way** (APN 209-07-007)  
**Proposed Project:**      **DOWNTOWN SPECIFIC PLAN AMENDMENT INITIATION:** Request to study a change to the land use designation of Block 1a of the Downtown Specific Plan from very high density residential to retail and office, as well as increase the allowable height from 85 feet to 100 feet.  
**Applicant/Owner:**      Andy Kasik  
**Environmental Review:** Exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3).  
**Project Planner:**      Gerri Caruso (408) 730-7591

Principal Planner Gerri Caruso presented the staff report and responded to Commissioner questions.

Commissioner Klein inquired about the number of residential units that can be built on this lot and whether the lot was considered for residential use by the applicant.

Commissioner Klein inquired about adding to the study an option for a high density residential project.

Vice Chair Harrison inquired about the number of units in the Solstice and Carmel Loft projects.

Vice Chair Harrison inquired as to why the DSP development standards allow different building heights versus the DSP Block 1a.

Commissioner Olevson referred to Attachment 4 in the staff report and clarified the number of remaining units allowed for various blocks of the DSP.

Commissioner Olevson inquired about whether the study would look at the fiscal impact of residential versus commercial use.

Commissioner Olevson commented on wanting to better understand how a commercial project would change the character of the downtown area from the projection made when City Council designated the site as residential.

Commissioner Simons requested the study include a discussion of what type of use is the most sustainable, and what this project's impact would be on the safety of the nearby park.

Commissioner Klein clarified the square footage of office, retail, restaurant and entertainment that is existing and allowed for Block 1a.

Vice Chair Harrison inquired about whether units are transferable between blocks.

Chair Melton opened the Public Hearing.

Applicant Andy Kasik provided information about the application and responded to Commissioner questions.

Commissioner Klein inquired if residential use was considered.

Stan Hendryx, resident of Sunnyvale, spoke in opposition to the GPI.

Kerry Buckholz, resident of Sunnyvale, expressed concern with keeping the post office downtown.

Project Architect John Duquette provided closing remarks in support of the application.

Commissioner Simons inquired if a mixed use project was considered.

Commissioner Simons expressed concern over a residential use adding safety to the nearby park.

Commissioner Olevson inquired about the number of residential units that could be added to make a mixed use project more feasible.

Chair Melton closed the Public Hearing.

MOTION: Commissioner Klein moved and Commissioner Simons seconded the motion for Alternative 3: Recommend to City Council the initiation of a study to consider amending Block 1a of the Downtown Specific Plan to change the primary land use designation to office including a possible increase in the height limit, prepare draft development standards, evaluate impacts to the Downtown parking district, evaluate project alternatives and conduct appropriate environmental review. Prepare related Zoning Code amendments, with the study also considering mixed use residential or solely residential zoning based on the R-3 or R-4 designation at 85 and 100 feet tall, and evaluating what additional pool of residential units and parking would need to be added.

Commissioner Klein discussed his support of the motion.

Commissioner Simons spoke in support of the motion.

FRIENDLY AMENDMENT: Vice Chair Harrison offered a friendly amendment to include in the study an option of a mixed use project including some housing, some office and some retail. Commissioner Klein and Commissioner Simons accepted the friendly amendment.

Vice Chair Harrison clarified that an applicant-funded study of changes to the Parking District is included in the motion.

Vice Chair Harrison spoke in support of the motion.

Commissioner Rheaume spoke in support of the motion.

Commissioner Weiss spoke in opposition to the motion, citing the need for more housing.

Chair Melton spoke in opposition to the motion, citing the need for more housing close to transit.

The motion carried by the following vote:

**Yes: 4 -** Vice Chair Harrison  
Commissioner Klein  
Commissioner Rheaume  
Commissioner Simons

**No: 3 -** Chair Melton  
Commissioner Olevson  
Commissioner Weiss

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

**NON-AGENDA ITEMS AND COMMENTS**

**-Commissioner Comments**

None.

**-Staff Comments**

Planning Officer Miner stated that Council on March 29 continued the Park In-lieu Fee study to April 12, and approved the project on 882 W. McKinley, originally denied by the Planning Commission and appealed to Council, as the applicant used a provision in the Reasonable Accommodation Act.

Commissioner Simons inquired about whether the use is approved in perpetuity.

Planning Officer Miner stated that Council approved the 861 E. El Camino Real project on April 5.

Planning Officer Miner stated that consideration of the Ordinance regarding medical marijuana is on the April 12 Council agenda.

**ADJOURNMENT**



# City of Sunnyvale

## Agenda Item

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16-0041

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Consider Draft 2016 Housing and Urban Development (HUD) Action Plan

#### REPORT IN BRIEF

The City must submit an Action Plan to HUD every year in order to receive entitlement grants from the Community Development Block Grant (CDBG) and the HOME Investment Partnerships (HOME) Programs. The draft 2016 HUD Action Plan ("Action Plan") provided in **Attachment 1** has been prepared in accordance with federal requirements governing the use of these entitlement grants, including the citizen participation requirements. HUD is the federal agency that administers and regulates these grants. The Action Plan sets forth the proposed uses of the CDBG and HOME funds projected to be available in the coming fiscal year, as shown in Table 1 in the Discussion section of this report. These funds may be used for eligible community development activities to meet the priority and/or unmet needs, primarily of lower-income residents, described in the City's HUD Consolidated Plan.

Staff recommends that Council approve the 2016 Action Plan as provided in **Attachment 1**, and authorize the City Manager to execute all required assurances and forms for submittal to HUD.

The Housing and Human Services Commission (HHSC) reviewed the Draft 2016 Action Plan and recommended its approval (Alternative 1) at its meeting on April 20, 2016. Draft minutes of that meeting are provided in **Attachment 4**. The final Action Plan must be submitted to HUD by May 15, 2016.

#### BACKGROUND

HUD requires entitlement grantees to submit a single, consolidated application, referred to as a Consolidated Plan, for its approval prior to disbursing these grants. These plans must describe the grantee's relevant community needs and proposed uses of CDBG, HOME, and other available funds. HUD approved the City's 2015-2020 Consolidated Plan in July 2015. HUD also requires grantees to adopt and submit an Action Plan every year, with annual updates regarding funding availability, any changes in community needs, and activities proposed to be funded with the new grant funds. Upon HUD approval, the annual Action Plans are appended to the Consolidated Plan, which is drafted and submitted to HUD every five years. The 2016 Action Plan will be the second Action Plan to be added to the 2015-2020 Consolidated Plan.

#### **CDBG and HOME Programs**

The CDBG program was established by the Housing and Community Development Act of 1974, Public Law 93-383. The program provides annual grants to counties and larger cities, including Sunnyvale, to enable them to "develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for low and moderate-

income persons.” CDBG regulations define “low and moderate” as households earning not more than 80% of area median household income (i.e., what the City and the State of California refer to as “lower-income households”). The median income limits are established annually by HUD for each metropolitan area in the U.S.

CDBG funds may be used for activities that “principally benefit” lower-income households, including but not limited to: housing rehabilitation, construction or renovation of public facilities, such as community centers and emergency shelters, and infrastructure, public services, energy conservation, economic development and job creation/retention efforts. In Sunnyvale, it is difficult to demonstrate lower-income benefit according to the HUD-required method for some types of activities, particularly those that use the “area benefit” method, so the full range of CDBG activities is not necessarily feasible in Sunnyvale and other higher-income communities. Certain activities are generally prohibited in the CDBG regulations, such as: acquisition, construction or renovation of general government buildings (i.e., city halls, schools, etc.); political activities; subsistence payments; and construction of new housing by government agencies, among others.

The HOME Program was established by the National Affordable Housing Act of 1990. It provides funding only for activities that assist housing affordable to lower-income households. Eligible activities include housing construction, rehabilitation, and acquisition, and first time home buyer and/or tenant-based rental assistance. HOME funds may be used to assist rental housing intended for clients transitioning out of homelessness, such as permanent or transitional supportive housing, but not for public facilities, such as emergency shelters.

### **EXISTING POLICY**

#### **2015-2020 HUD Consolidated Plan:**

- Goal A Assist in the creation, improvement, and preservation of affordable housing for lower-income and special needs households.
- Goal B Alleviation of Homelessness
- Goal C Support provision of essential human services, particularly for special needs populations.
- Goal D Expanding Economic Opportunities

### **Human Services Policy 5.1.3**

The City shall make its best efforts to provide supplemental human services, which include but are not limited to emergency services, senior services, disabled services, family services, and youth services.

### **ENVIRONMENTAL REVIEW**

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

Although site-specific projects may be identified in the Action Plan, such as the construction of Benner Plaza, approval of the Plan does not constitute a formal commitment for those projects. Prior to the City’s commitment to a specific project or release of funds for any proposed project, federal and state environmental reviews will be completed for that project.



**DISCUSSION**

In order to develop the Action Plan each year, staff analyzes the City's ongoing programs eligible for CDBG and/or HOME funds, such as the Home Improvement Program, accessibility curb retrofits, and Tenant Based Rental Assistance (TBRA), and also seeks proposals from the community for programs and projects to be funded with available CDBG and HOME funds in the coming fiscal year. Funding requests for human services are considered on a competitive basis every other year, and conditional funding awards are made for a two-year term. Because FY 2016-17 is the second year of the two-year cycle, human services proposals were not solicited this year. However, capital projects proposals are typically considered every year, as explained below.

**Capital Projects Request for Proposals (RFP)**

For the purposes of CDBG funding, capital projects may include housing rehabilitation projects, public facility or public infrastructure projects, and certain types of economic development projects defined in the CDBG statutes and regulations. For HOME funding, capital projects may include several types of affordable rental housing projects: new construction, rehabilitation, or acquisition. Staff issued an RFP for CDBG and/or HOME capital projects in January 2016 and received three proposals by the deadline.

The following proposals were received:

- A MidPen Housing proposal requesting \$300,000 in HOME funds for a new affordable housing project (Benner Plaza);
- A MidPen Housing proposal requesting \$500,000 in CDBG funds for a public infrastructure project (the Persian Drive sidewalk extension); and
- A Sunnyvale Community Services proposal requesting approximately \$404,000 for an economic development project called "Work First Sunnyvale," a workforce development program for homeless job seekers.

The proposals are available online at *HUDPrograms.inSunnyvale.com*. The staff scoring committee evaluated the proposals based on the priority needs described in the City's 2015-2020 Consolidated Plan and related City plans and policy documents, and scored the proposals based on the point system provided in the RFP. Each member of the committee independently scored each proposal, and the scores for each proposal were averaged. The Housing and Human Services Commission held a public hearing on the proposals received during its March meeting, and recommended funding all three proposals consistent with the staff recommendation. Detailed project descriptions, evaluations, and funding recommendations are provided in **Attachment 2**.

Conditional funding allocations for the capital project proposals and for the additional activities listed below are included in the budget provided in the 2016 Action Plan and summarized in Table 1 herein:

- Human services grants;
- the Home Improvement Program (grants for minor home improvements);
- ADA curb retrofit project to improve disabled access;
- Fair Housing services, and
- Program Administration

All of these activities are eligible for the indicated funding type and amount recommended, based on federal regulations associated with these grants, and all of them meet one or more priority needs as

identified in the City's 2015-2020 Consolidated Plan.

In addition to the above activities, other funds not required to be listed in the 2016 Action Plan remain available for other ongoing Housing programs, including the TBRA and Housing Rehabilitation programs.

### **Funding Availability**

As shown in Table 1 below, staff estimates that nearly \$1.4 million in CDBG funds and nearly \$704,000 in HOME funds will be available for new activities next fiscal year. This funding includes the FY 2016 entitlement grants, program income, disencumbered funds, and reserve fund balances. The total may increase slightly if additional program income is received in either fund by the end of June. This does not include other amounts already budgeted and/or committed to certain activities, such as TBRA and Housing Rehabilitation.

### **HUD Spending Limits for Public Services and Administration**

HUD regulations set limits on how much entitlement grantees can allocate for program administration and public services activities. CDBG administration is limited to 20% and public services are limited to 15% of CDBG grant and program income funds (but not disencumbered funds or fund balance). There are some nuances and slight differences in the way these limits are calculated, as set forth in the CDBG regulations. Based on these limits and the current funding estimates, no more than \$237,410 in CDBG funds can be allocated for administration, and no more than \$193,058 can be provided for public services next fiscal year. HOME regulations limit funding for administration to no more than 10% of the entitlement grant and 10% of program income received in prior years, which may be carried over from year to year if not used in full (the "HOME PI Admin Reserve"). The amount allocated for HOME administration complies with this requirement.

### **Proposed CDBG and HOME Activities**

The amount of CDBG and HOME funding available and the activities proposed to be funded in 2016 are shown in Table 1 below and in **Attachment 1**.

**Table 1: Available Funds and Recommended Allocations in 2016 Action Plan**

<b>AVAILABLE FUNDS</b>	<b>CDBG</b>	<b>HOME</b>
FY 2016-17 Entitlement Grants	\$1,037,051	\$307,196
Excess FY 2015-16 Program Income / HOME Admin PI Balance	\$70,000	\$46,610
Estimated FY 2016-17 Program Income	\$150,000	N/A
Disencumbered/Fund Balance	\$127,679	\$350,044
<b>TOTAL</b>	<b>\$1,384,730</b>	<b>\$703,850</b>
<b>RECOMMENDED ALLOCATIONS</b>		
<b>Administration</b>		
Administration	\$217,410	\$77,330
Fair Housing	\$20,000	N/A

<b>Subtotal</b>	<b>\$237,410</b>	<b>\$77,330</b>
<b>Housing Rehabilitation (Owner-Occupied)</b>		
Home Improvement Program	\$50,037	N/A
Deposit to Revolving Loan Fund	\$150,000	N/A
<b>Subtotal</b>	<b>\$200,037</b>	<b>\$0</b>
<b>Affordable Rental Housing</b>		
Benner Plaza: New Construction of Affordable Rental Housing	N/A	\$600,000
Benner Plaza: Project Management / Program Delivery	N/A	\$26,520
<b>Public Facilities</b>		
Persian Drive Sidewalk Extension	\$200,000	N/A
ADA Curb Retrofits	\$150,000	N/A
<b>Subtotal</b>	<b>\$350,000</b>	<b>\$0</b>
<b>Economic Development</b>		
WorkFirst Sunnyvale (CBDO Activity)	\$404,225	N/A
<b>Public Services</b>		
Human Services Grants	\$193,058	N/A
<b>TOTAL</b>	<b>\$1,384,730</b>	<b>\$703,850</b>

*Administration:*

Administration includes the City's expenses for staffing and implementing the CDBG and HOME programs. This includes the costs of public outreach, holding hearings, publishing notices, developing the RFPs, evaluating proposals, grant contract management, tracking of grant funds and program income, sub-grantee monitoring, reporting, and compliance with federal requirements such as environmental, labor, anti-discrimination, and fair housing regulations. Indirect costs (overhead for expenses incurred by internal service departments) and fair housing services are also included in program administration.

*Housing Rehabilitation (Owner-Occupied)*

The Home Improvement Program provides grants for minor home improvements (energy efficiency upgrades, exterior painting, emergency repairs and accessibility improvements). The revolving loan fund (RLF) provides funding for larger loans to lower-income home owners for major housing rehabilitation projects. Homes must be owned and occupied by a lower-income household to be eligible for this program, except for the Home Access Grant, which is also available to lower-income renters. The deposit of \$150,000 to the RLF, and the remaining available balance in the RLF, will provide funding for rehabilitation loans for owner-occupied homes including mobile homes, and for program delivery.

*Affordable Rental Housing:*

This category of activities includes funding for development of Edwina Benner Plaza, a new 66-unit affordable rental housing project for low-income households located at 460 Persian Drive managed by MidPen Housing Corp. The project will include a range of one- to three-bedroom units, with at least three of the units reserved for homeless applicants. The housing will be restricted for an affordability term of at least 55 years. Construction is expected to begin in March 2017, if MidPen can

obtain all needed financing by then, and is expected to be completed approximately two years later. The project received its Planning permits in January 2016 and a commitment of \$5 million in Sunnyvale Housing Mitigation (HM) funds in February 2016. The project is described in more detail in **Attachment 2**. The HOME funding for this project was sought to improve the project's score in the leverage category in a highly competitive application process for State Affordable Housing Sustainable Communities (AHSC) funds. In addition to the funding for direct construction, a small amount is also allocated for project management and program delivery.

*Public Services (Human Services):*

CDBG funds may be allocated for a wide variety of public services, as long as a majority of the clients are lower-income persons, and the services address the priority needs identified in the Consolidated Plan. The services may be provided by the City itself, or sub-granted to qualified service providers in accordance with CDBG regulations. The City has an established Human Services Policy and competitive grant process for awarding CDBG public service funds to eligible non-profit agencies on a two-year cycle.

FY 2016-17 is the second year of the two-year funding cycle. During the second year of funding, the City does not solicit applications; rather, those agencies which have met or exceeded performance standards receive approximately the same grant amount for a second year, based on the amount of available CDBG funds. Due to the decrease in CDBG program income received in 2015 compared to the prior year, each of the 2016 human service grants funded with CDBG will be approximately 10.2% lower than in the prior year, a pro rata decrease based on the amount available for CDBG human services grants. A list of the 2016 CDBG grant amounts, by grantee name, is provided in **Attachment 3**. General Fund grants for human services are on this list and will be included in the recommended City budget, but they are not included in the Action Plan.

*Public Infrastructure:*

Public infrastructure projects may be funded by CDBG if they are located in census tracts that have a certain minimum percentage of lower-income households, according to HUD's census data, or if they are used to make accessibility improvements to public infrastructure.

- **ADA Curb Retrofits**

The 2016 Action Plan includes providing \$150,000 for ADA curb retrofits and related accessibility improvements to existing public sidewalks and/or crosswalks in the City. Work must be completed in accordance with all applicable CDBG regulations, including Section 3 and Davis Bacon wage compliance. CDBG funds may not be used to replace other sources of funding that would otherwise be available; therefore the infrastructure projects selected for CDBG funding are those that are either new or currently unfunded in the City's Capital Improvement Plan.

- **Persian Drive Sidewalk Extension**

This project consists of construction of a new public sidewalk and associated infrastructure along the south side of Persian Drive between Morse and Borregas Avenues, where there is currently no sidewalk. The new sidewalk would provide the future residents of Benner Plaza and other residents of the surrounding Morse Park and Lakewood neighborhoods with safe pedestrian/bike access into Moffett Park via the existing bike/pedestrian bridge over Highway 237, located near the corner of Borregas Avenue and Persian Drive. The project is described in more detail in **Attachment 2**.

***Economic Development:***

The “Work First Sunnyvale” Program, described further in **Attachment 2**, is in its fourth year of operation and is administered by Sunnyvale Community Services in partnership with Downtown Streets Team and Our Daily Bread. The program provides homeless and at-risk, very low income clients with job readiness training, job placement services, career counseling and related supportive services. The goal of the program is to help the clients obtain long-term employment and/or increase their earning power over time, in order to obtain housing, stabilize their lives, and increase self-sufficiency. The program, begun as a pilot program in 2012, has been very successful in helping its clients graduate and maintain employment and housing, far exceeding national benchmarks of success for employment programs for homeless people. In addition, by obtaining employment, many of the clients have been able to obtain housing, in some cases through other affordable housing programs offered by the City or other entities in the County. The program qualifies for CDBG funding as a Community-based Development Organization (CBDO) economic development activity.

**FISCAL IMPACT**

The recommended action will not impact the General Fund. Approval of the Action Plan is required to enable the City to receive two federal grants (CDBG and HOME) amounting to over \$1.3 million for next fiscal year. The recommended funding allocations in the Action Plan make use of these grant funds and related program income for various purposes consistent with the grant program regulations.

**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.

Notice of public hearings, including a 30-day public comment and review period, was posted at City Hall and published in the Sunnyvale *Sun* newspaper on March 25, 2016.

A draft of the 2016 Action Plan was made available for public review at the One Stop Counter at City Hall, at the Sunnyvale Library, and was posted on the City Housing website during the 30-day review period. The HHSC held a public hearing in March on the proposed capital projects and recommended approval of the funding recommendations included in the Action Plan, and approved the Action Plan, as shown in Attachment 1, at its April meeting. Draft minutes of that meeting are provided in Attachment 4.

**ALTERNATIVES**

1. Approve the 2016 Action Plan as presented in Attachment 1 and authorize the City Manager to execute all required assurances and forms for submittal to HUD.
2. Approve the 2016 Action Plan with modifications and authorize the City Manager to execute all required assurances and forms for submittal to HUD.

**RECOMMENDATION**

Alternative 1: Approve the 2016 Action Plan as presented in Attachment 1 to the report, and authorize the City Manager to execute all required assurances and forms for submittal to HUD.

Approval of the Action Plan will allow the City to receive the 2016 CDBG and HOME grants and use them for a variety of affordable housing and community development programs consistent with the priority community needs described in the City's 2015-2020 Consolidated Plan. In addition, most of the funding allocations in the Action Plan will leverage a substantial amount of additional funding for these programs and projects from other sources, including private sector, state and local funding sources.

Prepared by: Katrina L. Ardina, Housing Programs Analyst

Reviewed by: Suzanne Isé, Housing Officer

Reviewed by: Trudi Ryan, Director, Community Development

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Draft 2016 Action Plan
2. Capital Project Proposals
3. Human Services Grants
4. Draft Minutes of the April 20, 2016 HHSC Meeting

# CITY OF SUNNYVALE, CA

## FY 2016-17

## ACTION PLAN



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# **CITY OF SUNNYVALE**

## **SECOND YEAR ACTION PLAN (FY 2016)**

### **Executive Summary**

#### ***AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)***

##### **Introduction**

This FY2016-17 Action Plan serves as an application for funds under two formula grant programs administered by the U.S. Department of Housing and Urban Development (HUD) which provide the City of Sunnyvale (City) with approximately \$1.3 million annually: a Community Development Block Grant (CDBG) of approximately \$1,037,051, and a HOME Investment Partnerships (HOME) Program grant of approximately \$307,196. It covers the fiscal year beginning July 1, 2016 and ending June 30, 2017, the second year of the City's 2015-2020 Consolidated Plan (Plan) period. The Action Plan describes the eligible activities that the City intends to undertake in FY2016-17 to address the priority needs and implement the strategies identified in the Plan, using the City's CDBG and HOME grants. The activities described in this Action Plan are intended to primarily benefit the lower-income residents of Sunnyvale, affirmatively further fair housing choice, and meet priority needs.

In addition to these grants, the City has a local Housing Mitigation Fund (HMF), which is used to support local affordable housing programs, including some that are not eligible for HUD funding. This fund is derived from fees received occasionally in varying amounts, and there is no guaranteed annual funding amount, therefore less emphasis is placed on these funds as a regular funding source in this Action Plan.

##### **Summarize the objectives and outcomes identified in the Plan**

The City has organized its priority needs according to the structure presented in HUD regulations (24 CFR 91.215): affordable housing, alleviation of homelessness, economic development, and non-housing community development. Priority is assigned based on the level of need that is demonstrated by the data that has been collected during the preparation of the Plan, specifically in the Needs Assessment and Market Analysis; the information gathered during the consultation and citizen participation process; current City policy, federal laws and regulations related to the HUD grants, and the availability of resources to address these needs.

Based on all of these components, housing needs are considered a high priority, as well as alleviation of homelessness, economic development, and non-housing community development needs.

The City's goals and objectives are organized into four categories:

- A. Affordable Housing (including housing for special needs households)
- B. Alleviation of Homelessness
- C. Other Community Development Efforts (Public Services, Community Facilities and Infrastructure)
- D. Expanding Economic Opportunities

Table 2 on pages 17-18 summarizes the objectives and outcomes that will be addressed in this Action Plan.

### **Evaluation of past performance**

The City is responsible for ensuring compliance with all rules and regulations associated with the CDBG and HOME entitlement grant programs. The City's Annual Action Plans and CAPERs have provided many details about the goals, projects and programs completed by the City.

The City recognizes that the evaluation of past performance is critical to ensure the City and its subrecipients are implementing activities effectively and that those activities align with the City's overall strategies and goals. The City evaluates the performance of subrecipients providing public services on a quarterly basis. Subrecipients are required to submit quarterly progress reports, which include client data, performance objectives, as well as data on outcome measures. Prior to the start of the program year, program objectives are developed collaboratively by the subrecipient and the City, ensuring that they are aligned with the City's overall goals and strategies. The City utilizes the quarterly reports to review progress towards annual goals.

### **Summary of Citizen Participation Process and consultation process**

The City, in collaboration with other local jurisdictions and the consultant team, launched a comprehensive outreach strategy to enhance and broaden citizen participation in the preparation of the Consolidated Plan. The team informed the public that it was in the process of creating the 2015-2020 Consolidated Plan, and encouraged public participation in the process by conducting a Regional Needs Survey and hosting regional forums in collaboration with other jurisdictions in the County, and conducting local hearings.

In addition to the extensive consultation conducted for the Consolidated Plan, as noted above, the City of Sunnyvale solicited additional input for the FY2016-17 Annual Action Plan. As required by HUD, the City provides multiple opportunities for public review and comment on the Action Plan and on any substantial amendments to it. Community members had opportunities to attend public hearings on March 23, 2016, April 20, 2016, and May 3, 2016. A notice of public hearings and an announcement of the 30-day public comment period was published in the Sunnyvale *Sun* on March 25, 2016. An

initial draft of the Action Plan was released on April 1, 2016, and comments were accepted through May 3, 2016.

It is the policy of the City of Sunnyvale to encourage and engage residents to participate in planning, implementation, and evaluation of its housing and community development programs.

**Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

To be inserted upon completion of the public comment period.

***PR-05 Lead & Responsible Agencies – 91.200(b)*****Agency/entity responsible for preparing/administering the Consolidated Plan*****Lead and Responsible Agency***

The City of Sunnyvale (City) is the Lead and Responsible Agency for the United States Department of Housing and Urban Development's (HUD) entitlement programs in Sunnyvale. The Housing Division (HD), a division of the City's Community Development Department, is responsible for administering the City's HUD entitlement grants, including the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program grant. By federal law, the City is required to submit to HUD a five-year Consolidated Plan and Annual Action Plans listing priorities and strategies for the use of federal funds.

The Consolidated Plan shows how the City plans to use its CDBG and HOME funds to meet the housing and community development needs of its residents. To update its 2015-2020 Consolidated Plan, the City collaborated with the County of Santa Clara (County) and other entitlement jurisdictions in the County to identify and prioritize housing and community development needs across the region, and to develop strategies to meet those needs. The FY 2016/17 Annual Action Plan represents the second year of CDBG and HOME funding of the 2015-2020 Consolidated Plan.

***Consolidated Plan Public Contact Information:***

City of Sunnyvale Housing Division

Suzanne Isé, Housing Officer  
Katrina L. Ardina, Housing Programs Analyst  
456 W. Olive Avenue / PO Box 3707  
Sunnyvale, CA 94088  
Tel: (408) 730-7250  
Fax: (408) 737-4906  
Email: [Housing@Sunnyvale.ca.gov](mailto:Housing@Sunnyvale.ca.gov)  
[Housing.inSunnyvale.com](http://Housing.inSunnyvale.com)

***AP-10 Consultation – 91.100, 91.200(b), 91.215(l)*****Introduction**

**Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))**

**Consolidated Plan Development**

The City has a long history of coordination and partnership with the local public housing provider, which is the Housing Authority of the County of Santa Clara (HACSC), and a number of assisted housing providers, such as Charities Housing, MidPen Housing Corp., First Community Housing, and various others. The City also has a long history of coordinating with and/or providing funding to various local private and public health, mental health, and human services agencies, such as the County Mental Health Department, the local Valley Medical Center, and a variety of service providers that serve seniors, disabled clients, homeless clients, and other lower-income and at-risk clients.

In addition, in preparing the ConPlan, the City collaborated with seven other entitlement grantee jurisdictions (Entitlement Jurisdictions):

- City of Cupertino
- City of Gilroy
- City of Mountain View
- City of Palo Alto
- City of San José
- City of Santa Clara
- Santa Clara Urban County

Public participation played a central role in the development of the Consolidated Plan. The Entitlement Jurisdictions launched an in-depth, collaborative regional effort to consult with community stakeholders, many of whom represented public or assisted housing providers, health and service agencies, as well as elected officials, City and County staff, and beneficiaries of entitlement programs, to inform and develop the priorities and strategies contained within the ConPlan.

The City, in partnership with LeSar Development Consultants (LDC) and MIG, Inc. (MIG) and the other Entitlement Jurisdictions, facilitated a comprehensive outreach process to enhance coordination with these stakeholders and discuss new approaches to using the HUD entitlement grant funds for eligible activities, projects, and programs throughout the county and/or in specific cities.

LDC and MIG, with direction from the Entitlement Jurisdictions, conducted a Regional Needs Survey to solicit input from residents, workers, and stakeholders in the region, which consisted of all of Santa Clara County. Survey respondents were informed that the purpose of this survey was to help the Entitlement Jurisdictions determine local

priorities for use of their HUD entitlement funds, and that these funds must be used to fund projects or programs that primarily serve lower-income residents or neighborhoods with a higher percentage of lower-income residents. The Survey polled respondents about the level of need in their respective neighborhoods for various types of improvements, projects or programs that could possibly be funded by the HUD entitlement funds.

### **Action Plan Development**

In addition to the extensive consultation conducted for the Consolidated Plan, as noted above, the City of Sunnyvale solicited additional input for the FY2016-17 Annual Action Plan from community members at three public hearings held on January 21, 2016, March 23, 2016, and April 20, 2016.

Also, the City and other community development organizations in the County coordinate frequently on a variety of initiatives. The City Housing Division staff participates in a collaborative of HUD entitlement grantees within the County. Quarterly meetings are held to discuss activities, technical assistance issues, and identify future opportunities for coordination and cooperation.

The City coordinates with other regional agencies, such as the Housing Trust of Silicon Valley, Joint Venture Silicon Valley, NOVA, the County-wide Fair Housing Task Force, and the Valley Transportation Authority, among others, to achieve the goals described within this Action Plan.

### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The City has coordinated with the Santa Clara County Continuum of Care (CoC) for many years on its efforts to end and prevent homelessness in the County. The CoC, a group of stakeholders from throughout the County, plans and implements many of these efforts. The CoC is governed by the CoC Board, which takes a systems-change approach to preventing and ending homelessness. Last year, the CoC invited the City's Housing Officer to participate on the CoC's Review and Rank Panel. This panel spends about a week reviewing and ranking local proposals for HUD funding through the federal CoC program. The committee's funding recommendations were approved by HUD, resulting in nearly \$16 million in HUD funding being awarded to support transitional and permanent housing programs, and some supportive services, in the County in FY 2016-17.

Members of the CoC meet monthly to plan CoC programs, identify gaps in homeless services, establish funding priorities, and pursue a systematic approach to addressing homelessness. City staff, including the Housing Officer and Housing Analyst, as well as staff of other cities, meet and consult with the County's CoC staff during the quarterly

county-wide “CDBG Coordinators Group” meetings, and communicate more frequently via email and/or phone on joint efforts.

Destination:Home (D:H), a public-private partnership committed to ending chronic homelessness, is the governing organization for the CoC and implements by-laws and operational protocols for the CoC. D:H is also responsible for ensuring that the CoC complies with the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH).<sup>1</sup>

In 2014, D:H released a draft “Community Plan to End Homelessness in Santa Clara County” (Community Plan), which outlines strategies for ending homelessness in the County by 2020. These strategies were informed by those who participated in a series of community summits conducted between April and August 2014, including Sunnyvale HD staff and local stakeholders, among others. The Community Plan addresses the needs of homeless people in the County, including chronically homeless people, families with children, veterans, and youth, as well as those at risk of homelessness.

In the next 5 years, the D:H Plan aims to house 2,518 homeless individuals, 718 homeless veterans, and more than 2,333 children, unaccompanied youth, and homeless individuals living in families. The City’s current ConPlan and 2015 Housing Element incorporate many policies and programs that are consistent with the Community Plan and “Housing First” policies in general.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

*Allocating Funds, Setting Performance Standards and Evaluating Outcomes*

The City does not receive ESG funds.

*Operating and Administering Homeless Management Information System (HMIS)*

The County’s HMIS was administered by a local non-profit agency, Community Technology Alliance (CTA), from 2004 to 2015. In July 2015, administration of Santa Clara County CoC’s HMIS transitioned to the County’s Office of Supportive Services utilizing Clarity Human Services software. The project meets and exceeds HUD’s requirements for HMIS and complies with HUD HMIS Standards. The County’s HMIS has a rich array of service provider participation and is utilized to capture information and report on special programming.

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<sup>1</sup> County of Santa Clara Housing Element 2015-2022, published in 2014.  
[http://www.sccgov.org/sites/planning/PlansPrograms/GeneralPlan/Housing/Documents/HE\\_2015\\_Adopted\\_Final.pdf](http://www.sccgov.org/sites/planning/PlansPrograms/GeneralPlan/Housing/Documents/HE_2015_Adopted_Final.pdf)

**Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

Please refer to Table 2 provided in the Appendix of the ConPlan.

The City consulted with various groups and organizations as part of the 2015-2020 Consolidated Plan process. Table 2 lists the agencies that attended and commented at the Sunnyvale public hearings and/or at one of the regional forums.

In addition, a comprehensive list of all stakeholders and local service providers contacted to provide input into the ConPlan update process through the regional and community forums is also included in the Appendix.

**Identify any Agency Types not consulted and provide rationale for not consulting**

There were no agency types that were not consulted as part of the 2015-2020 Consolidated Plan process.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Please refer to Table 3 provided in the Appendix of the ConPlan.

Table 3- Other local/regional/federal planning efforts, of the 2015-2020 Consolidated Plan, lists the planning efforts that were considered in preparing the Plan.



***AP-12 Participation – 91.105, 91.200(c)*****Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

It is the policy of the City of Sunnyvale to encourage and engage residents to participate in planning, implementation, and evaluation of its housing and community development programs.

The City encourages low- and moderate-income residents, minorities, those with disabilities, and non-English-speaking residents to attend community meetings and/or provide written comments on its plans. The City provides a statement in the languages identified in its Language Access Plan on all public notices regarding HUD-funded activities, and sends public notices to organizations representing the groups listed above. In accordance with the Citizen Participation Plan, the City will provide translation services to any resident who requests such services in advance at such hearings and meetings. The City has translated its primary Housing Program brochures into Spanish, in accordance with the Language Access Plan.

***Sunnyvale Request for Proposals***

The City has a long-standing practice of issuing a request for proposals (RFP), annually for capital/housing projects and every other year for human services grants, to solicit applications for CDBG and HOME funds available to the City. This process aids in gathering community input on local needs and helps the City identify projects and programs that are eligible for and interested in HUD funding, and have demonstrated capacity for successful implementation and compliance with HUD requirements. Staff issues the RFP, evaluates proposals for eligibility, scores the proposals according to criteria approved by the Housing and Human Services Commission, and provides its scores and funding recommendations to the Commission and Council for review. The Commission holds a public hearing before making its own recommendations on the proposed funding allocations, which are advisory to the Council, which approves the final funding awards as part of the annual Action Plan hearing. These programs and projects are also addressed in the ConPlan, as it is assumed that similar types of projects are likely to be implemented in additional years, depending on funding availability.

## Public Notice and Availability of the Action Plan

As required by HUD, the City provides multiple opportunities for public review and comment on the Action Plan and on any substantial amendments to it. Community members had opportunities to attend public hearings on January 20, 2016, March 23, 2016, April 20, 2016 and May 3, 2016. A notice of public hearings and an announcement of the 30-day public comment period was published in the *Sunnyvale Sun* on March 25, 2016. An initial draft of the Action Plan was released on April 1, 2016, and comments were accepted through May 3, 2016. The proposed Plan was available for review at the library, City Hall, and on the City's website.

***AP-15 Expected Resources – 91.220(c)(1,2)*****Introduction**

The City of Sunnyvale's (City) Fiscal Year (FY) 2016-17 Action Plan covers the time period from July 1, 2016 to June 30 2017 (HUD Program Year 2016). The Action Plan sets forth the proposed uses of the CDBG and HOME funds projected to be available in the coming fiscal year, as shown in Table A below. These funds may be used for eligible community development activities to meet the priority and/or unmet needs, primarily of lower-income residents, described in the City's Consolidated Plan.

The City's 2016 HUD entitlement grants will consist of \$1,037,051 in CDBG funds and \$307,196 in HOME funds. In addition, the City estimates that it will also receive approximately \$150,000 in CDBG program income (loan payments) in the coming fiscal year, and has \$197,679 in disencumbered funds and excess program income from the prior program year, bringing the total estimated CDBG funding for FY 2016-17 to \$1,384,730. The estimated HOME funding for FY 2016-17 is \$703,850, which includes the new grant, plus program income and unencumbered funds from the prior program year.

The City pursues and encourages its partner agencies to pursue all available public and private funding sources in order to achieve the goals of the Consolidated Plan. Most projects and activities secure funding from a variety of sources, including public and private sector donations, grants, loans, and in-kind materials and services.

**Table A: Available Funds and Activities Proposed for Funding, FY 2016-17**

<b>AVAILABLE FUNDS</b>	<b>CDBG</b>	<b>HOME</b>
FY 2016-17 Entitlement Grants	\$1,037,051	\$307,196
Excess FY 2015-16 Program Income / HOME Admin PI Balance	\$70,000	\$46,610
Estimated FY 2016-17 Program Income	\$150,000	N/A
Disencumbered/Fund Balance	\$127,679	\$350,044
<b>TOTAL</b>	<b>\$1,384,730</b>	<b>\$703,850</b>
<b>ACTIVITIES PROPOSED FOR FUNDING IN FY 2016-17</b>		
<b>Administration</b>		
Administration	\$217,410	\$77,330
Fair Housing	\$20,000	N/A
<b>Subtotal</b>	<b>\$237,410</b>	<b>\$77,330</b>
<b>Housing Rehabilitation (Owner-Occupied)</b>		
Minor Improvement Grants / Loans	\$50,037	N/A
Deposit to Revolving Loan Fund	\$150,000	N/A
<b>Subtotal</b>	<b>\$200,037</b>	<b>N/A</b>
<b>Affordable Rental Housing</b>		
Benner Plaza Affordable Rental Housing (New Construction)	N/A	\$626,520
<b>Public Facilities</b>		
Persian Drive Sidewalk Extension	\$200,000	N/A
ADA Curb Retrofits	\$150,000	N/A
<b>Subtotal</b>	<b>\$350,000</b>	<b>N/A</b>
<b>Economic Development</b>		
WorkFirst Sunnyvale (CBDO Activity)	\$404,225	N/A
<b>Public Services</b>		
Human Services Grants	\$193,058	N/A
<b>TOTAL</b>	<b>\$1,384,730</b>	<b>\$703,850</b>

### Local (City) Resources

The City has a local Housing Mitigation Fund (HMF) for the development, rehabilitation and/or acquisition of affordable housing. In 2014, \$8.1 million in HMF was provided for the development of two new affordable rental projects, Parkside Studios and Onizuka Crossing, with a total of 117 units. In 2015, \$5 million in HMF was committed to the Benner Plaza project which will include 66 new affordable units, and in 2016, \$6 million in HMF was committed to the redevelopment of Orchard Gardens, an existing 62-unit affordable rental project. The redevelopment will add a net 25 new units to Orchard Gardens. In addition, the City has funds available in its Below Market Rate Housing In-Lieu Fund and Housing Successor Agency Low-Mod Housing Fund, and projects

receiving a significant amount of new revenues into its Housing Mitigation Fund from two new development impact fees enacted in 2015. These funds are allocated outside of the Action Plan process, but with a similar goal of expanding and preserving the City's affordable housing stock.

### **Other Public Resources**

The following is a list of potential financial resources that may be available to the City and/or housing providers in the area to address priority needs and specific objectives identified in the five-year plan. The amount and availability of funding from these funding programs varies.

#### *Low-Income Housing Tax Credit Program (LIHTC)*

The LIHTC program provides federal and state tax credits for developers and investors who agree to set aside all or a percentage of their rental units for low-income households for no less than 30 years. Tax credits may also be used on rehabilitation or preservation projects. Developers and investors apply for an allocation of federal and State tax credits from the California Tax Credit Allocation Committee (CTCAC). The award of tax credits in California is usually extremely competitive. To be successful, applicants often have to provide 100% affordable projects serving mostly extremely low- to very low-income households.

Charities Housing applied for and received an award of tax credits in 2013 for its Parkside Studios project, which provides 58 affordable studios for homeless and/or very low-income applicants. In 2014, MidPen Housing applied for and received an award of tax credits for its Onizuka Crossing project, which will provide 57 affordable family apartments. Parkside was completed in June 2015 and Onizuka was completed in April 2016.

#### *Homeless Emergency and Rapid Transition to Housing (HEARTH) and Emergency Shelter Grants (ESG)*

Santa Clara County serves as lead agency for the County's Continuum of Care (CoC), which receives Hearth Act, ESG, and similar federal grants to provide shelter, housing, and supportive services to homeless people residing anywhere in the County. The City has contributed some of its local funds to various county-wide projects and programs that often receive CoC support as well, such as shelter facilities, transitional and permanent supportive housing, tenant-based rental assistance, and supportive services.

### **Private Resources**

Most of the City's housing and human services programs leverage various sources of private financing. The City encourages the participation of local lenders in its housing

and/or community development projects as needed. Tax credit projects such as the Parkside Studios and Onizuka Crossing projects required millions of dollars in private equity and financing for construction and related costs. The City is a founding member of the Housing Trust of Santa Clara County, which raises voluntary contributions from the public and private sectors for affordable housing projects within the County. The City has contributed some of its local (non-federal) housing funds to the Trust, which then uses those seed funds to seek matching contributions from corporations and various other sources.

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.**

Most of the City's housing and human services programs leverage various sources of private financing. The City encourages the participation of local lenders in its housing and/or community development projects as needed. Tax credit projects such as Parkside Studios and Onizuka Crossing, required millions of dollars in private equity and financing for construction and related costs. The City requires all applicants for CDBG and HOME funds for capital projects to provide a match of at least 25% to receive funding. For CDBG public services proposals, this match may consist of in-kind materials and services. Most applicants provide a match of more than 25%.

Matching funds may include other available financing sources, such as tax credits, other public sector loans or grants, private capital or donations, rent proceeds, and/or the value of in-kind services (i.e., volunteer and staff services or pro-bono professional services used to implement the capital project). The City often provides more local funds than CDBG or HOME funds to assist major affordable housing projects, since those local funds are often available in larger amounts than federal funds. The City has exceeded its HOME match requirement for many years and projects that this trend will continue.

## Anticipated Resources

Table 2 - Expected Resources – Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available, Year 2				Expected Amount Available, Remainder of ConPlan	Narrative Description
			Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	Federal	Public Services; Housing Rehabilitation; Public Infrastructure and Facilities; Economic Development; Alleviation of Homelessness; Program Administration	\$1,037,051	\$150,000	\$197,679	\$1,384,730	\$3,365,270	Housing Rehabilitation; Public Infrastructure and Facilities; Public Services; Economic Development; Alleviation of Homelessness; Administration
HOME	Federal	Affordable Rental Housing Construction; Program Administration	\$307,196	\$0	\$396,654	\$703,850	\$646,150	Construction of New Affordable Rental Housing (Benner Plaza); Administration

**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

**Discussion**

The City owns several scattered-site parcels of varying types throughout the City. Council has been in the process of evaluating the most appropriate uses for some of these parcels for several months. At this time, none of these properties have been made available to address the needs identified in the Action Plan, however it is possible that one or more of these properties might become available in subsequent program years. The City's Public Works Department handles all City property management and surplus property matters.



## Annual Goals and Objectives

### *AP-20 Annual Goals and Objectives*

#### Goals Summary Information

Table 3 – Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Annual Funding	Goal Outcome Indicator
<b>A</b>	<b>Affordable Housing</b>	<b>2016</b>	<b>2017</b>	<ul style="list-style-type: none"> <li>•Decent Housing</li> </ul>	Affordable housing assistance is provided throughout the City, in order to avoid concentration of poverty, and to ensure fair access to affordable housing, rehabilitation assistance, and homeownership opportunities in all neighborhoods.	Assist in the creation, improvement, and preservation of affordable housing for lower-income and special needs households	<b>1. HOME:</b> \$626,520 <b>2. CDBG</b> \$50,037 <b>3. CDBG</b> \$20,000	<b>1.</b> Support affordable rental housing for lower income households: <b>6 HOME units</b> <b>2.</b> Provide Housing Improvement Program: <b>10 Housing Units</b> <b>3.</b> Fair Housing Services: <b>Assist 20 Households</b>
<b>B</b>	<b>Alleviation of Homelessness</b>	<b>2016</b>	<b>2017</b>	<ul style="list-style-type: none"> <li>•Decent Housing</li> <li>•Create a Suitable Living Environment</li> <li>•Expanded Economic Opportunities</li> </ul>	City-wide (see above)	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.	<b>CDBG:</b> \$247,009 <b>HOME:</b> \$0	<b>Assist 35 Households</b> with job training and/or rental assistance

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Annual Funding	Goal Outcome Indicator
C	Other Community Development Efforts	2015	2020	<ul style="list-style-type: none"> <li>•Decent Housing</li> <li>•Create a Suitable Living Environment</li> </ul>	City-wide	<ul style="list-style-type: none"> <li>•The needs of very low, extremely low, and/or special needs households (seniors, disabled, homeless people, children, youth, victims of domestic violence, etc. for services and assistance to help them meet basic needs.</li> </ul>	CDBG: \$148,161	Assist <b>487 Households</b> with human services
				<ul style="list-style-type: none"> <li>□</li> </ul>		<ul style="list-style-type: none"> <li>•Need to improve infrastructure and facilities to improve accessibility and address other goals.</li> </ul>	CDBG: \$350,000	Curb Retrofit: <b>50</b>
D	Expand Economic Opportunities	2016	2017	<ul style="list-style-type: none"> <li>•Expanded Economic Opportunities</li> </ul>		Support economic development activities that promote employment growth and help lower-income people secure and maintain jobs.	CDBG: \$202,113	Job Placements: Assist <b>15 clients to obtain jobs.</b> Provide <b>job skills/classes to 25 individuals</b>

## **Goal Descriptions**

### **Goal A: Affordable Housing**

Assist in the creation, improvement, and preservation of affordable housing for lower-income and special needs households by supporting affordable rental housing, providing the Home Improvement Program, providing tenant-based rental assistance, and promoting fair housing choice.

### **Goal B: Alleviation of Homelessness**

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.

### **Goal C: Other Community Development Efforts**

Support provision of essential human services, particularly for special needs populations and very low income households.

Provide neighborhood improvements in income-eligible areas and accessibility improvements city-wide. Maintain or improve public facilities serving eligible clientele.

### **Goal D: Expanding Economic Opportunities for Lower-Income People**

Support economic development activities that promote employment growth and help lower-income and/or homeless people secure and maintain jobs.

## Projects

### ***AP-35 Projects – 91.220(d)***

#### **Introduction**

The activities that the City will undertake in FY 2016-17 using CDBG and HOME funds include: human services grants; construction of new affordable rental housing; homeowner housing rehabilitation; ADA curb retrofits; a sidewalk extension, employment development services for homeless and at-risk clients; fair housing services, and program administration, as shown below. All of these activities are eligible for the indicated funding type based on federal regulations associated with these grants, and all of them meet one or more priority needs as identified through the City's citizen participation process.

#### **Projects**

**Table B: - Project Information**

#	Project Name
1	CDBG Administration and Monitoring
2	Fair Housing Services
3	Home Improvement Program
4	Edwina Benner Plaza - Construction of New Affordable Rental Housing
5	ADA Curb Retrofits
6	Persian Drive Sidewalk Extension
7	WorkFirst Sunnyvale (CBDO Activity)
8	Public Services (Human Services Grants)
9	HOME Administration and Monitoring

#### **Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

#### **Funding Priorities**

The projects listed above were selected based on the needs identified in the Consolidated Plan, and in response to the proposals for funding received, and an evaluation of project feasibility.

Each year the City solicits proposals from local organizations for CDBG and HOME funding for eligible housing and community development programs or projects in Sunnyvale. The Request for Proposals sets forth the types of public services (human

services) programs, capital and housing projects that are eligible for CDBG or HOME funding from the City, and explains the City's process for evaluating and scoring proposals, determining award amounts, and approving awards. The City provides human services grants for public services which address identified priority needs and principally benefit lower-income people in Sunnyvale.

Applications for the human services grants are solicited every other year, following hearings held by the Housing and Human Services Commission (HHSC) and Council to determine the City's current "priority human service needs." The "Priority Needs" for the City of Sunnyvale's Community Development Block Grant Program were determined through a series of community meetings held between September 2014 and April 2015, and were adopted as part of the 2015-2020 Consolidated Plan in accordance with regulations established by HUD.

FY 2016-17 is the second year of the two-year funding cycle. During the second year of funding, the City does not solicit applications; rather, those agencies which have met or exceeded performance standards receive approximately the same grant amount for a second year, based on the amount of available CDBG funds.

### **Obstacles to Meeting Underserved Needs**

The number of households in need in Sunnyvale is far greater than the number that can be assisted with the resources currently available to the City, particularly in regard to needs for housing assistance. The high costs of land, materials, and labor required for new housing development or housing rehabilitation create obstacles to meeting all of the need that exists. The City aims to use its available resources to meet as many needs as it can by striving for cost-effective methods of providing assistance and leveraging other resources from the private sector, including charitable donations, in-kind contributions and services, and conventional financing.

**AP-38 Project Summary**

<b>Project Name</b>	
<b>1. CDBG Administration and Monitoring</b>	
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Affordable Housing, Alleviation of Homelessness, Other Community Development Efforts, and Expanding Economic Opportunities for Lower-Income People
<b>Needs Addressed</b>	Planning and Administration
<b>Funding</b>	<b>CDBG: \$217,410</b>
<b>Description</b>	Administration of CDBG Activities: Contracting, preparing loan documents, monitoring projects and loan portfolio, disbursing funds, etc.
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Complete all CDBG activities planned.
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Funds are used for staffing and implementing the CDBG program. This includes the costs of developing the RFPs, evaluating proposals, grant contract management, tracking of grant funds and program income, sub-grantee monitoring, reporting, and compliance with federal requirements such as environmental, labor, anti-discrimination, and fair housing regulations. Indirect costs (overhead) are also included in program administration.
<b>Project Name</b>	
<b>2. Fair Housing Services</b>	
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Affordable Housing: Promote Fair Housing Choice
<b>Needs Addressed</b>	Affordable Housing and Fair Housing
<b>Funding</b>	<b>CDBG: \$20,000</b>
<b>Description</b>	Fair Housing Services
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Provide fair housing assistance to 20 or more households (as needed).
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Provide public outreach and education about fair housing laws and complaint procedures to local residents, landlords, and other housing industry professionals through local community outreach efforts, and through City agreements with fair housing agencies that provide free legal assistance to residents with fair housing complaints. Help clients file cases with HCD, HUD, or in court if needed.

<b>Project Name</b>	<b>3.Minor Improvement Grants/Loans (Home Improvement Program)</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Affordable Housing: Provide Home Improvement Program
<b>Needs Addressed</b>	Improve housing accessibility, housing safety, provide lead-based paint hazard testing and reduction, energy efficiency improvements, and maintain affordability for lower-income home owners.
<b>Funding</b>	<b>CDBG: \$50,037</b>
<b>Description</b>	Minor Improvement Grants/Loans
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist at least 10 households with minor home improvement grants or loans.
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	The Home Improvement Program provides small grants and loans for minor improvements, such as: energy efficiency upgrades, exterior painting, emergency repairs and accessibility improvements. Homes must be owned and occupied by a lower-income household to be eligible for this program.
<b>Project Name</b>	<b>4. Edwina Benner Plaza - Construction of New Affordable Rental Housing</b>
<b>Target Area</b>	460 Persian Drive
<b>Goals Supported</b>	Affordable Housing: Support affordable rental housing for lower-income households
<b>Needs Addressed</b>	Provide financial assistance to assist the development of 66 units of affordable rental housing for lower-income renters and households at risk of homelessness.
<b>Funding</b>	<b>HOME: \$626,520</b>
<b>Description</b>	Rental Housing Construction
<b>Target Date</b>	FY 2018-19
<b>Goal Outcome</b>	Construct 66 affordable housing units.
<b>Location Description</b>	460 Persian Drive
<b>Planned Activities</b>	The activity consists of a 66-unit development of new affordable rental housing located at 460 Persian Drive in Sunnyvale. The project owner and developer is non-profit housing developer MidPen Housing Corp. The project funding consists of a loan of \$600,000 in HOME funds to MidPen with the balance of project funds for project delivery costs. The property will be restricted as affordable housing for 55 years. The units will be affordable to lower-income households, and will include a range of one- to three-bedroom units. The total project cost is currently estimated at \$42 million.

<b>Project Name</b>	<b>5. ADA Curb Retrofits</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Other Community Development Efforts
<b>Needs Addressed</b>	Remove architectural barriers to accessibility for disabled people, in sidewalks and other City pedestrian facilities.
<b>Funding</b>	<b>CDBG: \$150,000</b>
<b>Description</b>	Maintain/Expand Community Facilities and Infrastructure
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Remove architectural barriers to accessibility for disabled people, in sidewalks and other City pedestrian facilities (crosswalks).
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	This activity will provide ADA curb retrofits and related accessibility improvements to existing public sidewalks and/or crosswalks in the City.
<b>Project Name</b>	<b>6. Persian Drive Sidewalk Extension</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Other Community Development Efforts
<b>Needs Addressed</b>	Health and safety; safe transportation routes to employment and services; sustainability
<b>Funding</b>	<b>CDBG: \$200,000</b>
<b>Description</b>	Maintain/Expand Community Facilities and Infrastructure
<b>Target Date</b>	FY 2017-18
<b>Goal Outcome</b>	Provide safe pedestrian access along Persian Drive, connecting neighborhood to the Borregas Avenue bike/pedestrian bridge into Moffett Park
<b>Location Description</b>	City right-of-way on southern side of Persian Dr., between Morse and Borregas Avenues (Area Benefit).
<b>Planned Activities</b>	Construction of a new public sidewalk and related storm water drainage infrastructure along Persian Drive between Morse and Borregas Avenues where no sidewalk currently exists. This project will provide residents of Morse Park, a lower-income neighborhood, with safe pedestrian access into Moffett Park and along a major east-west travel route through the neighborhood where there are currently gaps in the sidewalk network.



<b>Project Name</b>	<b>7. WorkFirst Sunnyvale (CBDO Activity)</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Alleviation of Homelessness and Expanding Economic Opportunities for Lower-Income People
<b>Needs Addressed</b>	Help people who are currently homeless or at imminent risk of homelessness obtain employment or other sources of income, and adequate support services/networks to obtain housing and achieve stability.
<b>Funding</b>	<b>CDBG: \$404,225</b>
<b>Description</b>	Economic Development/CBDO Activity
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 50 homeless or very low income clients with job training and job placement services, to enable them to obtain or improve their employment and housing opportunities.
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	This program provides work-readiness training, job placement assistance, and supportive services for homeless and at-risk clients.
<b>Project Name</b>	<b>8. Public Services</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	These programs assist special needs populations such as: seniors, disabled people, homeless people, children, youth, victims of domestic violence, and very low-income households. Programs address basic needs.
<b>Funding</b>	<b>CDBG: \$193,058</b>
<b>Description</b>	Human Services Grants to non-profit agencies
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist at least 534 individuals and/or households with human services
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Assist clients with basic needs, such as food, shelter, transportation, health & mental health care, employment assistance/training, legal aid etc.

<b>Project Name</b>	<b>8a. Sunnyvale Community Services Food Program</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	Food and Nutrition
<b>Funding</b>	<b>CDBG: \$67,345</b>
<b>Description</b>	Food for households at risk of hunger
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 118 households
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Brown Bag Food Program
<b>Project Name</b>	<b>8b. InnVision Shelter Network Sunnyvale Shelter Programs</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Alleviation of Homelessness; and Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	Homelessness
<b>Funding</b>	<b>CDBG: \$44,897</b>
<b>Description</b>	Emergency Shelter, Transitional Housing, Case Management
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 10 households
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Emergency and transitional shelter, case management, supportive services
<b>Project Name</b>	<b>8c. YWCA of Silicon Valley - Domestic Violence Support Network</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	Assistance for survivors of domestic violence
<b>Funding</b>	<b>CDBG: \$22,449</b>
<b>Description</b>	Crisis intervention and counseling for victims of domestic violence
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 71 households
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Counseling for domestic violence clients

<b>Project Name</b>	<b>8d. Bill Wilson Center Counseling Program</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	These programs assist special needs populations such as: seniors, disabled people, homeless people, children, youth, victims of domestic violence, and very low-income households. Programs address basic needs.
<b>Funding</b>	<b>CDBG: \$22,449</b>
<b>Description</b>	Counseling for at-risk youth, grief counseling, family counseling, etc.
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 38 households
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Family & Individual Counseling
<b>Project Name</b>	<b>8e. MayView Community Health Center</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	Primary Health Care
<b>Funding</b>	<b>CDBG: \$22,449</b>
<b>Description</b>	Community Medical Clinic
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 138 households
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Primary Health Care & Disease Prevention Services for Uninsured Patients
<b>Project Name</b>	<b>8f. First United Methodist Church Senior Nutrition Program</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Support provision of essential human services, particularly for special needs populations
<b>Needs Addressed</b>	Hunger, nutrition, socializing, exercise, health and wellness
<b>Funding</b>	<b>CDBG: \$13,469</b>
<b>Description</b>	Daily hot lunch and social activities for seniors
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Assist 122 individuals
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Senior Nutrition Program, meals, social and physical activities, nutrition and health programs

<b>Project Name</b>	<b>9. HOME Administration and Monitoring</b>
<b>Target Area</b>	Not Applicable
<b>Goals Supported</b>	Affordable Housing and Alleviation of Homelessness
<b>Needs Addressed</b>	Planning and Administration
<b>Funding</b>	<b>HOME: \$77,330 (Includes authorized program income)</b>
<b>Description</b>	Administration of HOME Activities: Planning and Monitoring
<b>Target Date</b>	FY 2016-17
<b>Goal Outcome</b>	Complete all HOME activities planned.
<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Funds are used for staffing and implementing the HOME program. This includes the costs of HOME capital project management, tracking of grant funds and program income, sub-recipient monitoring, reporting, and compliance with federal requirements such as environmental, labor, and anti-discrimination. Indirect costs (overhead) are also included in program administration.

***AP-50 Geographic Distribution – 91.220(f)***

**Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

**Geographic Distribution**

Target Area	Percentage of Funds
City of Sunnyvale	100%

**Table 4 - Geographic Distribution**

**Rationale for the priorities for allocating investments geographically****Discussion**

Most of the CDBG and/or HOME-funded programs and services are provided on a city-wide basis to income-eligible and/or special needs households. Certain capital projects are assisted at a specific site, based on the location of the project, but projects may be proposed in any area of the City.

Human services are supported in a number of facilities and locations throughout the City, and in some cases just outside the City, as long as Sunnyvale residents are being served by the program. Affordable housing assistance is generally provided anywhere in the City, as opportunities arise, in order to avoid concentration of poverty, and to ensure fair access to affordable rental housing, rehabilitation assistance, and homeownership opportunities in all neighborhoods. The City does not have any blighted areas requiring major redevelopment, and private development is occurring throughout the City. Community resources such as parks, schools, and community/neighborhood centers are also disbursed throughout the City. Please see map at the end of this Plan.

## Affordable Housing

### ***AP-55 Affordable Housing – 91.220(g)***

#### **Introduction**

The City's housing programs are intended to prevent and/or end homelessness, improve the quality, affordability, and/or accessibility of housing, and preserve, maintain, and extend the useful life of existing affordable housing. The goals below include only the new CDBG and HOME activities to be funded in FY 2016-17. Other activities funded in prior years' Action Plans, such as the Tenant-Based Rental Assistance program or through non-HUD programs, will continue to be funded using carry-over funds, and will assist additional households.

<b>One Year Goals for the Number of Households to be Supported</b>	
Homeless	0
Non-Homeless	16
Special Needs	0
Total	16

**Table 5 - One Year Goals for Affordable Housing by Support Requirement**

<b>One Year Goals for the Number of Households Supported Through</b>	
The Production of New Units	6
Rehab of Existing Units	10
Total	16

**Table 6 - One Year Goals for Affordable Housing by Support Type**

#### **Discussion**

Housing assistance is proposed to be prioritized for those who cannot currently afford market rate housing. An estimated ten lower-income homeowners will be assisted with the Home Improvement Program, and 6 rental units will be assisted with HOME funds in the Benner Plaza project.

The City also provides loans for major rehabilitation of single family and/or manufactured/mobile homes, using funds from its CDBG Revolving Loan Fund (RLF) for purposes of addressing priority housing needs, consistent with the City's goal to assist in the creation and preservation of affordable housing for lower-income households. In addition, the City is currently implementing a TBRA program with capacity to assist approximately 22 households in FY 2016-17, using HOME funds from prior years. However, these two activities are not included in the Action Plan tables, in accordance with HUD guidance, because they are not using funds generated in FY 2016-17.

***AP-60 Public Housing – 91.220(h)*****Introduction**

**Actions planned during the next year to address the needs of public housing**

**Actions to encourage public housing residents to become more involved in management and participate in homeownership**

**If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

**Discussion****Needs of Public Housing**

This section is not applicable as there is currently no official public housing in Sunnyvale. The City collaborates with the Housing Authority of the County of Santa Clara (HACSC) on its efforts to provide Section 8 vouchers, mortgage credit certificates, supportive services and other assistance to Sunnyvale residents. The City also supports the HACSC in its efforts to increase federal appropriations for Section 8 and other affordable housing programs in Sunnyvale and in the County.

The City partnered with the Housing Authority on several efforts in recent years, including a joint TBRA program for clients on the Section 8 waiting list, and several Sunnyvale housing projects which were awarded project-based vouchers, including the Fair Oaks Senior Housing project, two senior group homes, Parkside Studios, and Onizuka Apartments. Most recently, Section 8 vouchers have been conditionally allocated to the Edwina Benner Plaza project.

***AP-65 Homeless and Other Special Needs Activities – 91.220(i)*****Introduction**

This Action Plan includes a significant amount of funding (\$404,225) for an activity to help homeless people obtain jobs (WorkFirst Sunnyvale). Although funding is not included in this Action Plan, the City's TBRA program will continue to help the homeless obtain housing. In addition, the City continues to participate in the county-wide efforts, such as the CoC and Destination Home, to end homelessness throughout the County. In addition, in FY 2013-14, the City provided over \$10 million in local and HOME funds to assist the development of the Parkside and Onizuka projects, which includes 47 permanent supportive housing units for homeless clients.

Last year, the City committed \$250,000 in LMH funds for a Homelessness Prevention and Rapid Re-Housing (HPRR) program. HPRR programs assist homeless clients and those at imminent risk of losing their housing by providing direct financial assistance for costs to maintain or obtain housing, such as short-term rental assistance (3 -18 months), security and/or utility deposits, utility payments, last month's rent, or moving costs; as well as services such as housing search, mediation, credit repair, case management, and other appropriate services. This program is currently being implemented by a local service provider.

**Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:****Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.**

The WorkFirst Sunnyvale, West Valley Haven to Home, and InnVision Shelter programs include outreach to homeless clients and assessment of their needs.

**Addressing the emergency shelter and transitional housing needs of homeless persons**

Two of the human services grants (to InnVision/Shelter Network and the YWCA) will help these agencies provide shelter, transitional housing, and services to homeless clients and victims of domestic violence. In addition, not included in this Action Plan, the TBRA program is a transitional housing program for homeless households, providing assistance for up to two years.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience**



**homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

Several of the activities funded help homeless clients and families transition to permanent housing, including: WorkFirst Sunnyvale, and the human services grants to InnVision and YWCA. The total CDBG funding for these activities is \$471,571 in FY 2016-17, plus \$10,000 in General Funds for the grant to West Valley Community Services.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

**Discussion**

Several of the Human Services grants will support the provision of services intended to prevent homelessness of Sunnyvale residents including the grants to Sunnyvale Community Services, InnVision/Shelter Network, YWCA, and Bill Wilson Center. In addition, the fair housing services provided can also help tenants avoid eviction and/or homelessness by addressing discrimination practices. In addition to the activities funded with CDBG, the City also provides assistance to other programs that aim to prevent homelessness using local funds. These include grants to Senior Adults Legal Services, West Valley Community Services, funding for tenant-landlord mediation programs, and the Homelessness Prevention and Rapid Re-Housing Program funded with \$250,000 in funds from the former Redevelopment Agency Housing Fund.

***AP-75 Barriers to affordable housing – 91.220(j)*****Introduction:**

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

**Discussion:**

The City does not impose any public policies that unreasonably constrain housing development. There are no growth limitations or rent control policies, and property tax policies are largely set by the State. The City's land use designations and zoning are supportive of development of a wide variety of housing types, including single- and multi-family housing, ownership and rental, mobile homes, manufactured/modular housing, and so on. The City follows the State building code, and its fees and charges are reasonable and consistent with prevailing prices in the region. Between 2005 and 2014, a total of 4,269 new housing units were permitted by the City, an average of 427 per year. Nearly half of these were in multi-family rental projects.

In 2014, the City updated the Constraints Analysis of its Housing Element, as required under California Housing Element law (Government Code 65580), to analyze city policies and land use regulations to determine if they had any negative effects on development. The State determined, with its recent certification in January 2015 of the City's 2015-2023 Housing Element, that the City does not currently implement policies that create barriers to affordable housing. Additional detail is available in the City's Housing Element<sup>2</sup>, which is provided in its entirety on the City's website and in the Library. As noted above, thousands of new dwelling units of various types and price points have been developed and additional units renovated in recent years, in most cases without any direct assistance from the City. This provides evidence that the City's policies do not unduly constrain residential development. In addition, the City has successfully assisted a number of affordable housing developments in recent years, which demonstrates that City policies do not have negative effects on assisted housing production.

Non-governmental barriers, primarily market factors such as high land costs, construction costs, and high prevailing market prices for housing, have been the primary challenges facing jurisdictions in the region, including Sunnyvale, in recent years, not public policies. These barriers are addressed, within the City's limited ability to address them, through the housing activities listed above and through the goals and policies listed in the Housing Element.

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<sup>2</sup> <http://HousingElement.inSunnyvale.com>

***AP-85 Other Actions – 91.220(k)*****Introduction:**

This section discusses the City's efforts in addressing the underserved needs, expanding and preserving affordable housing, reducing lead-based paint hazards, and developing institutional structure for delivering housing and community development activities.

**Actions planned to address obstacles to meeting underserved needs**

The City has taken actions to address obstacles to meeting underserved needs, such as embarking on new programs to generate local funds for affordable housing through impact fees or new development. The primary obstacle to meeting these needs is the continued decline in federal appropriations for affordable housing and community development programs. The City has established local policies to address needs to the extent possible with local resources.

**Actions planned to foster and maintain affordable housing**

Please see the activities described under AP-35 on pages 13-14 of this plan (i.e., Edwina Benner Plaza - Construction of New Affordable Rental Housing, Fair Housing Services, and Home Improvement Program).

**Actions planned to reduce lead-based paint hazards**

The City provides financial assistance to income-eligible homeowners to abate lead-based paint hazards through its Home Improvement Program. Paint grants and loans, as well as housing rehabilitation loans, are provided, as well as free lead-based paint testing and education services. Lead-based paint hazards in rental housing can also be addressed through housing rehabilitation loans.

**Actions planned to reduce the number of poverty-level families**

In 2014 the City adopted a new minimum wage ordinance, increasing the local minimum wage to \$10.30/hour beginning on January 1, 2015. This wage will be adjusted annually by the CPI. This action alone will help many workers increase their household incomes to above the federal poverty levels.

The North Valley Workforce and Investment Board ("NOVA") helps prepare lower-income and unemployed residents of Sunnyvale for career growth and stable employment. NOVA provides employment and training services to low-income workers and dislocated professionals within Sunnyvale and the surrounding region under the federal Workforce Investment Act (WIA), with a goal of helping these clients obtain jobs and improve career prospects. In addition, many of the human services supported by

the City help impoverished families meet their basic needs in the short term, or help them achieve living-wage employment. Although the economic situation has improved in the Silicon Valley since 2010, there is still an increased level of need and demand for assistance with employment services as well as basic needs. The City, which serves as the administrative agent for NOVA, will continue its ongoing efforts to improve economic opportunities for all of its residents through NOVA and the City's Economic Development Division. The WorkFirst Sunnyvale Program is also a major anti-poverty program that helps Sunnyvale residents who are currently homeless or at imminent risk of homelessness to increase their incomes through job training and placement, and other employment-supportive services.

### **Actions planned to develop institutional structure**

The institutional structure for carrying out the City's housing and community development activities consists of the City's cooperative relationships within its departments and other government agencies, non-profit organizations, and other institutions involved in the activities described herein.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

#### **Coordination**

The City and other community development organizations in the County coordinate frequently on a variety of initiatives. The City Housing Division staff participates in a collaborative of HUD entitlement grantees within the County, which holds quarterly meetings to discuss activities, technical assistance issues, and identify future opportunities for coordination and cooperation between local governments, housing providers, social service agencies, and the Housing Authority.

The City also participates in the County's Continuum of Care (CoC), comprised of governmental agencies, homeless service and shelter providers, homeless persons, housing advocates, affordable housing developers, and various private parties, including businesses and foundations. The CoC prepares the Countywide Homelessness Continuum of Care Plan, which seeks to create a comprehensive and coordinated system of affordable housing and supportive services for the prevention, reduction, and eventual end of homelessness. The Plan provides a common guide for the County, cities, service providers, the faith community, the business sector, philanthropy, and the broader community to follow in addressing local housing and the goals and services needs for homeless people. The actions included in this Plan to address housing needs and homelessness are consistent with the CoC's plans and policies. The City's Housing Officer has served on the CoC's "Review and Rank" panel, evaluating and scoring applications for CoC funding, for the past two years.

The City also coordinates with other regional agencies, such as the Housing Trust of Silicon Valley, Joint Venture Silicon Valley, NOVA, the County-wide Fair Housing Task Force, and the Valley Transportation Authority, and a number of other non-profit or public agencies, to achieve the goals described within this Action Plan.

**Discussion:**

**Please see discussion above.**

## Program Specific Requirements

### ***AP-90 Program Specific Requirements – 91.220(I)(1,2,4)***

#### **Introduction:**

#### **Community Development Block Grant Program (CDBG)**

##### **Reference 24 CFR 91.220(I)(1)**

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$70,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$0
3. The amount of surplus funds from urban renewal settlements	\$0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	\$0
5. The amount of income from float-funded activities	\$0
Total Program Income	\$70,000

#### **Other CDBG Requirements**

1. The amount of urgent need activities	\$0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income	100%
3. Overall Benefit – A consecutive period of one, two, or three years may be used to determine that a minimum overall benefit of 70 percent of CDBG funds is used to benefit persons of low and moderate income. Specify the years that include this Annual Action Plan	FY 2015 – 2017

#### **HOME Investment Partnership Program (HOME)**

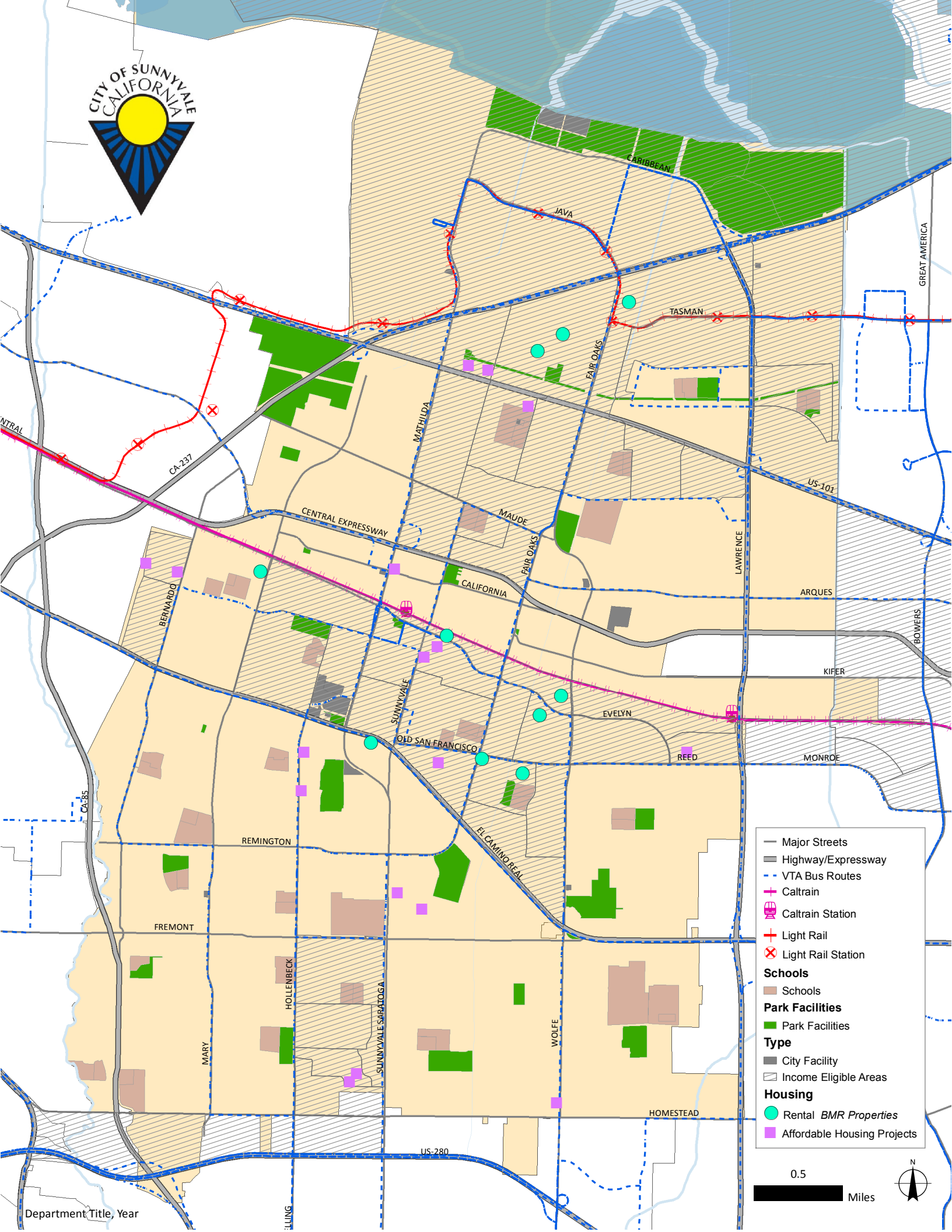
##### **Reference 24 CFR 91.220(I)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows: *Not Applicable*
2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows: *Not Applicable*
3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds. See 24 CFR 92.254(a)(4) are as follows: *Not Applicable*

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows: *Not Applicable*

**Discussion:**

The City does not use any of the methods addressed in Questions 1-4 above in administering its HOME programs.



- Major Streets
- Highway/Expressway
- - - VTA Bus Routes
- + Caltrain
- Caltrain Station
- + Light Rail
- Light Rail Station
- Schools**
- Schools
- Park Facilities**
- Park Facilities
- Type**
- City Facility
- Income Eligible Areas
- Housing**
- Rental *BMR* Properties
- Affordable Housing Projects





### Proposal Summaries and Evaluations

Staff received three proposals in response to the CDBG/HOME Request for Proposals:

<b>Applicant</b>	<b>Project Name / Type</b>	<b>Funding Request</b>
1. MidPen Housing	Edwina Benner Plaza <i>Construction of New Affordable Rental Housing</i>	\$300,000 <i>HOME Funds</i>
2. MidPen Housing	Persian Drive Sidewalk Extension <i>Public Infrastructure</i>	\$500,000 <i>CDBG Funds</i>
3. Sunnyvale Community Services	Work First Sunnyvale <i>CBDO Employment Development Activity</i>	\$404,000 <i>CDBG Funds</i>

#### **Proposal 1: Edwina Benner Plaza**

<b>Applicant:</b>	MidPen Housing
<b>Project Site:</b>	460 Persian Drive, Sunnyvale
<b>Project Type:</b>	Construction of new affordable rental housing (66 units)
<b>Target Population:</b>	Lower income renters (30% to 60% of Area Median Income) and households at risk of homelessness
<b>Funding Request:</b>	<b>\$300,000 HOME Funds</b>
<b>Total Project Cost:</b>	\$42 million
<b>Committed Match:</b>	\$14.2 million (34% of project cost)
<b>Score:</b>	<b>75</b>
<b>Recommended Award:</b>	<b>\$600,000 HOME Funds (loan)</b>

Edwina Benner Plaza is a 66-unit affordable rental housing development to be built at 460 Persian Drive near Fair Oaks Avenue. The project will include a range of one to three bedroom units for lower-income households. The applicant, MidPen Housing, has committed to reserving at least three of the units for homeless applicants. The housing units will be restricted for an affordability term of at least 55 years. Construction is expected to begin in March 2017 if MidPen can obtain all needed financing by then, and would be completed approximately two years later.

The project received its Planning permits in January 2016, and a commitment of \$5 million in Housing Mitigation (HM) funds was approved by Council in February 2016. The project addresses the goals of the City's Consolidated Plan and Housing Element to increase the supply of affordable rental housing for lower-income and/or special needs households.

As of February 2016, MidPen has obtained commitments for \$14.2 million in funding for the project, which equals a match ratio of 34%. In addition, the Housing Authority has conditionally allocated up to 33 Section 8 vouchers to MidPen for this project. The financing committed to date includes the \$5 million City commitment as well as a private bank loan, based on the projected cash flows from the Section 8 vouchers. With all planned non-City financing sources, including those that have not yet been committed, the project financing plan provides an 87% match ratio, however, for scoring purposes, under this RFP only committed matching funds are counted.

The staff scoring committee gave this proposal a score of 75 out of 100. The main area where the applicant lost points was in the category of match ratio, for the reasons explained above. However, based on the applicant's strong track record of securing financing for its prior projects over its 45-year history, and because the applicant is still in the early stage of seeking financing for this project, staff is not overly concerned about the project's relatively low score in this category.

In addition, in mid-March, MidPen and the City submitted a joint application for up to \$10 million in funding from the new Affordable Housing / Sustainable Communities (AHSC) program for this project and the related sidewalk project, described below, and both entities are optimistic that the project will secure a funding commitment from that program, either in the current funding round or possibly the following one. Overall, this project addresses one of the most urgent priority needs in the City, which is for more affordable rental housing. The project is of high quality design, includes various green building and sustainable features, and is consistent with City plans, codes and land use policies.

The proposal requested \$300,000 in HOME funds for this project. However, because there is more HOME funding available, and less CDBG funding available than the applicant requested for Proposal #2 (see below), staff recommends awarding MidPen a conditional commitment of \$600,000 in HOME funds in the form of a long-term loan for the Benner Plaza housing development.

<b>Proposal 2:</b>	<b>Persian Drive Sidewalk Extension</b>
<b>Applicant:</b>	MidPen Housing (on City's behalf)
<b>Project Site:</b>	City right-of-way on southern side of Persian Drive between Morse and Borregas Avenues
<b>Project Type:</b>	Public Infrastructure (Sidewalk and associated improvements)
<b>Target Population:</b>	Residents of Morse Park Neighborhood (Area Benefit)
<b>Funding Request:</b>	<b>\$500,000     CDBG Funds</b>
<b>Total Project Cost:</b>	\$1,000,000
<b>Committed Match:</b>	\$0 (application pending for \$500,000)

**Score: 69**  
**Recommended Award: \$200,000 CDBG Funds (Grant)**

This project consists of construction of a new public sidewalk and associated infrastructure along the south side of Persian Drive between Morse and Borregas Avenues. There is currently no sidewalk along this segment of Persian Drive. The new sidewalk would provide the future residents of Benner Plaza and the current residents of the surrounding Morse Park and Lakewood neighborhoods, as well as others commuting by bike through these neighborhoods, with safe pedestrian/bike access into Moffett Park via the existing bike/pedestrian bridge over Highway 237, located near the corner of Borregas Avenue and Persian Drive.

This project is part of the joint application between MidPen and the City for \$10 million in AHSC funds as mentioned above. In order to qualify for AHSC funding, proposals must include a transportation infrastructure project (TIP) and an affordable housing project. The proposed new sidewalk along Persian qualifies as a TIP for the purposes of the AHSC program, and Council approved the joint application for AHSC funding for both the sidewalk and the housing projects in February 2016 (RTC 15-1009). In addition, the Department of Public Works (DPW) requested that MidPen complete the construction of the new sidewalk on the City's behalf, due to current and anticipated DPW workload issues. This is why MidPen was able to submit this application, although the project will be located on City property.

The proposed sidewalk project addresses the goals of the City's Consolidated Plan related to "other community development efforts" such as public facilities and/or infrastructure and accessibility improvements, by providing a safe route for pedestrian access between the Morse Park and surrounding neighborhoods to the Borregas Avenue bike/ped bridge into Moffett Park, an area with many employment opportunities. These neighborhoods qualify for CDBG funding for public infrastructure under the "area benefit" criterion, as the census data for these tracts shows a significant proportion of their residents are lower-income households. A map of the neighborhoods that qualify for "area benefit" activities is included on the last page of the City's 2015 Action Plan, available on the City's website. Lower-income residents of these areas will benefit from the safer pedestrian and bike route created by the project, both through increased health and safety, and through reduced transportation expenses related to auto ownership and/or maintenance. In addition, the project also addresses goals and objectives of the City's General Plan and Climate Action Plan to increase and improve the City's pedestrian and bicycle routes and make it easier for all residents to use active transportation modes (biking, walking, etc.), possibly in combination with transit, and avoid the greenhouse gas emissions and traffic impacts created by motor vehicle travel.

The scoring committee gave this proposal an average score of 69. Most of the points lost by this proposal were due to the lack of matching funds, which have been applied for from AHSC, but not yet secured. The AHSC program is quite competitive, and one of the ways to increase the application's chance of being funded is to obtain more matching funds for the project. Therefore MidPen applied for CDBG funds for this

sidewalk project to provide some additional matching funds to the overall AHSC application.

Although the request was for \$500,000, staff recommends an award of \$200,000 in CDBG funds for this project, because there is not enough CDBG funding available to fully fund this request, and HOME funds cannot be used for public infrastructure projects. However, staff's recommendation of an additional \$300,000 in HOME funds for the related Benner Plaza housing project should offset the impact of not fully funding the sidewalk project request. For the AHSC application, the percentage of matching funds will include those committed for the sidewalk project and the housing project, combined (i.e., the HOME and CDBG commitments), which is a total of \$800,000 under staff's recommendation as well. The AHSC funding awards will be announced in September 2016. Staff recommends making this award in the form of a grant, not a loan, because the sidewalk will remain City property after the project is completed, and the project will not generate any revenue for MidPen.

<b>Proposal 3:</b>	<b>Work First Sunnyvale</b>
<b>Applicant:</b>	Sunnyvale Community Services
<b>Project Site:</b>	City-wide (Office at 725 Kifer Road, Sunnyvale)
<b>Project Type:</b>	Job Training and Placement Program (CBDO Activity)
<b>Target Population:</b>	Homeless or at-risk clients seeking work
<b>Funding Request:</b>	<b>\$404,225      CDBG Funds</b>
<b>Total Project Cost:</b>	\$634,000
<b>Committed Match:</b>	\$229,824 (36%)
<b>Score:</b>	<b>82</b>
<b>Recommended Award:</b>	<b>\$404,225      CDBG Funds (Grant)</b>

SCS, with partner agencies Downtown Streets Team (DST) and Our Daily Bread, submitted a proposal requesting CDBG funds for its workforce development program called "Work First Sunnyvale". The program, now in its third year of operation, provides homeless and at-risk, very low income clients with job readiness training, job placement services, career counseling and related supportive services. The goal of the program is to help the clients obtain long-term employment and/or increase their earning power over time, in order to obtain housing, stabilize their lives, and increase self-sufficiency. The program, begun as a pilot program three years ago, has been very successful in helping its clients graduate and maintain employment and housing, far exceeding national benchmarks of success for employment programs for homeless people. In addition, by obtaining employment, many of the clients have been able to obtain housing, in some cases through other affordable housing programs offered by the City

or other entities in the County. The program qualifies for CDBG funding as a Community-based Development Organization (CBDO) economic development activity.

The program's objectives for next fiscal year, if the requested funding is awarded, include the following:

- Provide job training and job search skills classes to at least 50 job seekers;
- Help at least 15 program clients obtain paid employment;
- Provide a volunteer work experience/job preparation program for up to 16 individuals at a time; and
- Provide employment-supporting case management services for up to 15 individuals, including providing referrals and assistance enrolling in other programs, such as food stamps, tenant-based rental assistance, permanent housing opportunities, veterans' benefits, health care, social security or disability (SSDI), etc.

The proposal includes nearly \$230,000 in matching funds, including some eligible in-kind contributions, which equals 36% of the project cost. The funding amount requested is slightly higher than last year's CDBG grant of \$395,000, due primarily to a slight increase in the number of clients proposed to be served through the volunteer work experience program. Demand for this program has far exceeded the available capacity in the past few years, and the agency has a sizeable waiting list of prospective clients for this program.

Given the very high level of need for these services among the local homeless community, the program's very impressive track record to date on meeting or exceeding its objectives in the first three years of operation, and the long-term cost-effectiveness of this program, compared to the alternative of the clients remaining unemployed and homeless, staff recommends fully funding the proposal with a grant of \$404,225 in CDBG funds.

## HUMAN SERVICES GRANTS

Agency Name and Program	FY 2015-16	Proposed FY 2016-17*
Allocation Type	Full Funding	10.2% Reduction
<b>CDBG Funds</b>	<b>\$ 215,000</b>	<b>\$ 193,058</b>
<b>Sunnyvale Community Services:</b> Brown Bag Food Program	\$ 75,000	\$ 67,346
<b>Bill Wilson Center:</b> Family & Individual Counseling	\$ 25,000	\$ 22,449
<b>YWCA Silicon Valley:</b> Domestic Violence Support Network	\$ 25,000	\$ 22,449
<b>MayView Community Health Center:</b> Primary Health Care & Disease Prevention	\$ 25,000	\$ 22,449
<b>First United Methodist Church:</b> Sunnyvale Senior Nutrition Program	\$ 15,000	\$ 13,469
<b>Innvision Shelter Network:</b> Shelter & Supportive Services	\$ 50,000	\$ 44,897
<b>TOTAL</b>	<b>\$ 215,000</b>	<b>\$ 193,058</b>

\*Each CDBG agency was reduced by approximately 10.2%

Agency Name and Program	FY 2015-16	Proposed FY 2016-17
Allocation Type	Full Funding	Full Funding
<b>General Funds</b>	<b>\$ 135,000</b>	<b>\$ 135,000</b>
<b>Abilities United:</b> Adult Services	\$ 10,000	\$ 10,000
<b>Catholic Charities:</b> Day Break Cares	\$ 10,000	\$ 10,000
<b>Catholic Charities:</b> Longterm Ombudsman Program	\$ 10,000	\$ 10,000
<b>Family &amp; Children Services:</b> Youth Counseling	\$ 14,000	\$ 14,000
<b>Friends for Youth:</b> Youth Mentoring Program	\$ 15,000	\$ 15,000
<b>Friends of Vision Literacy:</b> English Language Education	\$ 10,000	\$ 10,000
<b>Health Trust:</b> Meals on Wheels	\$ 16,000	\$ 16,000
<b>Healthier Kids:</b> Vision First	\$ 10,000	\$ 10,000
<b>Live Oak Adult Day Services</b>	\$ 5,000	\$ 5,000
<b>Senior Adults Legal Assistance</b>	\$ 10,000	\$ 10,000
<b>Silicon Valley Independent Living Center</b>	\$ 10,000	\$ 10,000
<b>Maitri:</b> Legal Services	\$ 5,000	\$ 5,000
<b>West Valley Community Services:</b> Haven to Home	\$ 10,000	\$ 10,000
<b>TOTAL</b>	<b>\$ 135,000</b>	<b>\$ 135,000</b>



# City of Sunnyvale

## Meeting Minutes - Draft

### Housing and Human Services Commission

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Wednesday, April 20, 2016

7:00 PM

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

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#### Special Meeting

#### **CALL TO ORDER**

Chair Evans called the meeting to order at 7:02 p.m.

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

Chair Evans led the salute to the flag.

#### **ROLL CALL**

**Present:** 6 - Chair Patti Evans  
Vice Chair Barbara Schmidt  
Commissioner Dennis Chiu  
Commissioner Younil Jeong  
Commissioner Minjung Kwok  
Commissioner Narendra Pathak

**Absent:** 1 - Commissioner Diana Gilbert

**Council Liaison (vacant)**

**Commissioner Gilbert (excused absence)**

**Commissioner Jeong (arrived at 7:10 p.m.)**

**Commissioner Kwok (left at 8 p.m.)**

#### **ORAL COMMUNICATIONS**

This section opened following Standing Item: Consideration of Potential Study Issues.

At the request of the Commissioners, Sunnyvale Community Services (SCS) Executive Director Marie Bernard gave an update on the families that were displaced by the Twin Park Manor Apartment fire that happened on April 15, 2016. She gave a summary of: the assistance that has been provided; the estimated length of time that they families will need services; the range of the different levels of need; and a list of immediate additional help needed, e.g. translators, help at SCS to maintain their day to day operation, donations, etc.

Sarah Norman of Friends for Youth spoke on behalf of her agency and thanked the Commissioners for their continued support. She also noted that volunteer mentors in Sunnyvale were needed to be matched to the youth on their waiting list.

### **CONSENT CALENDAR**

- 1.A**      [16-0382](#)      Approve the Housing and Human Services Commission Meeting Minutes of March 23, 2016

Chair Evans asked if anyone wanted to discuss the item on the consent calendar, or for a motion to approve.

Commissioner Chiu moved and Commissioner Pathak seconded the motion to Approve the Housing and Human Services Commission Meeting Minutes of March 23, 2016. The motion carried by the following vote:

**Yes:** 5 -    Chair Evans  
                 Vice Chair Schmidt  
                 Commissioner Chiu  
                 Commissioner Kwok  
                 Commissioner Pathak

**No:** 0

**Absent:** 2 -    Commissioner Gilbert  
                 Commissioner Jeong

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

- 2**            [15-1112](#)      Consider Draft 2016 Housing and Urban Development (HUD) Action Plan

Housing Officer Suzanne Isé gave a short overview of the 2016 Action Plan.

Chair Evans opened the public hearing at 7:42 p.m.

There were no speakers present at this time.

Chair Evans closed the public hearing at 7:42 p.m.

After a brief discussion and some clarifying questions, Chair Evans asked for a motion.

Commissioner Pathak moved and Commissioner Chiu seconded the motion to



recommend to Council Alternative 1: Approve the 2016 Action Plan as presented in Attachment 1. The motion carried by the following vote:

**Yes:** 6 - Chair Evans  
Vice Chair Schmidt  
Commissioner Chiu  
Commissioner Jeong  
Commissioner Kwok  
Commissioner Pathak

**No:** 0

**Absent:** 1 - Commissioner Gilbert

### **STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

Commissioner Pathak reiterated his interest in considering rent control as a study issue. After a short discussion, the commissioners agreed that they were not ready to propose the item and agreed to talk about it at a future meeting.

**Members of the public arrived and requested an opportunity to speak. Chair Evans opened the Oral Communications period.**

### **NON-AGENDA ITEMS & COMMENTS**

#### **-Commissioner Comments**

None.

#### **-Staff Comments**

None.

### **ADJOURNMENT**

Chair Evans adjourned the meeting at 8:28 p.m.



# City of Sunnyvale

## Agenda Item

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16-0163

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Authorize the City Manager to Execute a Concession License Agreement between the City of Sunnyvale and KemperSports Management (dba KSM Sunnyvale, LLC.) for Certain Facilities at Sunnyvale Golf Course

#### BACKGROUND

The City presently owns and manages two public golf courses. Sunnyvale Golf Course was built by the City in 1967 and opened for business in 1968. It is an 18-hole championship course situated on 145 acres of property at 605 Macara Avenue. Sunken Gardens Golf Course and Driving Range was purchased from a private entity with bond revenue in 1973, and was shortly thereafter re-opened as a public course. It is an executive, nine-hole course with a 26 stall driving range, situated on a 30 acre parcel at 1010 South Wolfe Road. These facilities operate as part of the Golf and Tennis Enterprise Fund. Services provided at these facilities include golf play on-course, golf practice on the driving range and putting greens, golf merchandise sales, golf cart and equipment rentals and golf lessons.

Buildings at each course currently house a pro shop, restaurant, bar, banquet rooms and outdoor patio space. Areas used for food, beverage, and banquet related services (those encompassed by the scope of these leases) include approximately 16,000 square feet at Sunnyvale Golf Course and 3,000 square feet at Sunken Gardens Golf Course. Since inception, food, beverage, and banquet services have been provided through agreements with outside vendors. These agreements were non-transferable, and non-saleable.

The most recent operator, Synergy Golf Management Inc., entered into an agreement with the City in March of 2013. The agreement required Synergy to operate the restaurant, bar, and banquet/event businesses at each of Sunnyvale's two golf courses. On December 14, 2014, the City terminated the agreement for failure to pay rent, and the restaurants were closed; food and beverage services have not been available since that time.

The City issued a Request for Proposals (RFP) on December 1, 2014, and entered into a Concession License Agreement with Gold Rush Eatery for the operation of the restaurant at Sunken Gardens Golf Course on August 13, 2015. As part of that RFP staff also selected an operator for Sunnyvale Golf Course, however the City was not able to reach terms on an agreement. Staff issued a new RFP on October 28, 2015 to select a new vendor.

#### EXISTING POLICY

##### **General Plan, Chapter 4, Community Character - Recreation**

Policy CC-10.6 - Leverage available resources by pursuing co-funded and/or cooperative agreements for provision and maintenance of programs, facilities, and services, in order to maximize benefits to the community. Partners may include, but are not limited to, school districts, non-profit

groups, governmental agencies and businesses.

### **ENVIRONMENTAL REVIEW**

The action being considered is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 as it pertains to the leasing of an existing public structure involving negligible or no expansion of use beyond that presently existing.

### **DISCUSSION**

An RFP to find a new operator for the Sunnyvale Golf Course restaurant was initiated and four proposals were received. A panel of City staff reviewed the proposals and met with representatives that submitted the highest rated proposal, namely KemperSports Management (dba KSM Sunnyvale, LLC.) This report proposes entering into a Concession License Agreement with KemperSports Management (Attachment 1) for the provision of food, beverage and related services at the Sunnyvale Golf Course to commence June 1, 2016.

### **Qualifications of Operator**

KemperSports Management was founded and operated under continuous family ownership since 1978.

- KSM is headquartered in Northbrook, IL with 6,000 employees.
- KSM manages has more than 110 golf and leisure based facilities in 27 states.
- KSM has 36 municipal clients nationwide and 13 in California with regional offices in Northern & Southern California.
- KSM operates Food & Beverage at more than 90 golf course locations.
- KSM has more than 38 years of golf property Food & Beverage Operations with building and launching brand recognition.
- KSM provides local management & support resources working with municipalities.
- KSM has a client-centric approach with proven operational and sales & marketing best practices available to each property.

### **Exclusive Use**

The lease for areas at the Sunnyvale Golf Course includes the Restaurant and Bar portion of the Clubhouse building and adjacent upstairs patio (See Exhibit "A" of Attachment 1 - Map of area). Use of the parking lot at Sunnyvale Golf Course will be shared between the licensee and the City.

### **Services Provided**

KemperSports Management will provide food, beverage, full bar, banquet, catering and related services at Sunnyvale Golf Course. Hours of operations will be from dawn till dusk, dependent upon seasonality, weather and golf course demand, and will be open every day the course is open. The café/bar will offer their unique variety of comfort foods including burgers, sandwiches and salads and the banquet rooms will be available for events.

### **Tenant Improvements**

KemperSports Management will invest up to \$175,000 in improvements throughout the term. Investments shall include but not limited to: technology (computers, point of sale system, event software, website development, supplies, small wares, paint, carpet etc.); marketing (pre-paid advertising, signage and local public relations campaign etc.); liquor license and equipment (office, kitchen, banquet, tables, chairs etc.).

**FISCAL IMPACT**

The lease for the Sunnyvale Golf Course would commence with a Licensee payment of \$3,500 for the period June 1, 2016 to December 31, 2016. Then beginning January 1, 2017 (Year 1), Licensee payments will be \$6,000 per year for Year 1 and Year 2; in Year 3 (2019), annual payment is \$22,500; and, in Year 4 (2020) payment is \$24,000. Rent will increase \$1,000 annually from Year 5 to Year 10 through the term of the lease, with Year 10 capping out at \$30,000. At the end of each year for Years 6 through 10, Licensee shall pay the indicated monthly fee, or 3% of net revenue, whichever is greater. Any excess fee due to the City (if any), shall be paid by January 15th of each succeeding year. The terms of the license also includes the option to extend the license agreement, if mutually agreed between the City and the Licensee, for five year terms up to three times. The total revenue to the Golf and Tennis Fund over the ten years would be a minimum of \$227,000. Financial terms are based upon the operator's proposal made during the Request for Proposal process with some negotiated changes.

**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. Authorize the City Manager to execute a concession license agreement for operation of certain areas and facilities at the Sunnyvale Golf Course with KSM Sunnyvale, LLC, with three additional five-year renewal options, in substantially the same form as in Attachment 1 of the report.
2. Do not authorize the City Manager to execute a concession license agreement for operation of certain areas and facilities at Sunnyvale Golf Course with KSM Sunnyvale, LLC and issue a new Request for Proposals for a golf course operator.
3. Other action as determined by the Council.

**STAFF RECOMMENDATION**

Alternative 1: Authorize the City Manager to execute a concession license agreement for operation of certain areas and facilities at Sunnyvale Golf Course with KSM Sunnyvale, LLC, with three additional five-year renewal options, in substantially the same form as in Attachment 1 of the report.

The provision of high quality food, beverage and special event service at Sunnyvale Golf Course is expected by the golfing community as part of the overall golf experience. Having qualified food, beverage and special event providers at each course is also critical to the short and long-term financial status of the Golf and Tennis Fund. Entering into a concession license agreement with KSM Sunnyvale, LLC., will provide direct revenue in the form of fees and collateral income as more golfers and tournaments are attracted to play the course because of the quality of the course and the food, beverage and related services.

Prepared by: James Stark, Superintendent of Parks and Golf

Reviewed by: Manuel Pineda, Public Works, Director

Reviewed by: Walter Rossman, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENT**

1. Concession License Agreement for Sunnyvale Golf Course

## **CONCESSION LICENSE AGREEMENT FOR SUNNYVALE GOLF COURSE**

An exclusive and revocable Concession License Agreement (“License”) is hereby granted by CITY OF SUNNYVALE, a municipal corporation of the State of California, to KSM Sunnyvale, LLC., an Illinois limited liability company, as Licensee, to manage, operate and supervise sales of food, beverages and related services associated with Sunnyvale Golf Course including the restaurant building (attached hereto as Exhibit “A”) and all related services for a term beginning on June 1, 2016, by all listed parties and ending at 11:59 p.m. on December 31, 2026, unless sooner terminated subject to the conditions contained in this License (the “Term”). At City’s and Licensee’s mutual discretion, this License may be extended for three (3) additional five (5) year terms on mutually agreed upon terms and conditions beyond the Term described above. If the parties reach agreement, a written amendment to the License shall be executed by both parties.

### **I. DEFINITIONS**

As used in this License, the following words and phrases, unless provided otherwise, shall have the following meanings:

- A. “City” shall mean City of Sunnyvale.
- B. “City Council” shall mean the City Council of the City of Sunnyvale.
- C. “Clubhouse” shall mean the pro shop/restaurant building, and adjacent patios, walkways and planters located at the course.
- D. “Employee” shall mean any person employed by and paid solely by Licensee for any purpose.
- E. “Licensee” shall mean KSM Sunnyvale LLC., an Illinois limited liability company licensed to do business in California.
- F. “Pro shop” shall mean those portions of the Clubhouse dedicated to sale of golf merchandise and green fees including the entire East portion of the Sunnyvale Golf Course Clubhouse.
- G. “Restaurant” shall mean those portions of the Clubhouses and associated areas dedicated to provision of food and/or beverage services including the West

portion of the Clubhouse and adjacent patios and pathways at Sunnyvale Golf Course (See Exhibit “A”)

- H. “Manager” shall mean a particular employee designated by the Licensee to act on the behalf of the Licensee in any license-related matter.
- I. “Shall”, when used herein, is mandatory.
- J. “Sunnyvale Golf Course” shall mean that particular golf course owned by or leased to City, located at 605 Macara Ave., Sunnyvale, CA.
- K. “Golf Operations Manager” shall mean the City employee with the title of “Golf Operations Manager”.
- L. “Net Revenue” shall mean the Gross Revenue received by Licensee from sales of food, beverages and related services at the Sunnyvale Golf Course as permitted in Section II.A.1 and II.A.2 less Cost of Goods Sold.
- M. “Gross Revenues” shall mean all monthly receipts related to or derived from Licensee’s sales of food, beverages and related services at the Sunnyvale Golf Course as permitted in Section II.A.1 and II.A.2 below from cash or credit transactions recognized during the Term, computed on an accrual basis, determined in accordance with generally accepted accounting principles applied on a consistent basis. Gross Revenues shall be reduced by any refunds, rebates, discounts, and credits of a similar nature given, paid, or returned by KSM.

Gross Revenues shall not include:

- Applicable gross receipts taxes, admission, cabaret, excise, sales, and use taxes, or similar governmental charges collected directly from customers or their guests or as a part of the sales price of any goods or services;
- Service charges that are percentage gratuities added to billings, to the extent paid to employees of the Club
- Proceeds paid as a result of an insurable loss, unless paid for the loss or interruption of business, to the extent such sums are used to remedy said loss;

- N. “Cost of Goods Sold” shall mean direct cost attributable to the production of the goods sold at the club. This amount includes the cost of the materials used in creating the good.

## II. **EXCLUSIVE USE**

- A. In order to enable Licensee to exercise the privileges and rights herein licensed and to perform the duties and obligations herein imposed, City grants to Licensee:
1. The exclusive use of the Restaurant at Sunnyvale Golf Course for the sale of food, beverages and related services including banquets, catering and other related events.
  2. Exclusive right for the sale of food, beverages (including alcoholic beverages, no outside alcohol allowed and beverage cart services) and related services including banquets, catering and other related events at Sunnyvale Golf Course.
  3. Licensee shall have the right to enter upon and traverse the Sunnyvale Golf Course, including the Clubhouse as necessary to exercise its rights and obligations hereunder as well as such other locations within the golf course grounds and facilities outside of the Restaurants as may be established, subject to written approval of City as to each particular location and any improvements.
  4. Licensee shall occupy the Restaurant and any other locations as may be approved for sale of food, beverages and related services including banquets, catering and other related events, and for no other purpose.
  5. City covenants that so long as there is not an uncured default by Licensee of any material term of this License or any violation of relevant local or state law, Licensee shall, to the extent necessary to exercise the privileges and duties of Licensee hereunder, quietly hold, occupy, possess and enjoy the Restaurant and such other locations within the golf course grounds and facilities outside of the Restaurants as may be agreed hereunder throughout the Term of this Agreement, free from hindrance, ejection, removal,



prohibition or disturbance by the City or any other party claiming under, through, or by right of City unless both parties have agreed to mutually terminate the License.

B. Licensee shall occupy and operate Restaurant as a licensee and not as a lessee.

### **III. PRIVILEGES AND DUTIES OF LICENSEE**

A. Licensee shall do the following:

1. Exercise each privilege and right hereby licensed and perform each duty imposed herein in full compliance with the Sunnyvale Municipal Code and other ordinances of the City; all rules, regulations, and policies of the City, and all applicable laws of the State of California and the United States of America.
2. Enforce all rules and regulations.
3. Establish, operate, manage, and supervise sales of food, beverages and related services at the Golf Course.
4. Present proposals to City for its approval of food and beverage services and related events outside of designated restaurant buildings as shown in Exhibit "A" provided, however, that each additional location and any improvements are to be provided and maintained by Licensee.
5. Maintain for sale, or for use in connection with the services of meals, and at all times, a reasonable stock of food, alcoholic and non-alcoholic beverages, confections, and other articles in amounts sufficient to meet customer demands and which are of industry standard quality and are of such purity and content so as to comply with applicable federal, state, and local food, health and sanitation laws and regulations. City in no way warrants that Licensee shall be able to obtain license(s) to engage in the sale of liquor. The acquisition of such license(s), however, is required within 90 days of June 1, 2016.

6. Supervise the Restaurant, preserve order, and provide for security, including the exclusion of trespassers and prevention of injury to the Restaurant by customers and others.
7. Keep the Restaurant open to the public between the hours of 6:30 a.m. and sunset on each day the Course is open for play, except during such times when closure is necessary due to construction of structural additions or other physical improvements to the Clubhouse. Nothing herein shall preclude Licensee from remaining open additional hours subject to any and all City ordinances, or County or State laws or regulations as related to food and beverage service businesses.
8. Restaurant may be closed temporarily during inclement weather that significantly reduces the amount of play on the golf courses. Licensee shall notify the Golf Operations Manager in advance of closing and shall reopen the facilities as soon as weather conditions have improved.
9. Retain for a minimum of 40 hours per week in the Restaurant at least one “manager” who is experienced in the operation of restaurants and food and beverage services, authorized to represent and act for Licensee in matters pertaining to the exercise of the privileges and duties hereby licensed. Licensee shall keep City informed in writing of the identity of such person(s) and conduct all general business through the manager(s).
10. Employ at its sole cost and responsibility such employees as it deems necessary.
11. No employee of Licensee shall be deemed to be an employee, agent or representative of City at any time or for any purpose whatsoever.
12. Licensee shall require all employees to be neatly dressed and courteous at all times, and to refrain from boisterous or objectionable conduct when at work on City property.
13. Furnish, maintain, and operate the Restaurant and provide all other services and facilities offered in connection therewith in a high quality manner, and furnish and maintain a standard of service at least equal to the

better class of similar businesses in the City and in adjacent communities during the entire term of this License at prices comparable to those prevailing for similar services and facilities without discrimination. Licensee shall provide prompt, clean, courteous and efficient service.

14. Provide breakfast, lunch, bar and banquet menus and promote sale of banquet and meeting services for the Restaurant.
15. Provide prompt, courteous and efficient customer service.
16. Provide the Director of Public Works on September 1 of each year with an annual operations and marketing plan including a list of all activities including, but not limited to, food and beverage sales, banquets, facility rentals, special events, promotions and advertising.
17. Provide City with reasonable access to and the right to inspect all menus, lists and schedules of prices for services or products provided.
18. Covenant and agree to discontinue and remedy all reasonably objectionable practices upon demand of City if and when the City raises good faith objections to the conditions of those portions of the Golf Course and buildings occupied by Licensee, the quality of the food, articles sold, or character of the service.
19. Meet not less than once per month with the Golf Operations Manager at a regularly scheduled time and date to discuss and review the operation of the Restaurant by Licensee. In addition, Licensee shall during the Term maintain accounting records on a modified accrual basis (i.e. revenue is booked when cash is received and expenses are booked when goods/services are authorized). Within twenty (20) days after the close of each calendar month during the Term, Licensee shall submit a financial statement to City showing the financial activities for food and beverage operations conducted by Licensee at Sunnyvale Golf Course for the preceding calendar month and calendar year to date
20. Follow the procedure for handling complaints established by standard operating procedures of City. In this regard, the parties recognize that the

Golf Operations Manager of City is designated to represent the Department of Public Works in resolving all such complaints.

21. Authorize the Director of Public Works of City or his designee to inspect the premises occupied by Licensee not less than twice per year to determine whether Licensee is complying with the requirements of the License.
22. Provide City's recognized Golf Clubs, a list of which the parties shall agree upon in writing and in good faith, with limited use of space within the Restaurant for club activities at low or no cost. Licensee will be solely responsible for determining frequency, type of use, and cost, and will determine a method of scheduling that will best serve that purpose. Use of Restaurant space by retail customers will take priority over Golf Club use, when insufficient space exists for both user groups.
23. Keep all fixtures and equipment within those areas occupied by Licensee clean, neat, safe, sanitary and in good order at all times.
24. Store all waste matter, garbage and refuse in a manner satisfactory to City and arrange for the disposal thereof at the expense of Licensee.
25. Promptly remove and dispose of any waste and/or refuse resulting from food and beverage operations which has been blown by wind or otherwise transported from the areas occupied by Licensee into adjacent areas of the Golf Course properties.
26. Comply with all requirements of City, or State Department of Health Services, or measures in health or sanitary regulation adopted by any legal authority, and grant access for inspection purposes to any duly authorized representative of the State Department of Health Services or City.
27. Refrain from selling beer, wine and liquor for consumption off the Golf Course premises. Restrict sale of beer, wine and liquor to consumption within Restaurant and Golf Course premises.

28. Refrain from selling any food or beverage item supplied in a breakable glass container, for consumption on Golf Course premises, outside the Restaurant.
29. Refrain from installing or permitting the installation or use of any vending machine, pinball machine, video game machine, or similar equipment without first having obtained the written consent of the Superintendent of Parks and Golf of City.
30. Refrain from attaching, hanging, or otherwise affixing any sign or advertising matter on the exterior of the Clubhouses, or anywhere on the Course properties without first having obtained the written consent of the Superintendent of Parks and Golf of City.
31. Refrain from installing any newspaper rack or other object to be placed and maintained outside the Clubhouses, whether attached thereto or free-standing, or anywhere on the Courses, without first having obtained the written consent of the Superintendent of Parks and Golf of City.
32. Not permit other businesses, vendors, customers, or any other person or entity to directly provide services or entertainment to customers; or, display or sell goods, wares or merchandise either within the interior or exterior of the Clubhouse, or anywhere on the Course, without first having obtained written consent of the Superintendent of Parks and Golf of City.
33. Not conduct any business activity at the Course and Restaurant for any other purpose except sale and service of food and beverages, and related events, or except such activities for which written consent of the Superintendent of Parks and Golf of City has first been given.
34. Not make any alterations, changes or additions to the Restaurant or to any fixtures or equipment owned by City without first having obtained written consent of the Superintendent of Parks and Golf of City.
35. Provide a sufficient quantity of expendable equipment, including but not limited to tables, chairs, linen, glassware, dishes, cutlery and kitchen utensils.

36. On or before April 1, 2016, and every April 1 thereafter, file with City a signed inventory of any furnishings, equipment, fixtures and amenities owned by Licensee and used in operation of the Restaurant.
37. Promptly pay all moneys required to be paid to the City, and all expenses incurred in operating the restaurant and other facilities on the Course where food and beverages are sold;
38. Obtain and pay for any permit or license required by the Sunnyvale Municipal Code (as it currently provides or may hereafter be amended) or any other ordinance, or law of the State of California or the United States of America;
39. Pay any and all taxes, levies, charges, or assessments, including but not limited to personal property taxes, sales and use taxes, assessed against Licensee, or its possessory interest in the property of the Clubhouse occupied by Licensee, or its property, including inventories used in performing its duties and obligations or exercising its privileges under this License, for whatever purposes in connection with the operation of the Restaurant; and,
40. Keep Restaurant occupied by Licensee free from any liens arising out of the work performed, materials furnished, or obligations incurred by Licensee. Licensee shall have no power to establish or permit the creation of any such lien.
41. Furnish and pay all charges for gas, electricity, water, garbage, sewer and grease trap service to the Restaurant.
42. Furnish and pay all charges for telephone, internet and cable television or satellite television service to the Restaurant.
43. Furnish and pay all costs in connection with janitorial and maintenance services within the Restaurant occupied by Licensee. The janitorial and maintenance services shall include but not be limited to:
  - a) Clean entire areas licensed by the Licensee regularly and as-needed including but not limited to interior furnishings, equipment,

fixtures, windows (inside and outside), flooring, ceilings and walls as needed.

- b) Inspect and maintain facilities regularly during operating hours.
- c) Check (no less than every 2 hours the facilities are open) and maintain restrooms and related equipment in proper working order. Thoroughly clean related equipment, fixtures, and surfaces, and provide adequate stock of paper and soap products.
- d) Maintain exterior of the facilities and windows including cleaning and painting.
- e) Replace electric lights/bulbs as necessary.
- f) Provide and maintain appropriate and high quality floor coverings throughout the Restaurant.
- g) Keep areas occupied by Licensee in a clean and sanitary condition, reasonably free from garbage, refuse, and waste at all times to the satisfaction of City and to a level of quality to that of similar facilities in the community.
- h) Repair and replace anything broken or damaged as a result of any act or neglect by Licensee in all areas of the Clubhouse building.

#### IV. **DUTIES OF CITY.**

- A. City shall, in conjunction with Licensee's service, do the following:
  - 1. Publicize the Restaurant in the Library and Community Services Department's "Activities Guide" as long as the City publishes and distributes it during the length of this agreement; one-half of a full page will be provided in each edition.
  - 2. Publicize the Restaurant on the City's web site and provide a link to the Licensee's web site.
  - 3. Approve, by the Director of Public Works or his designee, the annual operations and marketing plan including a list of all activities, including but not limited to, menus, programs, banquets, services, promotions,

advertising and special events and their associated fees. All new services, programs and activities instituted after the annual approval of the operations plan shall be submitted in writing to the Director of Public Works for approval. Approvals hereunder shall not be unreasonably withheld or delayed by the City.

4. Determine, as established by the Director of Public Works or his designee, when fees may be waived or adjusted excluding promotions and discounts offered temporarily by the Licensee.

B. City shall be responsible for providing and maintaining only the following, within the Restaurant:

1. Restaurant facility, complete with supporting structural members, smoke/fire detection system, fire suppression system, kitchen hood vent system and required gas/electrical/plumbing services, roofs, ceilings and walls.
2. Infrastructure of the patio and portions of the perimeters of the buildings, including existing entrances and seating areas and staircase and excluding patio surface coverings.
3. The existing interior lavatories, with all required plumbing and fixtures.
4. The existing air conditioning and heating systems.
5. The existing light fixtures.
6. Parking lot of the facility
7. Building entrance of the facility
8. Subject to the agreement of both parties, any other items not specifically listed in this section that would typically be the responsibility of the property owner
9. Certain miscellaneous furnishings, equipment, fixtures are provided in an “as-is” condition and shall not be maintained by the City. These items currently located in the restaurant include, but are not limited to: ovens, sinks, refrigeration equipment, fryers, beverage dispensers, food preparation counters and dishwasher stations. Licensee may use these



items or notify the City in writing of any items they do not want and dispose of them in a mutually agreeable manner. Licensee is solely responsible for all costs associated with use, maintenance, and disposal.

10. Within the kitchens and bar areas, roughed in plumbing only.
  11. Locks and fasteners on doors and windows.
  12. Graffiti removal on all exterior building surfaces.
  13. Windows not broken as a result of any act or neglect of Licensee.
- C. City shall provide and be responsible for the existing off-street parking and parking lots, including lighting system at the Course and any security required in connection therewith. Licensee shall share the use of these facilities with customers and visitors of the Course. Designated parking for a mobile food truck and the use of existing utility connections.

## **V. CAPITAL INVESTMENT**

- A. Licensee shall make a minimum capital investment between One-Hundred Fifty Thousand Dollars (\$150,000) and One-Hundred Seventy-Five Thousand Dollars (\$175,000) during the Term. “Start-up” capital investments shall include but not be limited to: technology (computers, point of sale system, event software, website development, supplies, smallwares, paint, carpet etc.); marketing (pre-paid advertising, signage and local public relations campaign etc.); transition personnel (corporate payroll for human resources, accounting, operations, culinary etc.); liquor license and equipment (office, kitchen, banquet, tables, chairs etc.). All items that are equipment used in the operation of the restaurant shall be inventoried as set forth in section III.A.36 of this agreement and remain the property of the Licensee. “Infrastructure” capital investments are defined as modifications or enhancements of the existing, permanent infrastructure that shall become the property of the City upon installation. Capital investments shall include but not be limited to renovation of restaurant interior and exterior and renovation of restaurant patio. All of these improvements become the property of the City upon installation.

1. Licensee shall prepare plans and specifications in consultation with City.
  2. Licensee shall receive approval of all plans and specifications by the Director of Public Works and/or his designee(s) prior to filing of final plans and specifications. City shall be provided with two complete sets of final plans and specifications before construction begins and two complete sets of “as-built” plans and specifications at the completion of construction.
  3. Prior to construction, Licensee shall have obtained all necessary permits authorizing construction of the Project from City and other public agencies having jurisdiction over the Project, in compliance with all applicable laws, regulations, codes and the permitting process.
  4. Licensee shall provide City with written financial documentation showing related costs, upon the completion of all infrastructure capital investments.
- B. Additional remodel of the Clubhouse or Restaurant, construction of additions to the Clubhouse or Restaurant, and/or remodel or construction of concession building may be proposed at any time by the Licensee, or the City. City shall review all such projects and their associated costs on a case-by-case basis, and Licensee shall not undertake any such project without the prior express written consent of the City.
- C. City shall not award a contract for construction of remodel and/or additions or authorize construction thereof within the Licensee areas of use unless Licensee shall have been given a reasonable opportunity to review the associated plans and specifications.
- D. Capital investments are at the sole expense of the Licensee and City shall not be required to reimburse Licensee for any expenses incurred, regardless of whether or not the License is terminated by mutual agreement of the parties or by City’s sole option.

## **VI. PAYMENTS TO CITY, RECORDS, AND ACCOUNTS**

Licensee, in consideration of the privileges and rights allowed by this License, shall pay to the City the following sums: Beginning License Year 3, or the twenty-fifth (25th) month, the license fee shall be as set forth in the table shown below. All payments due to the city that are late or not submitted on the first day of each month shall incur a 10% penalty fee that will be due with the payment.

<b>Year of Agreement</b>	<b>Amount of annual and monthly fee</b>
Stub Period (June 1, 2016 - December 31, 2016)	\$3,500 (\$500.00 per month on starting date)
Year 1 (January 1, 2017 - December 31, 2017)	\$6,000 (\$500.00 per month)
Year 2 (January 1, 2018 - December 31, 2018)	\$6,000 (500.00 per month)
Year 3 (January 1, 2019 - December 31, 2019)	\$22,500 (\$1,875.00 monthly)
Year 4 (January 1, 2020 - December 31, 2020)	\$24,000 (\$2,000.00 monthly)
Year 5 (January 1, 2021 - December 31, 2021)	\$25,000 (\$2083.33 monthly)
Year 6 (January 1, 2022 - December 31, 2022)*	\$26,000 (\$2,166.67 monthly) or 3% of Net Revenue received during License Year, whichever is greater
Year 7 (January 1, 2023 - December 31, 2023)*	\$27,000 (\$2,250.00 monthly) or 3% of Net Revenue received during License Year, whichever is greater
Year 8 (January 1, 2024 - December 31, 2024)*	\$28,000 (\$2,333.33 monthly) or 3% of Net Revenue received during License Year, whichever is greater
Year 9 (January 1, 2025 - December 31, 2025)*	\$29,000 (\$2,416.67 monthly) or 3% of Net Revenue received during License Year, whichever is greater
Year 10 (January 1, 2026 - December 31, 2026)*	\$30,000 (\$2,500.00 monthly) or 3% of Net Revenue or 3% of Net Revenue received during License Year, whichever is greater

\*For Years 6 through 10 above, Licensee shall pay the indicated monthly fee provided, however, at the end of each year, a true-up will be made to determine how much (or if) any additional fee is due in the event that 3% of Net Revenue received by Licensee for such applicable Year exceeds the amount of the fee paid for the applicable year. Any excess fee due to the City such year (if any) shall be paid by January 15<sup>th</sup> of each succeeding year.

## **VII. COMPENSATION OF LICENSEE**

Licensee shall be entitled to keep and retain fees and revenues collected from all operations of the Restaurant less all operating and other expenses for which Licensee is made responsible pursuant to this agreement, and those amounts described in SECTION VI, above.

## **VIII. INDEMNIFICATION, INSURANCE**

- A. Licensee shall indemnify and hold harmless the City, its officers, employees and agents ("City Indemnified Parties"), from and against any and all claims, demands, orders, decrees or judgments for injury or death or damage to person or property, loss, damage and liability (including all costs and attorneys' fees incurred in defending any claim, demand or cause of action) (collectively, "Losses"), occasioned by, arising out of, or resulting from any negligent act or omission or willful misconduct on the part of Licensee, or its agents or employees except to the extent such Losses arise due to (i) the gross negligence or willful misconduct of the City Indemnified Parties.
- B. City shall indemnify and hold harmless the Licensee, its officers, employees and agents ("Licensee Indemnified Parties"), from and against any and all Losses, occasioned by, arising out of, or resulting from the gross negligence or willful misconduct on the part of City Indemnified Parties except to the extent such Losses arise due to (i) the negligence or willful misconduct of Licensee.
- C. Licensee shall procure and maintain for the duration of the contract general liability insurance against claims for injuries to persons or damages to property which may arise from or in connection with the Licensee's activities or because of this License subject to the following minimum scope and limits:

Minimum Scope and Limits of Insurance Licensee 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 is required.
3. **Workers' Compensation: Statutory Limits** and **Employer's Liability**: \$1,000,000 per accident for bodily injury or disease.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared and approved by the City. The licensee 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** to include a blanket additional insured endorsement to comply with the following additional insured requirements:

1. The City of Sunnyvale, its officials, employees, agents and volunteers are to be covered as additional insured with respects to liability arising out of activities performed by or on behalf of the Licensee; products and completed operations of the Licensee; premises owned, occupied or used by the Licensee; or automobiles owned, leased, hired or borrowed by the Licensee. 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 Licensee's insurance shall be primary as to Licensee's express obligations under the Indemnification provision of this License. . Any insurance or self-insurance maintained by the City of Sunnyvale, its officers, officials, employees, agents and volunteers shall be excess of the Licensee'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 Licensee'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 no less than A:VII, unless otherwise acceptable to the City of Sunnyvale.

#### Verification of Coverage

Licensee shall furnish the City with original Certificates of Insurance, naming the City as additional insured on the General Liability policy, and endorsements affecting the coverage required. The certificates are to be signed by a person authorized by that insurer to bind coverage on its behalf. City shall be provided with updated Certificates prior to any expiration date of coverage.

- D. Licensee shall fill out and forward to the City an accident report for any injury that takes place in and around the Restaurant within twenty-four (24) hours of Licensee becoming aware of such injury.

### **IX. TERMINATION, REMOVAL, DEFAULT, BANKRUPTCY**

- A. Upon expiration of the term of this License, or upon the sooner termination of such term from whatever cause, Licensee:
  1. May remove any and all furnishings, equipment, merchandise and supplies purchased by Licensee and noted in their annual inventory list provided in writing to the City; provided, however, that:

- a) Licensee is not then in default in the payment of any fees, portion of gross revenue or any other monies required to be paid to City, or in the performance of any duty, obligation, covenant or agreement contained herein;
    - b) Licensee shall leave the Restaurant in good order, condition and state of repair, reasonable wear and tear and damage by the elements excepted, together with any alterations, changes, additions or improvements thereto; and,
    - c) Licensee shall be responsible for any damage to the Restaurant occasioned by the removal of any furnishings, or equipment; and for such damage, if any, City shall have lien on said items of personal property until such damages be paid. The City lien is additional security for performance of the License obligations and supercedes any other creditor lien.
  - 2. Shall peaceably and quietly leave, surrender and yield up to City the Restaurant.
  - 3. If Licensee is entitled to remove any item of personal property described in Section 1, and such item is not so removed within thirty (30) days of termination of the agreement, then such property shall be deemed abandoned by Licensee and absolute title thereto shall immediately vest in City and may be disposed of by City as it sees fit.
- B. City reserves the right to terminate this License:
- 1. If at any time Licensee is in default in the payment of any fees, or any other monies required to be paid to City, or in the performance of any duty, obligation, covenant or agreement contained herein (time expressly declared to be of the essence), upon fifteen (15) days written notice to Licensee and Licensee fails to correct such default within said fifteen (15) day period; provided, however, that:
    - a) Licensee shall not be entitled to and expressly waives any other form of demand or notice (written or oral);

- b) City shall have the full right, at its election, to enter the Restaurant and take immediate and sole possession thereof;
    - c) City shall have the right to bring suit for and collect all fees and any other monies required to be paid to City and which shall have accrued up to the time of entry described above;
    - d) Upon such termination, this License and all rights and privileges herein licensed shall become void to all intents and purposes whatsoever; or,
  - 2. If Licensee fails to keep in full force and effect at any time the policies of insurance or faithful performance deposit required above upon five (5) days written notice to Licensee and Licensee fails to correct such default within said five (5) day period.
- C. This License and all rights and privileges herein licensed shall immediately (and without any demand or notice written or oral) cease, determine, come to an end, and become void, and the City immediately may enter the Restaurant and take immediate and sole possession thereof, without prejudice to the right of City to recover from Licensee all unpaid fees or any other monies required to be paid to City and which shall have accrued up to the time of the entry described above, if:
- 1. Licensee at any time during the term of this License become insolvent, or if proceedings in bankruptcy shall be instituted by or against Licensee, or if Licensee shall be adjudged bankrupt or insolvent by any court, or if a receiver or trustee in bankruptcy or a receiver of any property of Licensee shall be appointed in any suit or proceeding brought by or against Licensee, or if Licensee shall make an assignment for the benefit of creditors, or if any action is taken against or suffered by Licensee under any insolvency or bankruptcy act.
- D. In the event of termination of the License, because of the default of Licensee upon any of the grounds set forth above or in the event of the automatic termination of this License, City reserves the right to remove any personal property belonging to Licensee from the Restaurant and to store such personal property at the sole cost



and expense of Licensee, and City shall have a lien on such personal property for and until all and any storage charges are paid.

- E. Licensee reserves the right to terminate this License if at any time City is in default in the performance of any material duty, obligation, covenant or agreement contained herein (time expressly declared to be of the essence), upon fifteen (15) days written notice to City and City fails to correct such default within said fifteen (15) day period. Upon mutual written agreement of the parties, the License may be terminated without cause prior to the end of the agreement term.

## **X. PROHIBITIONS**

- A. Licensee shall not do any of the following acts, except as herein otherwise provided:
1. Assign or transfer this License or any of the rights or privileges herein licensed, or any part thereof. The License is personal to Licensee and any attempt to transfer or assign this License shall terminate it.
  2. This License cannot be assigned involuntarily or by operation or process of law.
  3. Make any alterations, changes, or additions to the Restaurant occupied by Licensee, or to any fixtures or equipment owned by City without first having obtained written consent of City thereto, provided that any alterations, changes or additions consented to shall be at the sole cost of Licensee and shall become the property of City upon termination of this License, for whatever cause.
  4. Let, sublet, sublicense or assign any or all portions of the Restaurant occupied by Licensee.
  5. Commit, permit or allow any nuisance or waste in, or injury to, any of the portions of the Restaurant, or to permit the use of any of such portions of the Restaurant for any illegal purpose.
  6. Bind or attempt to bind City to any contracts or obligations of any nature.

**XI. FORCE MAJEURE**

- A. An act or event is a “Force Majeure Event” if such act or event is beyond the reasonable control, and not the result of the fault or negligence, of the affected Party and such Party has been unable to overcome such act or event with the exercise of due diligence (including the expenditure of commercially reasonable sums). Subject to the foregoing conditions, “Force Majeure Event” shall include the following acts or events: (i) natural phenomena, such as storms, hurricanes, floods, lightning, volcanic eruption and earthquakes; (ii) explosions or fires arising from lightning or other causes unrelated to the acts or omissions of the Party seeking to be excused from performance; (iii) acts of war or public disorders, civil disturbances, riots, insurrection, sabotage, epidemic, terrorist acts, or rebellion; (iv) Changes in applicable law or other action by a Governmental Authority, including a moratorium on any activities related to this Agreement; and (v) the impossibility for one of the Parties, despite its reasonable efforts, to obtain, in a timely manner, any approval by a governmental authority necessary to enable the affected Party to fulfill its obligations in accordance with this Agreement, provided that the delay or non-obtaining of such approval by a governmental authority is not attributable to the Party in question and that such Party has exercised its commercially reasonable efforts to obtain such approval.
- B. Except as otherwise specifically provided in this Agreement, neither Party shall be considered in breach of this Agreement or liable for any delay or failure to comply with the Agreement, if and to the extent that any failure or delay in such Party’s performance of one or more of its obligations hereunder is attributable to the occurrence of a Force Majeure Event; provided, that the Party claiming relief under this Article shall (i) notify the other Party, in writing, of the existence of the Force Majeure Event as soon as reasonably practicable and in any event within five (5) business days after becoming aware of such existence, (ii) immediately exercise all reasonable efforts necessary to minimize delay caused by such Force Majeure Event, (iii) immediately notify the other Party, in writing, of the cessation

or termination of said Force Majeure Event, and (iv) resume performance of its obligations hereunder as soon as practicable thereafter.

- C. If any Force Majeure Event shall have occurred that has affected Licensee's performance of its obligations hereunder and has continued for a period of one hundred twenty (120) consecutive days or one hundred eighty (180) days in the aggregate, then either party shall be entitled to terminate this Agreement upon thirty (30) days written notice to the other.

## **XII. NOTICES**

- A. Any action, notice, or request required to be taken, given or made by City hereunder may be taken, given, or made by the City Manager of City or such other person or persons as s/he may authorize for the purpose. All notices, requests, or other papers required to be given or delivered to Licensee shall be deemed to be duly and properly given or made if mailed to Licensee, postage prepaid, addressed to:

KemperSports  
500 Skokie Blvd  
Suite 444  
Northbrook, Ill 60062

Or, personally delivered to Licensee at such address or at such other addresses as Licensee may designate in writing to City. All notices, requests, or other papers required to be given or delivered to City shall be deemed to be duly and properly given or made if mailed to City, postage prepaid, addressed to:

Director of Public Works  
City of Sunnyvale  
Post Office Box Number 3707  
Sunnyvale, California 94088-3707

Or, personally delivered to Director of Public Works at City Hall, 456 West Olive Avenue, Sunnyvale, California, or at such other address as City may designate in writing to Licensee.

- B. Nothing in this provision shall be construed to prohibit communication by more expedient means, such as by telephone, e-mail or facsimile transmission, to accomplish timely communication. However, to constitute effective notice, written confirmation of a telephone conversation or an original of an e-mail or facsimile transmission must be sent by first class mail, by commercial carrier, or hand-delivered. Each party may change the address by written notice in accordance with this paragraph. Notices delivered personally shall be deemed communicated as of actual receipt; mailed notices shall be deemed communicated as of three days after mailing, unless 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.

### **XIII. NATURE OF LICENSE; MODIFICATIONS**

- A. This License does not constitute a contract of employment and the relation of master and servant, employer and employee, does not and shall not exist between City and Licensee, or any of its employees. Licensee is, and at all times shall be, deemed to be an independent contractor.
- B. This License does not constitute a deed or grant of any easement by the City of Sunnyvale and does not constitute a lease or convey any rights associated with a leasehold interest.
- C. No assurances or inducements of any kind, not specifically set forth in the License, have been made to Licensee by anyone authorized by City to cause Licensee to execute these presents.
- D. Failure of City to insist upon a strict performance of any of the duties, obligations, conditions, covenants or agreements contained in this License shall not be deemed a waiver of any subsequent breach or default in the duties, obligations, conditions, covenants or agreements herein contained.
- E. Rights of City or Licensee hereunder shall be cumulative and not alternative and shall be in addition to any and all rights which City shall have as a matter of law.

- F. No agent, officer or employee of City has any authority to vary or extend the term of this License or any duty, obligation, covenant or agreement contained herein, or to make any statements or representations concerning this License, or the rights and privileges set forth herein, except such as are set forth in any written addendum to this License which has been approved by the Council.
- G. This License shall not become effective until receipt by the City of Sunnyvale of an original copy of this License with properly signed endorsement accepting the License subject to the conditions, duties, obligations, covenants or agreements contained herein. This License may be executed in duplicate counterparts.
- H. The City of Sunnyvale does not warrant or represent that the Restaurant, Clubhouse, golf course or other public places to which this License relates are safe, healthful or suitable for the purpose for which they are permitted to be used under this License.
- I. Licensee warrants that the undersigned is authorized by the corporation to execute this Agreement and bind the corporation and shall provide City proof upon request including, but not limited to, Articles of Incorporation or a corporate resolution.
- J. The language of this License shall be construed according to its fair meaning and not strictly for or against the City or Licensee.
- K. This License shall be enforced and interpreted under the laws of the State of California and the venue of any action brought under this License shall be in Santa Clara County.
- L. The provisions of this License shall contain the entire agreement between the parties hereto and said License shall not be modified except by a written amendment fully executed by both parties.
- M. If any provision of this License is determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision of the License and all such other provisions shall remain in full force and effect.

Licensee accepts the License set forth above and covenants and agrees (1) to be bound by and to comply with and perform each duty, obligation, covenant or agreement contained in the License in the manner and at the times set forth therein; and (2) to pay all fees at the times set forth herein, respectively, this \_\_\_\_\_ day of June, 2016.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

CITY OF SUNNYVALE ("CITY")

\_\_\_\_\_

City Clerk

By

\_\_\_\_\_

City Manager

APPROVED AS TO FORM:

KSM Sunnyvale, LLC

\_\_\_\_\_

City Attorney

By

\_\_\_\_\_

NAME

**EXHIBIT "A"**

Aerial Map of Restaurant Building



# Sunnyvale Golf Course Restaurant

## EXHIBIT A



First floor of the building is the Sunnyvale Pro Shop. The second floor is the restaurant and patio.





# City of Sunnyvale

## Agenda Item

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16-0258

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### **SUBJECT**

Accept the Climate Action Plan Biennial Progress Report 2016 and Find that the Action is Exempt from Environmental Review under CEQA Guidelines Section 15378(b)(5)

#### **BACKGROUND**

In May 2014, the Sunnyvale City Council adopted the Climate Action Plan (CAP), which outlines the City's path toward mitigating climate change, while fostering a sustainable, healthy, and livable community. The CAP summarizes sources of greenhouse gas (GHG) emissions in Sunnyvale as of 2008 (baseline year) and identifies mitigation strategies and their corresponding emissions reductions. The CAP identifies a collection of strategies and actions that, if implemented, would exceed the state-recommended GHG emissions reduction target of 15 percent below 2008 levels by the year 2020 (equivalent to 1990 emissions) and demonstrate progress towards the target of 80 percent below 1990 levels by the year 2050.

In November 2014, the City Council adopted the CAP Work Plan 2020 (Work Plan 2020), which identifies a timeline for implementation of the CAP measures in the "near" and "mid" terms, in an effort to reach the 2020 emissions reduction target. Work Plan 2020 also describes ongoing monitoring and reporting of CAP progress. The CAP Biennial Progress Report 2016 (Report) summarizes the progress made on implementation of CAP measures, reassesses the City's emissions inventories, and updates the outlook for CAP measures to be implemented through 2020 with an emphasis on the upcoming two-year period.

#### **EXISTING POLICY**

The Climate Action Plan was adopted by Council on May 20, 2014 and the CAP Work Plan 2020 was approved by the City Council on November 25, 2014. This first biennial monitoring report is scheduled for April 2016 in the CAP Work Plan 2020.

#### **ENVIRONMENTAL REVIEW**

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

#### **DISCUSSION**

This Report is the first monitoring report since the adoption of the CAP in 2014. Due to the availability of the data from external sources (such as PG&E, Metropolitan Transportation Commission, and other agencies) used to develop the community and municipal GHG emissions inventories, the Report inventories GHG emissions for calendar year 2014. Progress reporting on Sunnyvale implementation of the CAP actions reflects 2014 and 2015 data where available. The full Report is

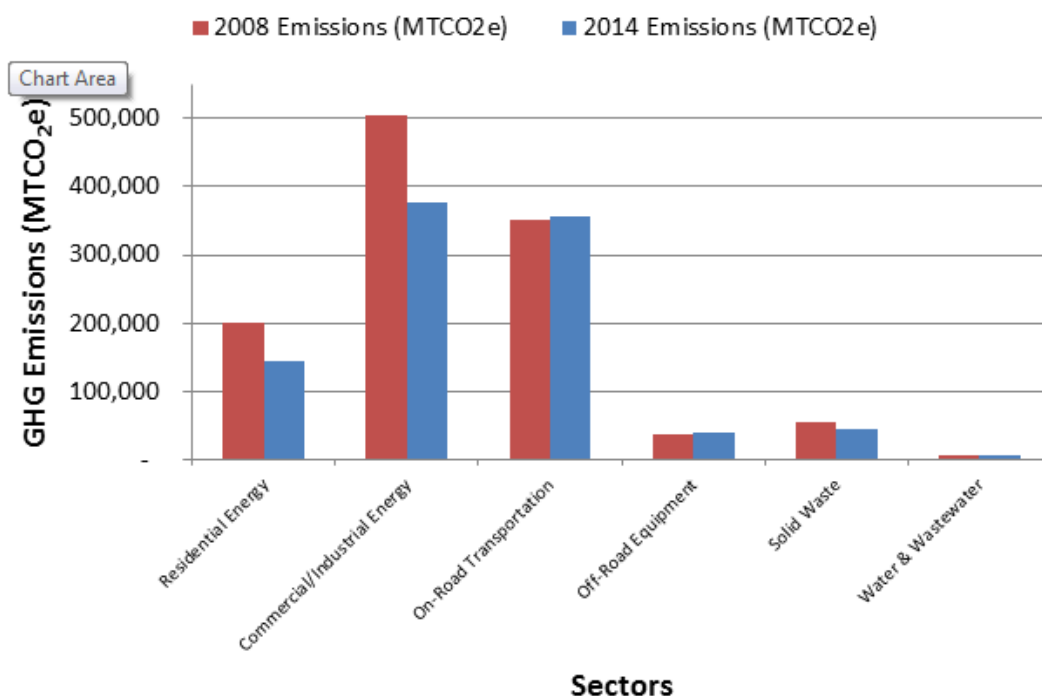
included as Attachment 1.

### Community GHG Inventory

Sunnyvale's initial community inventory utilized a baseline year of 2008 to inventory carbon dioxide, nitrous oxide, and methane generated from activities undertaken by the Sunnyvale community. Since the 2008 baseline community-wide inventory, Sunnyvale has rebounded from the economic recession and experienced significant growth and commercial development, including a 10 percent growth in its residential population and an 8 percent growth in jobs.

The 2008 baseline inventory was updated with this report to reflect current best practices for conducting GHG inventories and to allow for better comparability of the reporting year to the baseline year. The revised estimated GHG emissions in 2008 were 1,153,970 MTCO<sub>2</sub>e, 9.1 percent lower than was adopted with the CAP.

**Figure 1. GHG Inventory by Sector - 2008-2014**



Sunnyvale's community-wide GHG emissions in 2014 are estimated to be 971,140 MTCO<sub>2</sub>e, 15.8 percent lower than 2008 emissions. This represents an estimated reduction in emissions that is in line with the state-recommended target of reducing emissions by 15 percent by 2020, per Assembly Bill 32 (AB 32). Figure 1 shows how the GHG emissions of various sectors have changed between 2008 and 2014.

A large contributor to the reduction in GHG emissions is a 31 percent decrease in the emissions factor for the electricity provided by PG&E. This reflects PG&E's increasing use of renewable sources for generating electricity (consistent with state requirements for renewable energy), which reached 27 percent in 2014.

In addition to the change in the electricity emissions factor, several noteworthy trends since 2008 include:

- Overall residential electricity and natural gas provided by PG&E decreased by 8 and 20 percent, respectively, although Sunnyvale's population increased 10 percent.
- Commercial/Industrial energy use remained flat while office and industrial floor area increased by 1.7 million square feet.
- Total Vehicle Miles Travelled (VMT) increased by 7 percent; however, related GHG emissions increased by only 2 percent because cars are more fuel-efficient.

### CAP Implementation Results

The CAP identifies a collection of 129 actions under 11 key goal categories. The City has made noteworthy progress in CAP implementation given the short implementation timeframe since adoption of the CAP and this inaugural report. Of the 129 actions, 74 are completed or in on-going implementation and 20 are in progress (programs still under development). CAP implementation status is summarized below:

Implementation Status	Percent	Number of Actions
Ongoing or completed	57%	74
In progress	16%	20
Scheduled for 2014-2015 (not yet begun)	6%	8
Scheduled to begin later 2016-2020	20%	25

The actions identified by the CAP range both in scope and resources required. Some actions were relatively straightforward and have been completed, such as actions that were implemented through changes to conditions of approval related to new development. Other actions represent new programs that require significant resources to develop and implement. Three categories were identified to generally describe the level of effort of an action: baseline, expanded, and new.

A baseline effort represents actions that are continuations of existing efforts (e.g., continued implementation of Tree Preservation requirements). An expanded effort represents actions that are based on existing programs but may require additional staff effort to advance the program to meet the expectations described in the CAP (e.g., continuing to provide incentives for new construction to adhere to higher green building standards). New efforts include actions that represent a new commitment of resources to carry out, such as Community Choice Energy (CCE) or securing funding to install electric vehicle (EV) charging stations. The table below provides a simple overview of the resource impact associated with CAP implementation.

Action Status	Baseline Effort	Expanded Effort	New Effort
Ongoing and completed	40	34	-
In progress	5	5	10

While Work Plan 2020 was approved by City Council in November 2014, implementation of many actions was already underway and driven by other City policies (such as the Zero Waste Strategy, Urban Forestry Management Plan, and others). Additionally, as shown above, a significant number of the actions require an expanded or new level of resources to implement.

Key accomplishments achieved through local implementation include:

- 64 percent solid waste diversion rate

- Commercial energy use remained flat while commercial floor area increased
- 25 percent reduction in water use
- 41 percent of students using non-motorized transport to school (up from 14 percent)
- Caltrain ridership up by 45 percent

In addition to the work invested in actions that have been reported as “completed” or “ongoing,” significant resources have also been directed at several actions that are still in progress (under development). GHG reductions associated with these actions will be reported once these actions are completed. These include:

- Community Choice Energy
- Energize Sunnyvale (residential energy conservation efforts associated with participation in the Georgetown University Energy Prize)
- Conversion of remaining City-owned streetlights to LED
- Transportation Demand Management program improvements, including initial efforts to establish the Peery Park Rides Pilot

#### Updates to CAP Work Plan 2020

With the development of the Report, staff has reviewed the implementation status and provided an implementation outlook emphasizing the next two-year implementation cycle (2016 and 2017). Additionally, staff has updated the CAP Work Plan 2020 and included the updated implementation matrix with Chapter 4 of the Report.

There are several priorities emerging during the next two-year implementation period that will involve considerable resources from implementing departments. These priority areas include:

- Update to the City’s Green Building policies (several CAP actions will be evaluated with this update)
- Commercial energy conservation
- Adaptation planning and preparation
- Additional study items

#### Proposed Changes to the CAP

This reporting cycle includes an opportunity to update the CAP actions based on operational experience, changes or advances in technology, and changes in regulatory climate. Staff is not recommending substantive changes to the CAP at this time due to the limited implementation period since the adoption of the CAP and in recognition of the fact that the GHG emissions impact of many CAP actions that are in progress are not reflected in the inventory or in local implementation tracking.

During the course of this implementation review, staff has identified several actions and performance indicators to be considered for deletion or modification. The proposed changes are minimal and intended to facilitate implementation and data collection. These changes are discussed in Chapter 4 of the Report and are itemized in Attachment 2.

#### **FISCAL IMPACT**

This action relates to acceptance of the inaugural monitoring and tracking report for the CAP. There is no fiscal impact associated with this report. Additional funding recommendations will be brought to the City Council for consideration during appropriate budget cycles and with the completion of action-specific studies.

**PUBLIC CONTACT**

The draft Report was presented to the City's Sustainability Commission at its meeting on March 21, 2016. The draft Report was also provided to the City's Horizon 2035 Committee.

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. Find that the action is exempt from environmental review under CEQA Guidelines Section 15378(b)(5) and accept the Climate Action Plan Biennial Progress Report 2016.
2. Approve the recommended changes to the CAP reduction measures and performance indicators as shown in Attachment 2.
3. Approve the Sustainability Commission's recommendation to approve the staff proposed changes to the CAP with a modification to reject the proposed changes to CAP measures EC-2.3 and OVT-1.8.
4. Other changes directed by the City Council.

**STAFF RECOMMENDATION**

Alternatives 1 and 2: 1) Find that the action is exempt from environmental review under CEQA Guidelines Section 15378(b)(5) and accept the Climate Action Plan Biennial Progress Report 2016; and 2) Approve the recommended changes to the CAP reduction measures and performance indicators as shown in Attachment 2

**SUSTAINABILITY COMMISSION RECOMMENDATIONS**

On March 21, the Commission reviewed the draft Report and considered draft staff recommendations (which reflect Alternatives 1 and 2 of this report). The draft minutes of the Commission meeting are included as Attachment 3. The Commission provided feedback and suggested clarifications to the body of the draft Report that have been incorporated. Additionally, the Commission provided feedback on several of the staff recommended changes to the CAP actions (EC-4.1, EC-2.3, and OVT-1.8). The feedback from the Commission has been considered and staff has revised the recommendation to delete EC-4.1 to a language change as a result. Specifically for EC-4.1, the Commission recommended that the action be retained with the language updated to replace AB 1103 with AB 802. AB 1103 was passed in 2007 and included requirements for mandatory energy benchmarking and disclosure for non-residential buildings at time of sale or lease. AB 802 was passed in 2015 repealing AB 1103 and addressing key implementation problems with AB 1103 including expanding the buildings covered and changing the disclosure requirements from transaction based to annual public disclosures. Staff has incorporated this in the proposed changes and broadened the language to be consistent with AB 802.

For EC-2.3, the Commission recommended rejecting the proposed revision to remove remodels from the action. The Commission believed that the staff rationale for removing remodels was inconsistent with the action and that the City should provide green building incentives for remodels. Staff have revisited this action and clarified the rationale for deleting remodels from the action.

Additionally, the Commission recommended rejecting the change to OVT 1.8, whereby staff recommended that the emphasis on “neighborhood electric vehicles” be broadened to be more generally inclusive of “alternatively fueled vehicles.” The Commission believes that the staff proposed change is contrary to the CAP’s intent to drive long-term community infrastructure conversion to encourage the use of smaller, more-efficient, and safer neighborhood electric vehicles.

The Commission passed a motion(6-0 with 1 Commissioner abstaining) to recommend that the City Council: (1) accept the CAP Biennial Progress Report 2016, subject to the comments provided during the meeting; (2) accept the proposed changes to the CAP, subject to the following modifications: (a) reject the proposed changes to CAP measures EC-2.3 and OVT-1.8; (b) amend (rather than delete) CAP measure EC-4.1 to reflect Assembly Bill 802 (AB 802) as the replacement for AB 1103; and (3) recommend that subsequent CAP biennial reports include additional analysis on what efforts are working versus those that are not working.

Prepared by: Melody Tovar, Regulatory Programs Division Manager

Reviewed by: John Stufflebean, Director, Environmental Services

Reviewed by: Trudi Ryan, Director, Community Development

Reviewed by: Manuel Pineda, Director, Public Works

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

#### **ATTACHMENTS**

1. Climate Action Plan Biennial Progress Report - 2016
2. Summary of Proposed Changes to CAP Actions
3. Draft Minutes of the Sustainability Commission Meeting of March 21, 2016





# Sunnyvale Climate Action Plan

## Biennial Progress Report – 2016



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## Appendices

*Appendix A: Revised CAP Implementation Work Plan 2020*

DRAFT



# Executive Summary

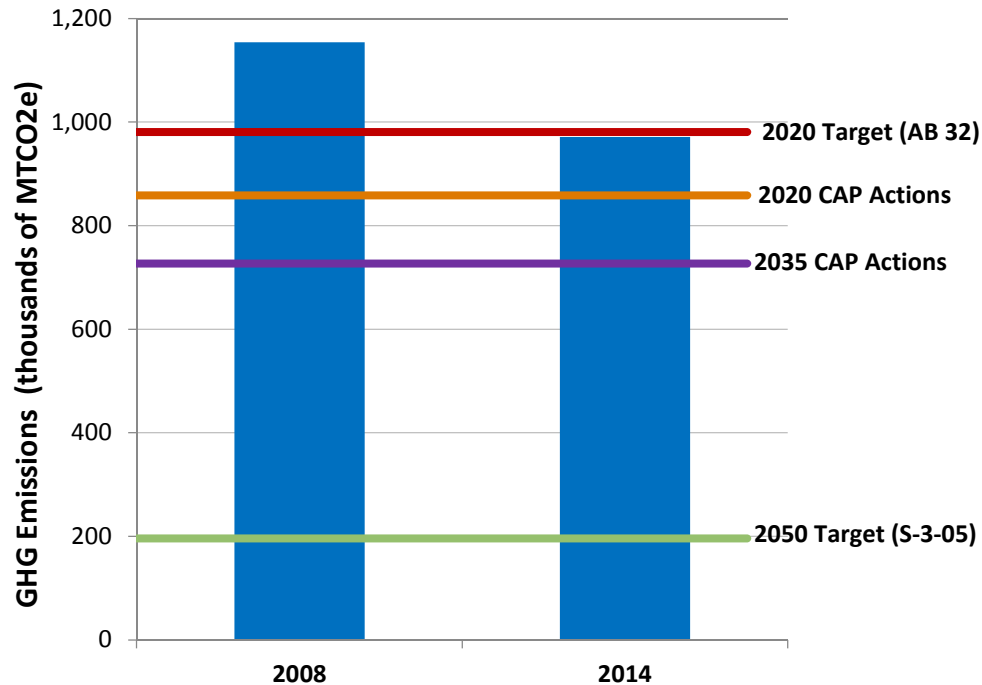
The City of Sunnyvale's Climate Action Plan (CAP), adopted in May 2014, outlines the City's path toward mitigating climate change, while fostering a sustainable, healthy, and livable community. It establishes the City's baseline greenhouse gas (GHG) emissions for 2008 and identifies mitigation strategies and their corresponding emissions reductions. The City of Sunnyvale is striving to achieve recommended reduction targets of 15% below baseline levels by the year 2020 (equivalent to 1990 levels) and 80% below 1990 levels by the year 2050, as recommended by the State of California. Full implementation of the CAP is designed to achieve GHG reductions of 26% below 2008 levels by year 2020 and 37% below 2008 levels by year 2035.

The CAP Work Plan 2020, adopted in November 2014, identifies a timeline for implementation of the CAP measures in the "near" and "mid" terms to reach the 2020 emissions target. The CAP Work Plan 2020 specifies a cycle for biennial monitoring reports that summarize CAP implementation progress, update the City's GHG emissions inventories, and provide a revised outlook for CAP measures to be implemented in the upcoming two-year period.

This CAP Biennial Progress Report 2016 is the first monitoring report since the adoption of the CAP in 2014. It includes GHG emissions inventories for calendar year 2014, information on the status of CAP implementation and corresponding GHG reductions since the 2008 baseline, recommended modifications to selected CAP actions, and a revised work plan for continuing CAP implementation during the next two-year implementation cycle.

For 2014, Sunnyvale's community-wide emissions totaled 971,140 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e) and were 15.8% lower than the baseline 2008 emissions of 1,153,970 MTCO<sub>2</sub>e. This represents a reduction in emissions in line with the state recommend target of reducing emissions by 15% by 2020, per Assembly Bill 32 (AB 32) (Figure ES-1).

## Executive Summary



**Figure ES-1. 2014 Emissions relative 2008 Baseline and State-recommended Targets**

Emissions were lower in 2014 due to lower emissions factors as well as due to changes in community-wide activities. Noteworthy trends that influenced the City's emissions include: reductions in residential electricity and natural gas use; relatively stable commercial energy use despite increases in development; a reduction in PG&E's electricity emissions factor; and an increase in vehicle miles traveled (VMT) within the City. The City's municipal emissions, which are a subset of the community-wide emissions, totaled 23,970 MTCO<sub>2</sub>e.

The CAP identifies 129 actions that range in scope and resources required. Of these, 74 actions (57%) were completed or were ongoing implementation during 2014 and 2015. CAP implementation efforts were associated with an estimated cumulative reduction of 21,470 MTCO<sub>2</sub>e, based on the subset of these actions that can be quantified with reasonable reliability. Key accomplishments achieved between 2008 and 2014 include:

- 64% solid waste diversion rate
- Commercial energy use remained more or less the same while commercial floor area increased
- 25% reduction in water use

- 41% students using non-motorized transport to school
- CalTrain ridership increased 45%

In addition, significant levels of staff effort and resources have been directed at the 20 CAP actions that are still in progress and under development, including Community Choice Energy (CCE), residential energy efficiency and conservation, conversion of remaining City-owned streetlights to LEDs, and Transportation Demand Management efforts.

The CAP Work Plan 2020 provides a revised implementation outlook for the next biennial implementation cycle (calendar years 2016 and 2017). Priorities expected to involve considerable resources from implementing City departments during the next two-year implementation period include updates to the City's CalGreen and Green Building policies, commercial energy conservation programs, climate adaptation planning and preparation, and additional study items.

Due to the limited implementation period since the adoption of the CAP and recognizing there are significant actions that are in progress and not yet resulting in GHG reductions reflected in the community inventory or local implementation tracking, staff is not recommending substantial changes to the CAP at this time. As a result, the limited recommended changes to CAP actions are based on operational experience, changes or advances in technology, and changes in regulatory climate. It is not expected that these recommended changes will affect Sunnyvale's ability to meet or exceed the GHG reduction targets contained in the CAP. The CAP will be updated to reflect these changes, pending approval and any additional direction from City Council.



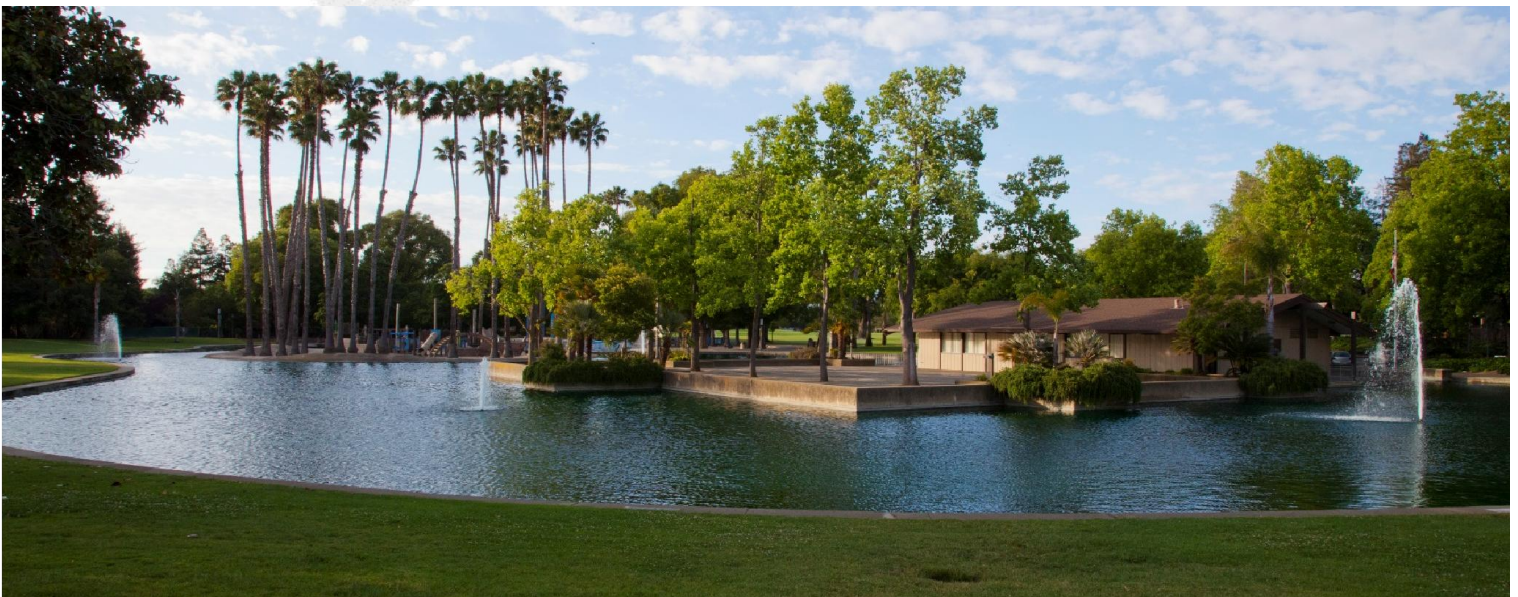


# 1 – Introduction

## 1.1. Purpose and Scope

In May 2014, the Sunnyvale City Council adopted the Climate Action Plan (CAP), which outlines the City's path toward mitigating climate change, while fostering a sustainable, healthy, and livable community. Like other cities in California, the City of Sunnyvale is striving to achieve the recommended greenhouse gas reduction targets established by Governor Arnold Schwarzenegger's Executive Order S-3-05 in 2005 of 15% below baseline emissions by the year 2020 (equivalent to 1990 levels) and an emissions reduction of 80% below 1990 emissions levels by 2050. The 2020 GHG emission reduction target was subsequently included in the California Global Warming Solutions Act of 2006 (Assembly Bill 32).

Sunnyvale's adopted CAP summarizes sources of greenhouse gas (GHG) emissions in Sunnyvale as of 2008 (baseline year) and projections of anticipated emissions under future growth scenarios. The CAP identifies mitigation strategies and their corresponding emissions reductions. CAP strategies, if implemented as planned, would position the City to exceed the GHG emissions targets for the year 2020 and make progress towards the 2050 target.



## Chapter 1

In November 2014, the City Council adopted the CAP Work Plan 2020 (Work Plan 2020), which identifies a timeline, current status, and key steps for implementation of the CAP measures in the “near” and “mid” terms. CAP Work Plan 2020 specifies that the City will provide biennial monitoring reports summarizing CAP implementation progress, updates to the City’s GHG inventories, and a revised outlook for CAP measures to be implemented in the upcoming two-year period, including an update on funding for CAP implementation.

This CAP Monitoring Biennial Report 2016 is the first report on CAP implementation and is the first update the City’s GHG emissions inventories since the initial development of the CAP. This report provides information on the status of CAP implementation and corresponding GHG reductions since the 2008 baseline, recommends modifications to selected CAP actions and performance indicators (based on recent policy or financial changes, new technologies, or implementation findings), and outlines a work plan (including information on available funding) for continuing CAP implementation during the next two-year implementation cycle (calendar years 2016 and 2017).

This report is divided into the following chapters:

- Background on changes in the regulatory context since the CAP was adopted (Introduction – Chapter 1);
- Community-wide and municipal GHG emissions inventories for 2014, including comparisons to and adjustments to the 2008 baseline (Chapter 2);
- Status of CAP implementation and associated GHG reductions, updates to GHG reductions from CAP implementation, and proposed revisions to the CAP (Chapter 3); and
- Path to implementing CAP measures prior to 2018 biennial report and in the near-term by 2020 (Chapter 4).
- Revised CAP Implementation Work Plan 2020 (Appendix A).

## 1.2. Updates in Regulatory Context

Since the CAP was adopted in May 2014, the regulatory framework for reducing greenhouse gas (GHG) emissions has continued to evolve. Changes at the federal, state, and local levels may directly affect Sunnyvale’s GHG emissions, leading to further regulatory actions on issues of climate change, or additional

work to address vulnerability to climate-related hazards. Not all of these actions are directly applicable to Sunnyvale or create additional requirements for the City, but all are expected to have some effect on how the City addresses climate change going forward.

### 1.2.1. Federal Regulations

#### *Clean Power Plan*

On August 3, 2015, the US Environmental Protection Agency (EPA) issued a new regulation called the Clean Power Plan, intended to reduce GHG emissions from existing power plants. The Clean Power Plan sets targets for individual states and allows the states to choose how best to achieve these targets through a combination of improved efficiencies in power plants, energy use efficiency, and increased renewable energy generation. The new rule relies on the EPA's authority to regulate GHG emissions under the Clean Air Act without any new legislation, as described in the CAP. California has a choice of two GHG reductions targets for electricity generation: an average of 828 pounds of carbon dioxide per megawatt-hour (MWh) of electricity generated, or a total of approximately 48.4 million tons of carbon dioxide from all power plants. These targets are for 2030, with incremental targets starting in 2022. It is not yet known which target the state will choose, or whether existing programs, such as Cap and Trade and Renewable Portfolio Standards (RPS), will be sufficient to meet the Clean Power Plan goals. In accordance with the rule, California will submit a compliance plan by September 2016, describing how the state will meet the rule's targets.

### 1.2.2. State Regulations

#### *Assembly Bill 32 Scoping Plan Update*

In 2006, California adopted Assembly Bill (AB) 32, the California Global Warming Solutions Act, which set statewide targets for GHG reductions and tasked the California Air Resources Board (CARB) with developing the regulatory and market mechanisms to achieve these reductions. AB 32 also requires CARB to prepare a Scoping Plan, outlining how the state will meet its GHG reduction goals in a technologically and economically feasible manner.

The Scoping Plan must be updated at least once every five years. CARB adopted its first major update to the Scoping Plan on May 22, 2014. This updated document includes a summary of the expected impacts of climate change to the state, the levels of GHG reductions necessary to avoid risking serious and



irreparable damage, the actions California has already taken to decrease emissions, and opportunities to achieve further reductions to meet the AB 32 reduction goals. The updated plan describes various state programs which have been completed or ongoing, including items integrated into the CAP such as RPS, vehicle fuel efficiency standards, increased use of electric vehicles, and water conservation efforts. The updated Scoping Plan also looks beyond 2020 to potential long-range targets for statewide GHG reductions. It does not establish or recommend any specific post-2020 reductions goal, but identifies goals that have been adopted by other governments or recommended by various scientific and policy organizations.

### *Executive Order B-30-15*

Executive Order B-30-15, issued by Governor Brown on April 29, 2015, calls on state agencies to reduce California's GHG emissions to 40% below 1990 levels by 2030. It also emphasizes the risk that climate change poses to California and directs a number of state agencies to take action on GHG reduction and climate adaptation strategies, including requiring CARB to update the AB 32 Scoping Plan to include a discussion of the 2030 target. The draft updated Scoping Plan is scheduled to be released in the spring of 2016, and is set to be adopted by CARB in fall of 2016. It is not yet known if this second update to the Scoping Plan will create any requirements for local governments and related CAPs.

Executive orders do not have the effect of new laws, and can only enforce existing ones. Moreover, they only apply to state agencies, not local or regional government agencies. The provisions of Executive Order B-30-15 have not been codified into law at this time.

### *Senate Bill 350*

Senate Bill (SB) 350 was signed into law on October 17, 2015, and strengthens California's RPS. Prior to SB 350, public and private utilities in California were required to obtain at least 33% of their electricity from eligible renewable sources by 2020. SB 350 maintains this requirement and creates a new one that requires all utilities to obtain at least 50% of their electricity from eligible renewable sources by 2030. SB 350 and the RPS program do not create any new requirements for cities, like



Sunnyvale. However, the anticipated increase in the RPS for Pacific Gas & Electric (PG&E), the current utility provider for Sunnyvale, is expected to reduce Sunnyvale's 2035 GHG emissions by approximately 114,270 MTCO<sub>2</sub>e (see section 3.2.1 for further details on PG&E's anticipated RPS achievements).

### **Senate Bill 379**

SB 379, signed into law on October 8, 2015, requires local hazard mitigation plans (LHMPs) to address climate change adaptation and resiliency. Any LHMP updated on or after January 1, 2017 (or an LHMP adopted on or after January 1, 2022, for communities that do not already have an LHMP), must identify the risks that climate change poses to the community, identify the areas of the community at risk, and include strategies to reduce these risks.

In lieu of a city-specific LHMP, the City of Sunnyvale participates in the development of a multi-jurisdictional local hazard mitigation plan for the San Francisco Bay Area. This regional plan is a collaborative effort between cities, counties, and special districts in the Bay Area, and the Association of Bay Area Governments (ABAG) and most recent version was adopted in 2011. Local community-specific priorities are identified in Annexes to this plan developed by individual Bay Area communities, including the City of Sunnyvale (ABAG 2011).

The 2011 multi-jurisdictional hazard mitigation plan identifies nine key hazards, including climate change, faced by Bay Area communities, their associated risks, and strategies to address them. It includes a qualitative assessment of exposure and vulnerability of Bay Area communities to sea-level rise and also recognizes climate change as a notable influence on weather-related hazards.

The plan is scheduled to be updated every five years (ABAG 2011). As of 2016, the City's Office of Emergency Services is working through the collaborative on the next update to the multi-jurisdictional plan. Although the City's Annex to the plan does not specifically address climate change, it recognizes that climate change may be a contributing factor to other potential hazards. This and future updates to the multi-jurisdictional plan will likely comply with SB 379.

### **Senate Bill 246**

SB 246 was signed into law on October 8, 2015, and establishes an Integrated Climate Adaptation and Resiliency Program in the Governor's Office of Planning and Research (OPR). Under SB 246, the Program is responsible for coordinating state, regional, and local climate change adaptation efforts to create a consistent and unified adaptation response for California. The program and other state agencies are required to update California's Adaptation Planning Guide

document to assist local governments with climate adaptation planning efforts. SB 246 also requires OPR to prepare and regularly update a clearinghouse of climate adaptation data. While local communities have no direct responsibilities under SB 246, the Program will create key resources to support local adaptation planning efforts.

### *General Plan Guidelines Update*

All cities and counties in California are required to prepare and update a General plan document for the community, which serves as a long-term blueprint for future growth. General plans are prepared in accordance with guidelines issued by OPR. In October 2015, OPR released a draft version of the updated General Plan Guidelines.



The final version is anticipated to be completed in early 2016. Resilience is a central theme of the new Guidelines, which provide extensive recommendations for how to address climate change in a General Plan. The Guidelines themselves do not create any statutory requirements for local communities, although they do provide guidance on how to comply with adopted laws related to general plans.

## **1.2.3. Local Regulations**

### *Land Use and Transportation Element*

The Sunnyvale Land Use and Transportation Element (LUTE) is part of the City's General Plan. The City is currently in the process of updating the LUTE, using 2014 as the baseline year. It establishes the framework of how the community will be laid out, and how land uses, development projects, and transportation facilities and infrastructure will function together. The land use and transportation-related policies in the LUTE provide direction for how Sunnyvale will grow and change through 2035, including where new development will occur. These policies will affect Sunnyvale's GHG emissions from transportation-related activities, and have a limited impact on GHG emissions from other sectors. After the updated LUTE is adopted, the CAP will need to be updated to reflect these changes to transportation-related emissions.

## 2 – Greenhouse Gas Inventory for 2014

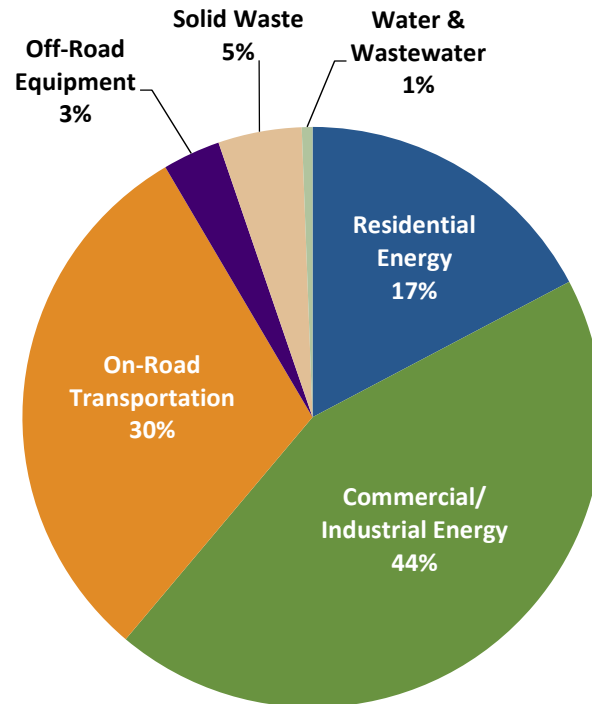
### 2.1. Community-wide GHG Inventory

#### 2.1.1 Background

In 2010, the City of Sunnyvale developed its first community-wide greenhouse gas (GHG) inventory in conjunction with the development of the CAP (it is the first component of a Qualified GHG Reduction Strategy). Sunnyvale's initial community inventory utilized a baseline year of 2008 to inventory carbon dioxide, nitrous oxide, and methane generated from activities by the Sunnyvale community. The City's 2008 GHG inventory was guided by the Bay Area Air Quality Management District's (BAAQMD) California Environmental Quality Act (CEQA) Air Quality Guidelines, adopted in June 2010 and updated in October 2011. Following these guidelines, the following sources of emissions were used to developing Sunnyvale's inventory:

- Commercial and industrial energy (natural gas and electricity, including direct access)
- On-road transportation (diesel and gasoline use from on-road vehicles)
- Residential energy (natural gas and electricity)
- Off-road equipment and vehicles (lawn and garden equipment, construction vehicles and equipment)
- Waste (direct landfill emissions, emissions from community waste)
- Water (wastewater treatment, energy for treatment and distribution)
- Caltrain transit (GHG emissions from the use of Caltrain to and from Sunnyvale)

The 2008 inventory tracked emissions from seven key source sectors (**Figure 2-1**): residential energy use, commercial energy use, on-road transportation, waste and landfill gas, water and wastewater, off-road equipment, and Caltrain transit.



**Figure 2-1. 2008 Community-wide Emissions**

Since the 2008 baseline community-wide inventory, Sunnyvale has rebounded from the economic recession and experienced significant growth and commercial development (**Table 2-1**), including a 10% growth in its residential population, which surpasses the 2020 estimate outlined in the original CAP. Additionally, as discussed in **Chapter 1**, there has been significant national and statewide regulatory action intended to address climate change since 2008.

**Table 2-1. Sunnyvale Characteristics**

CHARACTERISTICS	2008	2014	PROJECTED 2020+
Population	133,110	147,055*	145,020
Households	54,130	54,587	59,660
Jobs	73,630	79,200	89,750

\*Population for 2014 estimated by City of Sunnyvale Finance Department, based on U.S. Census 2010.

+ Projections for 2020 as published in City of Sunnyvale's Climate Action Plan, 2014.



The 2014 inventory was developed for the calendar year 2014 using ICLEI's SEEC Clearpath tool for estimating community-wide emissions. ClearPath is a web-based tool available to local governments<sup>1</sup> for developing GHG emissions inventories, forecasting future emissions, and tracking progress made towards achieving GHG reduction strategies through climate action planning and implementation (ICLEI 2016). The ClearPath tool is consistent with the guidelines of the *Global Protocol for Community-Scale Greenhouse Gas Emission Inventories* (WRI and ICLEI 2014) and the *U.S. Community Protocol* (ICLEI 2012). The use of these guidelines is considered the best practice methodology for developing community inventories and allows for temporal comparisons to the baseline inventory. In conformance with reporting standards, all emissions are reported in carbon dioxide equivalents (CO<sub>2</sub>e), which account for the varied global warming potential (GWP) of different GHGs, to allow for comparison across sectors (WRI and ICLEI, 2014).

The methodology and data sources used for the 2014 inventory were consistent with those used for the 2008 baseline inventory, to the extent possible, to allow for comparison. Given the evolving nature of the science and associated protocols for developing community GHG inventories, the methodology for the 2014 inventory did deviate in some ways from that used in 2008, namely in the use of factor sets. Factor sets allow the conversion of activity data into estimated emissions (e.g., 0.435 lbs emissions produced per kWh of electricity consumed). Factor sets used in the 2008 baseline inventory reflected the best available data at the time.

Factor sets used in the 2014 inventory were largely those that recommended for use in ICLEI's *U.S. Community Protocol* (2012) and were coded as defaults into the ClearPath tool. These factor sets were not available at the time of development of the original 2008 inventory. Other factor sets have changed over time due to certain industry trends, such as PG&E's electricity emissions factor, which is estimated to produce lower emissions per unit of electricity in 2014 due to a shift towards more renewable energy sources by the utility. When available, alternate methods with customized emissions factors based on state and locally available data were used for water, wastewater, waste disposal, off-road emissions, and Caltrain. For example, local waste characterization factors from a Sunnyvale 2010 citywide study were used to estimate emissions from waste disposal. This results in an

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<sup>1</sup> As of 2016, ClearPath is available at no-cost to California communities through the Statewide Energy Efficiency Collaborative, a collaboration between statewide non-profits and investor-owned utilities to support the development of tools and information for climate action planning.

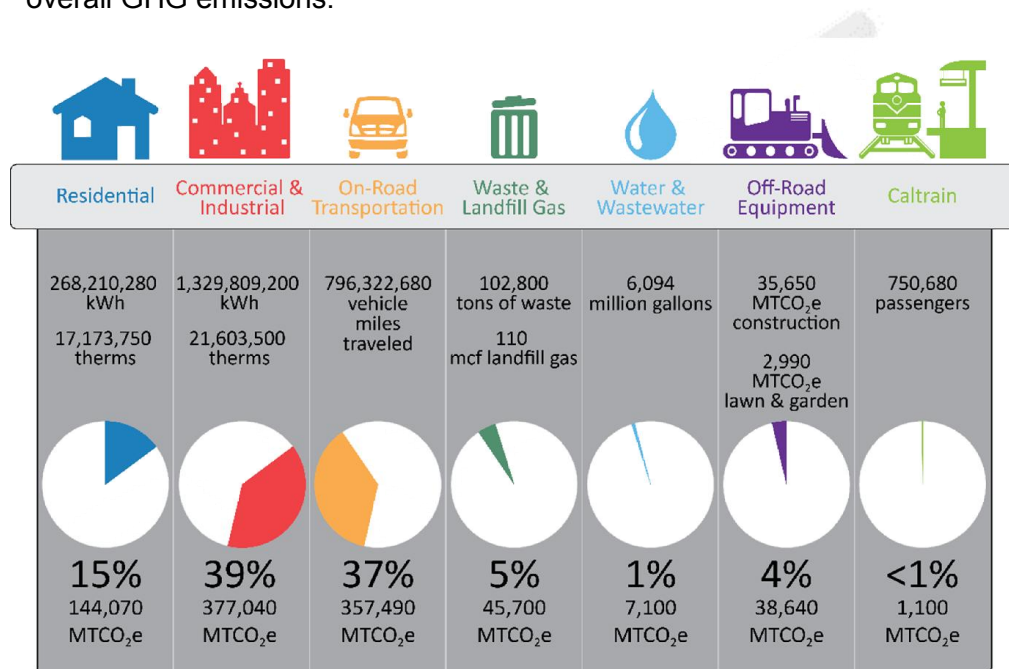
## Chapter 2

emissions inventory that reflects local conditions rather than relying on statewide or national trends and conditions.

### 2.1.2 Results

Sunnyvale's community-wide GHG emissions in 2014 totaled 971,130 MTCO<sub>2</sub>e distributed across seven sectors. The highest emissions came from commercial and industrial energy use, which contributed to 39% of the City's total emissions (377,040 MTCO<sub>2</sub>e). The second most significant contributions were from on-road transportation, accounting for 37% of total emissions (357,490 MTCO<sub>2</sub>e). Residential energy use contributed to 15% (144,070 MTCO<sub>2</sub>e) of total emissions. These three sectors total 91% of the City's emission.

Sector-specific emissions were determined based on activity data, such as the electricity consumed or fuel consumed. **Figure 2-2** summarizes the activity data, GHG emissions, and each sector's contribution to Sunnyvale's overall GHG emissions.



**Figure 2-2. GHG Emissions and Activity Data by Sector**

### 2.1.3 Revisions to 2008 Baseline

The methodology for estimating community GHG emissions continues to evolve as the scientific community's understanding of global warming expands with further study. The methodology used at the time Sunnyvale's baseline 2008 GHG inventory was developed has undergone several updates and is no longer consistent the currently accepted methodology. Therefore, revisions to the 2008 Baseline GHG inventory were made as a part of this report to allow for better comparability of the reporting year (2014) to the baseline year. This approach is consistent with best practices utilized by other communities in California that are actively tracking GHG emissions and monitoring implementation of adopted climate action plans.

Specifically, the 2008 baseline inventory was updated to reflect: (1) revised global warming potentials (GWP) for GHGs emitted in all sectors; and (2) sector-specific revisions to the methodology for estimating emissions from the solid waste, transportation, and off-road sectors. These updates are consistent with the guidance contained in ICLEI's *U.S. Community Protocol* (2012), which provides recommendations for how to calculate GHG emissions and is identified by the State as the recommended protocol for GHG inventories.

The revised estimated 2008 GHG emissions for Sunnyvale is 1,153,970 MTCO<sub>2</sub>e. This revised estimate is 9.1% lower than the original 2008 estimate of 1,270,170 MTCO<sub>2</sub>e included in the adopted CAP. The changes to the emissions inventory are itemized below (**Table 2-2**).

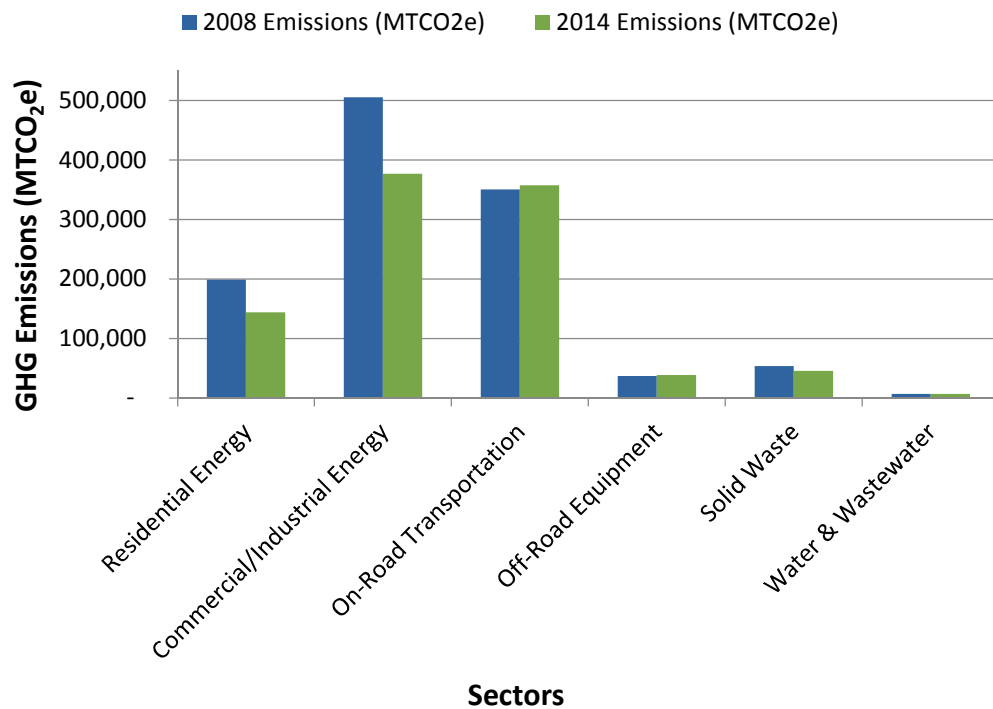
**Table 2-2. Original and Updated 2008 Baseline Inventory by Sector**

SECTOR	MTCO <sub>2</sub> E (ORIGINAL INVENTORY)	MTCO <sub>2</sub> E (UPDATED INVENTORY)	PERCENT CHANGE
Residential	198,140	199,150	0.5%
Commercial/Industrial	502,210	505,620	0.7%
On-road Transportation	442,610	350,370	-20.8%
Solid Waste	80,570	53,600	-33.5%
Water & Wastewater	6,870	6,920	0.7%
Off-road Equipment	37,830	37,220	-1.6%
Caltrain	1,940	1,090	-43.9%
<b>Total</b>	<b>1,270,170</b>	<b>1,153,970</b>	<b>-9.1%</b>

### 2.1.4 Comparison to Revised 2008 Baseline

Sunnyvale's community-wide GHG emissions in 2014 (971,140 MTCO<sub>2</sub>e) were overall 15.8% lower than in 2008 (1,153,970 MTCO<sub>2</sub>e). This represents a reduction in emissions that is in line with meeting the state recommended target for a 15% reduction from 2008 baseline levels (equivalent to 1990 levels) by 2020.

**Figure 2-3** compares estimated 2008 and 2014 GHG emissions for each major sector; it does not include Caltrain emissions, which are <1% of the total community emissions. Of the seven sectors evaluated in both inventories, the following three sectors showed reductions in emissions in 2014 compared to 2008: residential energy; commercial energy; and solid waste. Although the remaining four sectors (on-road transportation; water and wastewater; off-road equipment; and Caltrain transit) were higher in 2014 than in 2008, the increase from the baseline was minimal.



**Figure 2-3. Cross-sector Comparison of 2014 Inventory to Baseline**

**Table 2-3** shows a comparison of key activity data that influence the emissions for the years 2014 and 2008. This facilitates a better understanding of emissions that changed due to actual changes in actions undertaken by the Sunnyvale community versus changes that may have occurred due to emissions factors, which are often driven by updates in technology (e.g., cleaner fuels or more fuel-efficient vehicles) or regulatory standards (e.g., achievement of the required state-mandated RPS by the energy utility).

**Table 2-3. Activity Data and Emissions in 2014 vs. 2008 Baseline**

SECTOR	KEY ACTIVITY METRIC	VALUE OF METRIC 2014	MTCO <sub>2</sub> E 2014	VALUE OF METRIC 2008	MTCO <sub>2</sub> E 2008
Residential Energy	kWh consumed	268,210,280	52,920	292,574,670	85,530
	Therms consumed	17,173,750	91,140	21,346,435	113,620
Commercial/ Industrial Energy	kWh consumed	1,329,809,200	262,390	1,336,804,630	390,780
	Therms consumed	21,603,500	114,650	21,576,010	114,840
On-Road Transportation	Vehicle miles traveled	796,322,680	357,490	742,105,140	350,370
Solid Waste	Tons disposed	102,800	38,650	101,700	39,970
	MCF of landfill gas	113	7,050	200	13,630
Water & Wastewater	Million gallons of water consumed	6,090	7,090	7,760	6,920
Off-Road Equipment	Construction	N/A	35,650	N/A	34,350
	Lawn & Garden	N/A	2,990	N/A	2,870
Caltrain Transit	Passengers/ year	745,720	1,100	496,030	1,090
<b>Total</b>			<b>971,130</b>		<b>1,153,971</b>

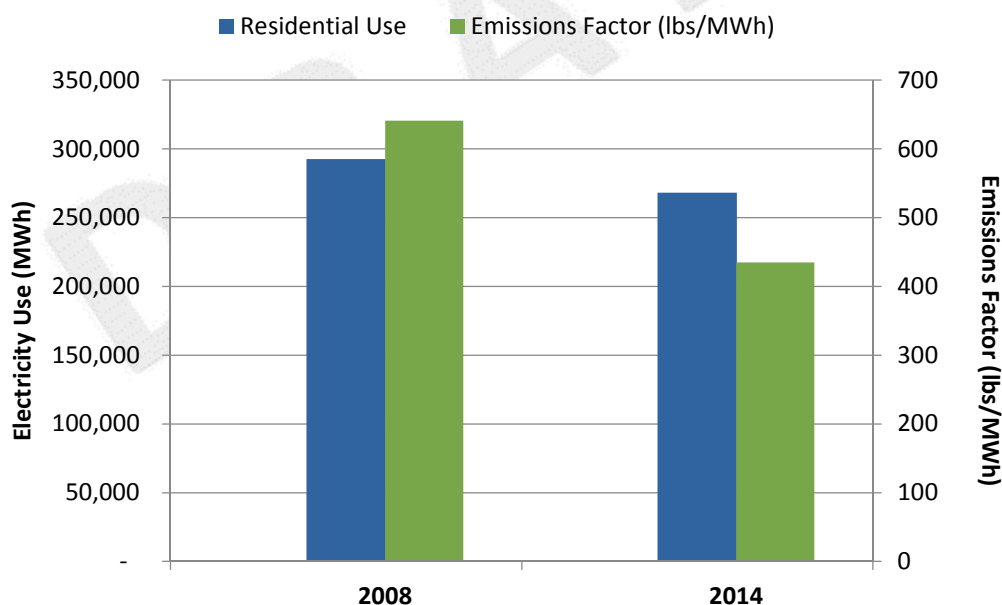


The emissions from each sector and key drivers impacting emissions estimates are summarized below.

### *Residential and Commercial Energy Sectors*

Overall, emissions for residential energy and commercial/industrial energy sectors (based on electricity and natural gas use) showed reductions of 28% and 25%, respectively, making these the sectors with the most significant reductions.

Emissions from electricity decreased by 38% and 33%, respectively, for the residential and commercial sectors. This decrease can be explained largely by a significant change in the emissions factor (i.e., GHG emissions per unit of electricity), and to a lesser extent by the change in the actual consumption of electricity (**Figure 2-4**). The emissions factor changed from 641 lbs/MWh (0.000288 MTCO<sub>2</sub>e/kWh) in 2008 to 435 lbs/MWh (0.000197 MTCO<sub>2</sub>e/kWh) in 2014 (PG&E, 2016), which represents a 32% reduction since 2008. This reflects PG&E's increasing use of renewable sources for generating electricity in an effort to meet the state's renewable portfolio standards. PG&E's RPS reached 27% in 2014 (PG&E, 2016). The actual residential electricity provided by PG&E was 8% lower during this period, thereby influencing the total emissions from electricity to a lesser extent.



**Figure 2-4. Influence of Community Activity vs. Emissions Factors on Total Emissions from Residential Electricity Use**

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The gas emissions factor of 11.7 lbs/therm (0.00531 MTCO<sub>2</sub>e/therm) did not change from 2008 to 2014. However, the residential energy sector experienced a 20% reduction in emissions due to a corresponding 20% reduction in natural gas use since 2008.

### Solid Waste

Emissions reduced by 15% from 2008 to 2014. This is primarily due to a 44% reduction in the volume of methane-containing landfill gas produced from Sunnyvale's closed landfill, which resulted in a 48% decrease in landfill emissions.

Municipal solid waste (MSW) generated by the community decreased from 100,951 tons in 2008 to 96,374 tons in 2014. Total tonnage of waste (including MSW, alternative daily cover [ADC], and waste converted to energy) disposed increased by 1% overall. This increase was driven primarily by recent increases in construction activity within the City.



*Emissions from Sunnyvale's trash collection trucks as well as from waste decomposition contribute to community-wide emissions, even though the waste is disposed of in landfills outside our City's boundaries*

Despite this increase, there was a net emissions reduction of 3% from waste disposal due to a higher proportion of construction and demolition (C&D) waste<sup>2</sup> in the ADC in 2014.

### On-road Transportation

Emissions from on-road transportation increased by 2% from 2008 to 2014. This is due to a 7% increase in vehicle miles traveled (VMT) from 2008 to 2014. The emissions factors (CO<sub>2</sub>e/mile), which were derived from the EMFAC2014 model<sup>3</sup> in both cases, decreased by roughly 4% (from 0.000472 MTCO<sub>2</sub>e/mile in 2008 to 0.000449 MTCO<sub>2</sub>e/mile in 2014). This decrease is likely due to a trend towards cleaner vehicles that produce fewer emissions per unit mile.

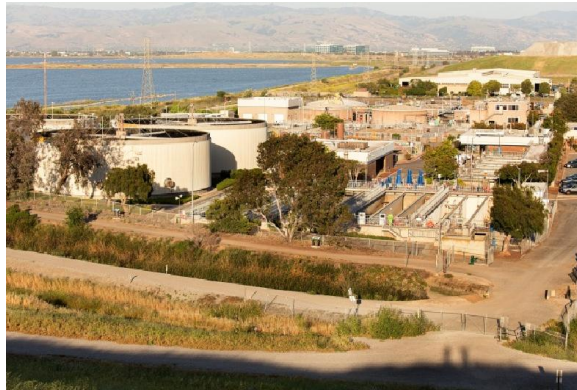
<sup>2</sup> C&D waste contains less organic material compared to other types of ADC, such as sludge; consequently, C&D waste emits fewer GHGs in a landfill.

<sup>3</sup> EMFAC is CARB's model for estimating emissions from mobile sources, including on-road vehicles (cars, trucks, buses).



### Water and Wastewater

Water consumption in Sunnyvale decreased by 21% between 2008 and 2014. Despite this, emissions increased by 2% due to a higher emissions factor as identified in a recent study of the energy intensity of water (Cooley and Wilkinson, 2012). The significantly higher electricity demand per unit of water (5,330 kWh/million gallons in 2014 vs. 3,050 kWh/million gallons vs. 2008) for extraction, conveyance, treatment, and distribution explains the increase in emissions for this sector.



*Sunnyvale's Water Pollution Control Plant contributes emissions from energy use and treatment processes*

In addition, emissions from wastewater treatment operations processes were not accounted for in 2008 inventory, but were included in the 2014 inventory to establish a way to compare changes in emissions that may result from anticipated modifications to treatment processes and capital improvements at the Water Pollution Control Plant (WPCP) in upcoming years. WPCP emissions contributed 49% of the emissions for this sector in 2014 (less than 1% of the City's total emissions).

### Off-road Equipment

Emissions increased by 4% as estimated by CARB's OFFROAD model.

### Caltrain Transit

Emissions from Caltrain transit increased by 1%. The annual Caltrain ridership increased by nearly 50%, from 496,000 passengers in 2008 to 746,000 passengers in 2014. It is likely that the number and frequency of trains remained roughly the same, with the only difference being a higher occupancy rate per train. Only half the emissions from each gallon of diesel fuel consumed by Caltrain were attributed to Sunnyvale. The emissions factor (CO<sub>2</sub>e/gallon of diesel) changed from 0.0103 MTCO<sub>2</sub>e/gal in 2008 to 0.00515 MTCO<sub>2</sub>e/gal in 2014, likely due to improved fuel efficiency of the trains. The overall impact of

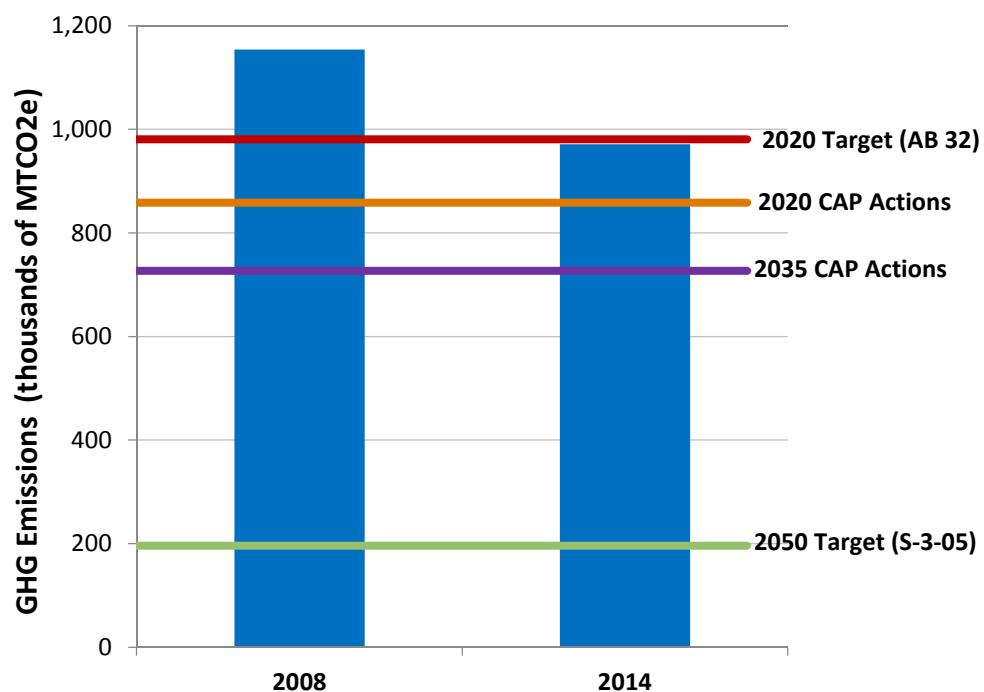


*Passenger boardings at the Sunnyvale Caltrain station nearly doubled between 2008 and 2014*

Caltrain emissions, however, is negligible as they comprise less than 1% of community-wide emissions.

### 2.1.5 Comparison to Targets

**Figure 2-5** shows a comparison of 2008 and 2014 emissions to short and longer term targets set by AB 32 and S-3-05. Further CAP implementation is designed to achieve reductions of 25.6% by year 2020 and 37.0% by year 2035, assuming the adoption of a CCE program (**CAP action EP-1**).



**Figure 2-5. GHG Emissions Relative to Targets**

## 2.2. Municipal GHG Inventory

### 2.2.1 Background

A municipal inventory provides an estimate of emissions from city-owned or – controlled (either financially or operationally) facilities or processes and is distinct from the community inventory discussed above. A municipal inventory is included within a community-wide inventory, but provides a more granular view of emissions that city governments can directly influence as a part of their normal operations.

In 2007, the City of Sunnyvale developed its first municipal greenhouse gas (GHG) inventory. This inventory tracked emissions from three key areas of City operations: 15 selected City facilities, fleet operations, and traffic signals and street lights. The inventory reflected data for Fiscal Years 2005-2006 (FY 05-06), and also reported annual historical emissions since Fiscal Year 1990-1991.

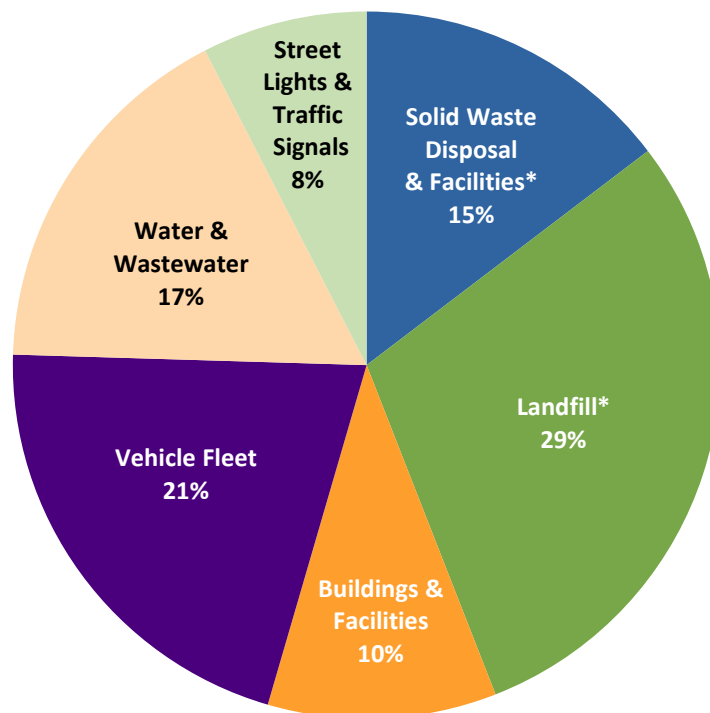
The current 2014 inventory serves to update the FY 05-06 inventory. This inventory was developed to be consistent with industry guidelines for creating and maintaining local government GHG inventories, including those prescribed by ICLEI-Local Governments for Sustainability (ICLEI USA) as well as those documented in the *Local Government Operations Protocol, Version 1.1* and the *Global Protocol for Community-Scale Greenhouse Gas Emissions*. The inventory covers data for the calendar year 2014 and reports Scope 1 (direct emissions from fuel consumption in City buildings and vehicles) and Scope 2 (indirect emissions from electricity use) emissions from all City-owned facilities and City operations. Scope 3 emissions (emissions from processes occurring outside the City’s jurisdictional boundaries or ones that the City does not control) are also reported as a part of the City’s inventory. **Table 2-4** shows the distribution of Sunnyvale’s government operations emissions by sector and scope.

**Table 2-4. Sunnyvale’s Government Operations Operational GHG Emissions by Sector and Scope**

SECTOR	GHG EMISSIONS BY SCOPE		
	SCOPE 1	SCOPE 2	SCOPE 3
Solid Waste	•	•	•
Buildings & Facilities	•	•	
Vehicle Fleet	•		•
Water & Wastewater	•	•	
Street Lights & Traffic Signals	•	•	

### 2.2.2 Results

The municipal emissions for the City totaled 23,970 MTCO<sub>2</sub>e distributed across five sectors as shown in **Figure 2-6**. Of the 5 sectors covered, the most significant emissions were from the Solid Waste sector, accounting for 44.1% of the City's government operations emissions (10,560 MTCO<sub>2</sub>e).



**Figure 2-6. Sunnyvale Landfill GHG Emissions Compared to Remaining City's GHG Emissions**

\* Solid waste disposal and facilities and landfill together constitute the Solid Waste sector, which makes up 44.1% of the City's municipal emissions.

The total municipal emissions were largely dominated by fugitive emissions from Sunnyvale's closed, capped landfill, as shown in **Figure 2-6**. The Sunnyvale landfill by itself contributed 29.4% (7,050 MTCO<sub>2</sub>e) of the City's total emissions. The landfill continues to be monitored for compliance with federal and state regulations and has not accepted waste disposal since 1993. As such, aside from ensuring continued compliance and ongoing capture of methane emissions, the community has little opportunity to influence the emissions from the closed landfill.



*Goats grazing on Sunnyvale's closed landfill. Landfill gas is largely captured and used to power Sunnyvale's WPCP, while trace amounts of it contribute to the City's emissions*

The City's vehicle fleet was the second largest contributing sector (5,020 MTCO<sub>2</sub>e or 21%) to the City's government operations emissions. Water and wastewater treatment, distribution, and delivery contributed to the third most significant emissions (4,070 MTCO<sub>2</sub>e or 17.0%) to the City's government operations emissions.



*Sunnyvale's vehicle fleet includes vehicles used for City operations, such as Public Safety*

Buildings & Facilities produced 2,510 MTCO<sub>2</sub>e (10.5%), with city offices producing the most emissions. Street Lights & Traffic Signals was the smallest (7.6%) contributing sector to the City's government operations emissions, producing 1,810 MTCO<sub>2</sub>e.



### 2.2.3 Comparison to Baseline

As these guidelines were all developed after 2007, the FY 05-06 inventory was not consistent with any of the established protocols. As a result, the 2014 municipal inventory differs from the FY2005-2006 municipal inventory in the following ways:

- *Data are reported by calendar year rather than fiscal year.* Unlike the FY 05-06 inventory, which reports fiscal year data, the 2014 inventory was developed using calendar year data, for consistency with international, national, and state standards. Further, not all City departments consistently track data on a fiscal year basis. Lastly, inventory reporting needs to be consistent with Sunnyvale's CAP tracking and reporting, which will be done by calendar year.
- *Data are reported comprehensively from all facilities and operations that the City controls.* The 2014 inventory comprehensively covers all operations over which the City has operational control, including some that were not included in the FY 05-06, such as the Sunnyvale landfill, water distribution systems, and the smart station, among others.
- *Data are reported for operations and energy use.* The 2014 inventory records not only the emissions resulting from the use of grid electricity and combustion of fuels (natural gas, gasoline, and diesel) in all City operations, but also records emissions generated from processes themselves, such as the treatment of wastewater and the decomposition of waste in a landfill. In contrast, the FY 05-06 inventory only reports emissions from the use of electricity and fuel.

For these reasons, comparisons between the 2014 inventory and the FY 05-06 inventory do not yield any meaningful conclusions about the City's efforts to reduce emissions since the previous inventory was developed.

As the 2014 inventory is a complete, comprehensive inventory that was developed in accordance with established protocols for municipal inventories, comparisons of this inventory to future inventories, such as that developed for the next CAP biennial report, will be possible.

## 3 - Climate Action Plan Implementation for 2014-2015

### 3.1. CAP Implementation Results 2014-2015

This chapter summarizes Sunnyvale's CAP implementation efforts since its adoption in 2014. Although the analysis year for the community and municipal inventories in **Chapter 2** is 2014 (selected based on GHG emissions data availability), CAP implementation progress was reported for both calendar years 2014 and 2015, so as to reflect the most recent year of data available at the time of publication of this report.<sup>4</sup>

The actions identified by the CAP vary in both scope and resources required. Some actions were considered relatively straightforward and have been completed, such as changes to conditions of approval related to new development. Other actions represent new programs that require significant resources to develop and implement.

The CAP identifies a collection of 129 actions under 11 key goal categories:

- Open Space and Urban Forestry (OS)
- Decrease Energy Consumption (EC)
- Provide a Sustainable Energy Portfolio (EP)
- Decrease Water Consumption (WC)
- Reduce Landfilled Waste (LW)
- Reduce Off-Road Equipment Emissions (OR)
- Increase and Retain Awareness of Sustainability Issues (CA)
- Improve Mobility through Land Use Planning (LUP)
- Expand Sustainable Circulation and Transportation Options (CTO)

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<sup>4</sup> Although CAP implementation updates were recorded for both years, only 2014 updates were used to estimate GHG reductions from CAP actions for consistency with the inventory.

- Optimize Vehicular Travel (OVT)
- Adaptation Strategies

A summary of the implementation status of all CAP actions by goal area is given in **Table 3-1**. It should be noted that some of these actions are directly tied to GHG emissions reductions, while many others serve as supportive actions. The 129 actions outlined in the CAP have the following status as of 2016:

- 56% have been completed or are in on-going implementation during 2014-2015;
- 16% are currently in progress (e.g., pilot study underway);
- 6% were scheduled for implementation in 2014-2015 but have not yet been started;
- 20% were scheduled to begin in 2016 or later years.

DRAFT



**Table 3-1. Implementation Status of CAP Actions by Goal Area**

GOAL CATEGORY	TOTAL NUMBER OF ACTIONS	NUMBER OF COMPLETED OR ONGOING ACTIONS	NUMBER OF ACTIONS IN PROGRESS	NUMBER OF ACTIONS REMAINING
Open Space and Urban Forestry (OS)	7	6	1	0
Decrease Energy Consumption (EC)	19	10	1	8
Provide a Sustainable Energy Portfolio (EP)	7	4	1	2
Decrease Water Consumption (WC)	8	8	0	0
Reduce Landfilled Waste (LW)	5	4	0	1
Reduce Emissions from Off-Road Equipment (OR)	6	3	0	2*
Increase and Retain Awareness of Sustainability Issues (CA)	13	5	4	4
Improve Mobility through Land Use Planning (LUP)	19	6	6	7
Expand Sustainable Circulation and Transportation Options (CTO)	26	19	0	7
Optimize Vehicular Travel (OVT)	12	5	3	4
Adaptation Strategies	7	2	4	1
<b>Total</b>	<b>129</b>	<b>72</b>	<b>20</b>	<b>36</b>

\*1 action (OR-2.2) was discontinued due to challenges with implementation. See Appendix A.

Sunnyvale's 2014 Community GHG Emission inventory shows a significant reduction in overall GHG emissions (see **Chapter 2**); however, these reductions cannot be definitively attributed to any specific CAP reduction measure or action. Based on the actions that can be quantified with reasonable reliability using the performance metrics identified in the CAP, the implementation of CAP actions has resulted in an estimated 21,470 MTCO<sub>2</sub>e reduction toward Sunnyvale's GHG emissions. These emissions reductions were achieved in 7 of the 11 goal categories in the CAP and are shown in more detail in **Table 3-2**. The 2014 reductions noted in this table demonstrate the quantifiable impact of local CAP implementation efforts in Sunnyvale.

**Table 3-2. Emissions Reductions from Local CAP Implementation Efforts 2014-2015, by Goal Category**

GOAL CATEGORY	2014 REDUCTIONS (MTCO <sub>2</sub> E)	PLANNED 2020 REDUCTIONS* (MTCO <sub>2</sub> E)	PROGRESS TO 2020 TARGET
Open Space and Urban Forestry (OS)	4	320	1.3%
Decrease Energy Consumption (EC)	2,970	74,660	4.0%
Provide a Sustainable Energy Portfolio (EP)	4,270	101,610	4.2%
Decrease Water Consumption (WC)	780	820	95.1%
Reduce Landfilled Waste (LW)	7,120	26,690	26.7%
Reduce Emissions from Off-Road Equipment (OR)	0	7,220	0%
Increase and Retain Awareness of Sustainability Issues (CA)	0	0	0%
Improve Mobility through Land Use Planning (LUP)	350	13,990	2.5%
Expand Sustainable Circulation and Transportation Options (CTO)	3,550	10,840	32.7%

GOAL CATEGORY	2014 REDUCTIONS (MTCO <sub>2</sub> E)	PLANNED 2020 REDUCTIONS* (MTCO <sub>2</sub> E)	PROGRESS TO 2020 TARGET
Optimize Vehicular Travel (OVT)	2,420	10,260	23.6%
Adaptation Strategies	0	0	0.00%
<b>Total</b>	<b>21,470</b>	<b>246,410</b>	<b>8.7%</b>

\*As of the development of this CAP biennial report, the City Council has approved Sunnyvale's participation in a local CCE Program. While the CCE program is still under development, it is anticipated to begin operations in winter 2016/2017. Therefore, the planned 2020 GHG reductions reflect reductions that account for the existence of a CCE program.

During this reporting period, the City achieved the greatest measurable impacts in reducing emissions from six goal areas as discussed below.

### *Decrease Energy Consumption (EC)*



The City's measurable impact in this goal category is driven by efforts in Reduction Measure *EC-2: New Constructions and Remodels*. This measure entails implementing the CALGreen Title 24 standards as a part of the City's green building code as well as providing incentives for new construction to achieve standards higher than the mandatory Tier 1 standards. In 2014, **more than 2.6 million square feet of commercial space were built to the City's green building standards**. In addition, the City is converting its streetlights to energy-efficient LED bulbs. Approximately 1,850 streetlights were converted to in 2012, and another 50 were converted in 2015. Efforts are under way to convert all remaining city-owned streetlights, approximately 6,900 bulbs, by 2017.



*LEED-GOLD certified Yahoo! office building in Sunnyvale (Photo credit: Flickr user Yahoo! Sunnyvale; obtained under Creative Commons license)*

Overall, residential energy has decreased significantly since 2008. Specifically, in 2014, the use of residential electricity supplied by PG&E<sup>5</sup> decreased by 8% and residential natural gas use decreased by 20% compared to 2008.

<sup>5</sup> Reductions noted here are for PG&E-supplied electricity only. This does not include data on electricity use that may be offset by local generation (e.g., from residential solar installations).

Commercial/Industrial energy use has remained flat, while office and industrial floor area increased by approximately 1.7 million square feet.

### *Provide a Sustainable Energy Portfolio (EP)*



As of 2015, **Sunnyvale has a total of 10.78 MW of local solar installations<sup>6</sup>**. This has contributed to a measurable reduction for Reduction Measure *EP-2: Local Renewable Energy*. Nearly 45% of this solar power is generated from residential solar projects, with 24% and 31% from commercial and industrial projects, respectively.

### *Expand Sustainable Circulation and Transportation Options (CTO)*



The City's measurable impact in this goal category is driven by efforts in Reduction Measure *CTO-1: Bicycle, Pedestrian, and Transportation Design Elements*. Since 2008, the percentage of **commute trips taken by bicycles in Sunnyvale has doubled<sup>7</sup>**, and the City has expanded its network of bicycle lanes. These efforts in improving bicycling in Sunnyvale are responsible for reducing GHG emissions by 2,500 MTCO<sub>2</sub>e. In addition, the percentage of **students using non-motorized transport to commute to school increased from 14% in 2008 to 41% in 2014<sup>8</sup>**.

Since 2008, Sunnyvale's population has increased by 10% and the number of jobs in the City has grown by 8%. According to MTC data, total vehicle miles traveled (VMT) in Sunnyvale has increased by 7% since 2008. However, vehicle-related emissions are up by only 2% as vehicle efficiency is improving and there are cleaner vehicles on the road. Additionally, Caltrain ridership increased by 45% since 2008 as more residents and employees are choosing public transit for their weekday commutes.



<sup>6</sup> Data for solar installations represent all interconnected solar photovoltaic (i.e., net energy metered) systems within PG&E's service territory within the City of Sunnyvale.

<sup>7</sup> Based on bicycle commute mode share percentages from the U.S. Census Bureau's American Community Survey 1-Year Estimates on commuting characteristics for Sunnyvale, California.

<sup>8</sup> Estimate is based on survey data from 13 of 16 Sunnyvale schools that participate in the County's Safe Routes to School program. [The total number of schools in Sunnyvale is 18; two schools do not participate in the program].

### Reduce Landfilled Waste (LW)



Despite a growing population, Sunnyvale is throwing away less trash today than in 2008, contributing to significant reductions in this goal category. Through Reduction Measure *LW-2: Recycling and Composting*, the City aims to divert 75% of the waste it generates away from landfills to be recycled or composted. As of 2014, the City was **diverting 64% of its waste**, keeping approximately 18,101 tons of waste out of the landfill and reducing GHG emissions by 7,120 MTCO<sub>2</sub>e. Sunnyvale residents produced 39% less waste per person than state targets, and virtually all homes and apartments participate in recycling programs. The City is expanding its commercial organics program to include small generators of organic waste and is also considering starting a residential food waste composting program in 2017.



*Food scrap bins from Sunnyvale's residential pilot program in 2016*

### Optimize Vehicular Travel (OVT)



Sunnyvale has achieved reductions in this goal category by helping to promote increased use of alternatively fueled vehicles. Reductions are largely a result of progress on Reduction Measure *OVT-1: Clean Alternative Motor Vehicles and Fuels*, due to the large number of electric vehicle chargers installed in the community as well as the prevalence of alternatively fueled vehicles. As of 2014, there were at least 470 electric vehicle chargers<sup>9</sup> in Sunnyvale, promoting increased use of electric vehicles and reducing GHG emissions by 780 MTCO<sub>2</sub>e annually. Furthermore, as of 2014, there are 1,500 alternatively fueled vehicles registered to Sunnyvale owners, showing an increasing proliferation of zero-emission vehicles in the community.

<sup>9</sup> These data represent only those charging stations provided by ChargePoint and installed in non-residential locations for public use. Charging stations supplied, operated, or installed by other manufacturers are not captured in the data reported here.



### Decrease Water Consumption (WC)



Spurred by the strong community response to California's drought conditions, Sunnyvale residents and businesses have decreased water use 25% from 2008 levels, going even further than the reduction target called for in Reduction Measure WC-2: *Water Conservation*. Because of these conservation efforts, Sunnyvale has reduced GHG emissions by 780 MTCO<sub>2</sub>e

annually and has reached nearly 80% of the performance targets for the goal area. Furthermore, Sunnyvale is currently partnering with public and private agencies to expand the existing recycled water network in the community; service in the expanded network will commence in 2017.



*In 2015, Sunnyvale increased the rebate offered through Santa Clara Valley Water District from \$2 to \$3 for turf replacement with drought-resistant plants*

In addition to the goal areas discussed above, the City has also seen GHG reduction impacts in other measures that are supportive in nature and for which GHG reductions cannot be easily quantified. For example, the City is engaged in ongoing enforcement of the ban on plastic bags (**CAP action LW-1.1**) as well as the ban on expanded polystyrene (EPS) containers (**CAP action LW-1.3**), although the GHG reductions from this implementation cannot be quantified. While the volume of GHG reductions achieved during this reporting period may appear relatively small relative to Sunnyvale's planned 2020 reductions, these supportive measures serve as a foundation for the City to build on and achieve significantly greater reductions in future years.

## 3.2. Key Initiatives “In Progress” in 2014 and 2015

The implementation of the CAP is anticipated to be monitored in two-year cycles, concurrent with updates to the GHG inventories. Many significant initiatives and efforts were set in motion during 2014 and 2015 and are and considered to be “in progress.” These initiatives are foundational to CAP implementation in the next biennial reporting cycle for 2016 and 2017. Updates on these significant initiatives are presented below.

### *Decrease Energy Consumption (EC)*

#### *Energize Sunnyvale*



*City staff educate the community about energy conservation as a part of the Energize Sunnyvale campaign*

For the years 2015 and 2016, Sunnyvale is competing with 49 other communities across the United States in the Georgetown University Energy Prize (GUEP) competition.

Participating communities are competing to achieve the greatest reductions in residential and municipal energy (electricity and gas) relative to their energy use in baseline years (2013 and 2014). The winning community will be awarded up to \$5 million to be

used for community energy programs. The City’s Energize Sunnyvale campaign aims to educate residents about ways to conserve energy and improve energy efficiency. The campaign includes: developing a community-based social marketing approach to target energy efficiency-related behaviors; promoting use of a new mobile phone app (IGreenSunnyvale), which gamifies energy conservation and encourages residents to engage in sustainable behaviors; expanding the availability and use of DIY home energy savings kits; increasing local awareness of energy efficiency financing/rebate programs; and raising awareness through social media and community events. Encouraging residential energy efficiency aligns with the City’s overall strategy of reducing our community’s energy use. In addition, the City offers property assessed clean energy (PACE) financing through CaliforniaFIRST (**CAP action EC-3.1**) and continues to promote its Community Development Block Grant (CDBG) program

(**CAP actions EC-3.2**) to provide financing to homeowners for energy efficiency upgrades.

### *Streetlight Conversion to LEDs*

The City owns and maintains approximately 8,800 streetlights, the majority of which are traditional high-pressure sodium lights. As of 2015, nearly 1,900 have been converted to LED fixtures as part of a pilot study. In 2015, the City Council authorized funding and the plan to complete the conversion of the remaining city-owned streetlights by 2017, which will be a direct implementation of **CAP action EC-1.1**.

### *Provide a Sustainable Energy Portfolio (EP)*

#### *Community Choice Energy Program*

In 2015, the City completed Study Issue ESD 14-02 Community Choice Aggregation, which served as an initial study of a Community Choice Energy (CCE) program for the South Bay. Partners in this initial study included the cities of Cupertino and Mountain View and the County of Santa Clara. As a result, the City and its partners formed the Silicon Valley Community Choice Energy Partnership (SVCCEP). During 2015, these four SVCCEP sponsoring communities conducted a technical feasibility study to examine the viability of a local program that provided more renewable energy than that offered by PG&E at competitive prices. As of spring 2016, Sunnyvale and 11 other communities in Santa Clara County have voted to join and form the Silicon Valley Clean Energy Authority (SVCEA), a joint powers authority that will be responsible for administering the local CCE program. Sunnyvale staff, in collaboration with the sponsoring partners, is working to operationalize the SVCEA. During 2016, the SVCEA will develop and submit its implementation plan to the California Public Utilities Commission (CPUC) and undertake other necessary actions with the goal of launching the program in winter 2016/2017. These efforts are the foundation for the implementation of **CAP action EP-1.1**, which entails creating or joining a CCE program, and will help to significantly increase the renewable content of electricity provided to Sunnyvale.





## Improve Mobility through Land Use Planning (LUP)

### Transportation Demand Management



*The City's Lawrence Station Area Plan promotes mixed use developments around the Lawrence Caltrain station and also requires development projects to reduce the number of vehicle trips by providing alternative transportation options*

In late 2015, new guidelines for the development of transportation demand management (TDM) programs and monitoring procedures were developed. TDM programs are intended to reduce traffic congestion and corresponding emissions from new development projects. TDM programs are designed to promote more efficient utilization of existing transportation facilities, and to ensure that new

developments are designed to maximize the potential for alternative transportation usage. Larger developments (i.e., those exceeding specific floor-to-area ratios) in districts with industrial and service zoning or general industrial zoning in Sunnyvale may be required to include a TDM Program at the discretion of the approving body (City of Sunnyvale, 2016). The City also provides green building incentives for TDM program development (City of Sunnyvale, 2016). The City offers a Transportation Demand Management toolkit, which outlines several strategies, including pedestrian and cyclist accessibility, parking design measures, and carpooling and telecommuting strategies, to guide developers in creating successful TDM Programs (The Hoyt Company, 1999). TDM programs are also being included as an integral component of the City's Land Use and Transportation Element (LUTE) as well as specific redevelopment plans that are currently in progress including the Lawrence Station Area Plan (LSAP), the Peery Park Specific Plans (PSP), and El Camino Real Corridor Specific Plan.

The City recently partnered with the Santa Clara Valley Transportation Authority (VTA) to develop Peery Park Rides, a grant-funded 2-year pilot program to aggressively reduce vehicle trips by providing a flexible shuttle service to employees in Peery Park, a 446-acre area proposed for redevelopment and in proximity to major transit hubs. The program would use demand-driven technology to dynamically re-route the flexible shuttle service based on real-time customer trip needs, capturing a wider variety of trips than addressed by traditional transit. Peery Park property owners will form a Transportation

Management Agency (TMA) to provide data and guidance for planning related to the shuttle service. This pilot will inform the implementation of **CAP action CTO-3.5** (partnering with local/regional organizations to implement trip reduction programs) and **CTO-4.1** (requiring TDM programs at major employers).

### *Decrease Water Consumption (WC)*

#### *Recycled Water Expansion*

The City has completed and published a feasibility study for recycled water expansion in June 2013 (**CAP action WC-1.1**). The City is partnering with the Santa Clara Valley Water District and private partners to extend the existing recycled water purple pipe network along Wolfe Road through Cupertino. The project construction will begin in spring 2016 and operations will commence in 2017. This is consistent with **CAP action WC-1.3**, which aims at creating a purple pipe network for citywide use of recycled water.



*The extension of Sunnyvale's existing recycled water system along Wolfe Rd, which commenced in Spring 2016, will significantly expand the use of recycled water*

## **3.3. Updates to GHG Reduction Estimates**

To ensure the CAP is accurate and consistent with best practices, the calculations of GHG emissions reductions from CAP implementation were reviewed and revised in this report. The revisions are partly a result of changes to the 2008 community-wide inventory (see Section 2.1.3), as well as updates to account for state regulatory actions and corrections to reductions calculations from local actions. Changes to Sunnyvale's 2008 baseline emissions resulted in changes to the projected levels of future emissions. This in turn affected the GHG emissions reductions estimated from implementation of CAP measures. Additional corrections were made to the methods and assumptions used to calculate GHG emissions reductions from a small number of CAP measures,

causing these numbers to be further revised. Updates made to estimated GHG reductions from CAP implementation are noted below.

### 3.3.1. Renewable Portfolio Standard

The CAP includes calculations for the GHG emissions reductions of the Renewable Portfolio Standard (RPS) implementation, a statewide program that requires utilities to procure a certain proportion of their electricity from renewable sources. When the original CAP was prepared, it did not appear likely that PG&E would reach the State-mandated RPS goal of 33% by 2020. The CAP assumed instead that in 2020, PG&E would have a 28% renewables portfolio. Based on mandatory reporting to the California Energy Commission, PG&E has confirmed that it expects to meet the 33% RPS target by 2020. The projection of reductions from RPS was revised upward to reflect this increased certainty.



When the original inventory was completed, the State had not established post-2020 targets for the RPS. The CAP assumed a relatively slow increase in the proportion of renewable energy, estimating that 37% of PG&E's electricity would be from renewable sources in 2035. In 2015, Governor Brown signed into law SB 350 (see Section 1.2), which requires utilities to supply 50% of their electricity from renewable sources by 2030. The CAP was revised to assume that 50% of PG&E's electricity would be from renewable sources

by 2035. The revisions to the RPS also corrected for errors in the original calculations of GHG emissions reductions that incorrectly assumed RPS would also reduce emissions associated with natural gas use.

### 3.3.2. Title 24

The CAP includes a projection of GHG reductions from the California Building Standards Code (Title 24), which requires increased energy efficiency in new buildings. These numbers were revised to reflect updated projections of how Title 24 would evolve and be implemented in the future, changes to the anticipated schedule of renovations for nonresidential buildings in Sunnyvale, and more



accurate estimates of the improved energy changes from future updates to Title 24. Changes to the anticipated schedule of renovations included a change to an initial assumption that nonresidential buildings would be renovated every 20 years (in order to have



all nonresidential buildings meet or exceed 2008 Title 24 standards by 2035). This was removed to reduce potential double counting with retrofit measures and to better match current best practices for calculating Title 24 reductions.

The original CAP also assumes that 30% of the 2022 Title 24 update would be captured in 2035. This assumption was revised to reflect current best practices that Title 24 will apply to the overall energy growth in Sunnyvale between 2020 and 2035, thereby allowing for an 87% capture of 2022 Title 2 reductions by year 2035. The more updated numbers used in these revisions also help to put Sunnyvale's GHG emissions forecast on a trajectory that is more consistent with the State's zero net energy (ZNE) plans for future new buildings, which are expected to begin taking effect in 2020.

### 3.3.3. Community Choice Energy

The CAP includes a projection of GHG reductions resulting from a Community Choice Energy (CCE) program, in which Sunnyvale residents and businesses can choose to receive their electricity from a local CCE program rather than from a private utility. This electricity is generally "cleaner" than the electricity from private utilities, resulting in significant GHG reductions. Based on an increased understanding of CCE programs, as well as the results of other CCE programs in northern California, the assumptions used to calculate Sunnyvale's reductions from CCE were revised.

As part of these updates, it was assumed that a greater proportion of Sunnyvale community members enrolled in the CCE would opt for the "light green" tier of renewable electricity (50% renewable energy by 2020, 65% renewable energy by 2035) and that a smaller proportion would select the premium "dark green" option of 100% renewable energy beginning in 2020. These changes reflect observed enrollment patterns in neighboring CCE programs (such as those in Marin and Sonoma counties), as well as estimates from updated CCE technical studies.

The CAP also originally assumed reductions in natural gas use and associated GHG emissions reductions resulting from a CCE program, but these reductions have been removed as the current regulatory structure of CCEs does not address use of natural gas.

These changes to the assumptions, as well as underlying changes to the CAP inventory, RPS, and Title 24, have caused the projection of GHG reductions from Community Choice Energy to be substantially revised.

### 3.3.4. Overall Impacts

Based on the changes discussed in this section and the changes to the inventory discussed in Section 3.3, the overall impact on Sunnyvale's GHG reduction calculations are shown in **Table 3-3** (assuming implementation of CCE).

**Table 3-3. Impacts of Baseline, Forecast, and Reduction Measure Updates to GHG Emissions, 2020 and 2035**

	GHG IMPACT IN ADOPTED CAP (WITH CCE)		UPDATED GHG IMPACT (WITH CCE)	
	2020	2035	2020	2035
Baseline	1,270,170	1,270,170	1,153,970	1,153,970
Forecast (BAU)	1,494,980	1,810,160	1,306,220	1,529,620
Forecast with state reductions (ABAU)	1,289,920	1,369,510	1,105,080	1,042,240
CAP reduction measures	-434,895	-649,123	-246,410	-315,130
Net GHG emissions with CAP	855,025	720,387	858,670	727,110
Percentage reduction from baseline	-32.7%	-43.3%	-25.6%	-37.0%

## 3.4. Proposed Revisions to Climate Action Plan

### 3.4.1. Proposed Revisions

As a part of the City's biennial CAP monitoring report, staff evaluated the feasibility of continuing to implement and track the CAP actions as written in the original 2014 CAP. The CAP is not a static document, and it was expected that changes may be considered as part of the biennial reporting process. This affords the City the opportunity to course correct, if needed, based on implementation experience, advances in technology, changes in the regulatory setting, or for other circumstances. Based on this, staff has identified and is proposing a limited number of revisions to CAP actions that would: (a) revise language of reduction measures; and/or (b) revise performance indicators.

The proposed revisions shown in red strikethrough and described in **Table 3-4** reflect the current environmental, regulatory, social, and financial context in which the CAP is being implemented and are intended to serve as improvements to certain elements of the CAP that may be out-of-date. In addition, proposed revisions include modifications to performance indicators that are used to report the progress made towards implementation in quantitative terms. Such modifications are intended to identify reliable indicators or groups of indicators that are already tracked or reported by the City, County, independent local entities, or regional third-party entities. Other proposed indicators changes reflect new indicators that the City intends to begin tracking and reporting in the upcoming years. Proposed indicator updates are intended to ensure continuity of data from the same sources in future reporting years, to allow for consistency, and ease of comparison to previous years.

Table 3-4. Proposed Revisions to CAP Actions

ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<i>Actions Proposed for Deletion:</i>			
OR-2.2: Construction equipment must be maintained per manufacturer's specifications	None	City cannot monitor privately owned/operated construction equipment.	No
<i>Actions Proposed for Language Change:</i>			
EC-4.1: Consistent with California AB 1103, require all nonresidential building owners to disclose building energy consumption and building energy ratings upon sale or lease of building.	EC-4.1: Consistent with California AB <del>1103</del> 802, promote the availability of <del>require all nonresidential building owners to disclose building energy consumption and</del> building energy ratings <del>to building owners and</del> support other energy efficiency efforts resulting from AB 802 <del>upon sale or lease of building</del> .	AB1103 was repealed and replaced by AB 802. CEC working on regulations to implement AB 802. However, AB 802 has deleted the requirement for building owners to disclose energy information to prospective buyers, lessees, or lenders. Therefore, action is revised to broaden the approach.	No
LUP-2.1: Continue to plan for most new residential, commercial and industrial developments in specific plan areas, near transit, and close to employment and activity centers.	LUP-2.1: Continue to plan for most new residential, commercial and industrial developments <del>to be developed</del> in specific plan areas, near transit, and close to employment and activity centers.	Edited to clarify language.	No

## Chapter 3

ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<i>Actions Proposed for Language and Indicator Change:</i>			
<p>EC-2.3: Continue to provide incentives for new construction and remodels to adhere to a higher green building standard than required by the City.</p>	<p>EC-2.3: Continue to provide incentives for new construction <del>and remodels</del> to adhere to a higher green building standard than required by the City.</p> <p>Change in performance indicators:            (1) <i>Cumulative number of new homes built <del>to Tier 1 standards or above the City's mandatory green building standards</del>; (2) Cumulative square feet of new nonresidential square feet built <del>to Tier 1 standards or above the City's mandatory green building standards</del></i></p>	<p>Remodel projects, due to their limited scope, are not compelled to exceed green building standards. There are other resources available to educate and encourage green practices for remodels. Additionally, the performance metric is focused on new buildings rather than on remodels.</p> <p>The performance indicator was revised to reflect the City's green building code, rather than the CALGreen standard, as new construction projects are required to comply with the local code.</p>	<p>No</p>



ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
CTO-3.5: Partner with GreenTRIP and other local or regional organizations to implement trip reduction programs in new residential, commercial, and mixed use developments.	<p>CTO-3.5: <del>Partner with GreenTRIP and other local or regional organizations to implement</del> Require trip reduction programs in new residential, commercial, and mixed use developments.</p> <p>Change in performance indicators:            (1) Cumulative number of dwelling units in new developments <del>participating in GreenTRIP or similar efforts with TDM requirements</del>; (2) Cumulative nonresidential square feet in new developments <del>participating in GreenTRIP or similar efforts with TDM requirements</del>.</p>	Language was broadened to include trip reduction programs (other than only GreenTRIP) that the City is likely to participate in.	No
OVT-1.8: Accommodate neighborhood electric vehicles (NEVs) by enacting regulations consistent with the California Vehicle Code and the Manual of Uniform Traffic Control Devices.	<p>OVT-1.8: Accommodate <del>neighborhood electric vehicles (NEVs)</del> alternatively fueled vehicles by enacting regulations consistent with the California Vehicle Code and the Manual of Uniform Traffic Control Devices.</p> <p>Change in performance indicator:            Cumulative number of <del>NEVs in operation</del> alternatively fueled vehicles in the City</p>	<p>Language was broadened to include different types of alternatively fueled vehicles, rather than only NEVs. Based on recent trends, it is likely that alternatively fueled vehicles, particularly EVs, will be more prevalent in Sunnyvale than NEVs in the upcoming years.</p> <p>The performance indicator was revised accordingly. This indicator is similar to that originally used for OVT-1.7.</p>	Yes Tracking the new performance indicator will result in an estimated 2020 emissions reduction of 7,970 MTCO <sub>2</sub> e compared to the originally estimated reduction of 4,780 MTCO <sub>2</sub> e.


## Chapter 3

ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<i>Actions Proposed for Indicator Change:</i>			
LUP-1.2: Create maximum parking requirements and reduce minimum parking requirements for mixed-use development. Require parking lot sharing for mixed use or commercial development with complementary hours of operation.	Change performance indicator from: <del>Average monthly cost of parking in developments with unbundled parking</del> [Metric to be determined]	The current performance indicator cannot be tracked as the City does not monitor the cost of parking at all developments. The City will consider developing a better indicator during the next biennial reporting cycle.	Yes Impact associated with the change in performance indicator will be determined when new indicator is identified.
OR-2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures [parts a through d, as specified in the adopted CAP], at a minimum, as appropriate to the construction project.	<del>Percent of construction equipment used in Sunnyvale which uses alternative fuels [CNG, LNG, propane, biodiesel, or electricity], or which uses hybrid technology</del>	The current performance indicator cannot be tracked as the City does not monitor each piece of equipment that is alternatively fueled; therefore, it has been proposed for deletion.	No
OVT-1.7: Facilitate new fueling stations that offer alternative fuels.	<del>Cumulative number of alternative fuel vehicles [excluding EVs and hybrids] in operation</del>	The current performance indicator as defined (i.e., excluding EVs and hybrids) cannot be tracked as most records of alternatively fueled vehicles include both EVs and hybrids. Therefore, it has been proposed for deletion. See OVT-1.8 for which a similar indicator has been proposed.	Yes Deletion of this indicator will also eliminate all associated emission reductions. This change is offset by the increase in reductions resulting from the proposed change to OVT 1.8.

### 3.4.2. Impacts of Proposed Revisions to GHG Estimates

As shown, many of the proposed changes in **Table 3-4** would not have an impact on GHG reductions from the individual measures or actions. The changes to the following actions would decrease emissions reductions:

- **LUP-1.2:** As the monthly cost of parking cannot be tracked by the City, the proposed deletion of the indicator will eliminate the anticipated GHG reductions from this action. As of this report, staff has not determined an appropriate indicator to replace the original one, but plan to develop a robust indicator that is easily tracked for the next biennial report. Associated GHG reductions may be quantified when indicator is available.


- **OR-2.3:** Although this action is being implemented, the indicator cannot be tracked, as this action will only achieve emissions in the year in which it is implemented, rather than having a cumulative effect from year to year. Therefore, rather than relying on a performance indicator, the currently quantified emissions for this action can be assigned all at once in the final year (i.e., 2020 or 2035) of when they expected to be achieved.
- **OVT-1.7:** As the number of non-electric alternative fuel vehicles cannot be effectively tracked, it is proposed that reductions associated with these vehicles be removed from the CAP. An expanded performance indicator is recommended for use under OVT-1.8 below.
- **OVT-1.8:** Implementation of this measure, as proposed to be modified, will be tracked using the number of alternatively fueled vehicles (primarily electric) registered in Sunnyvale, as a source for this data has become readily available. This recommended performance indicator was not previously identified for tracking through the CAP and represents a significant shift from fossil fuels; therefore, associated GHG reductions should be monitored.

The changes in 2020 GHG emission reductions as a result of these changes are shown in **Table 3-5**. It is not expected that these changes will affect Sunnyvale's ability to meet or exceed the GHG reduction targets contained in the CAP.

**Table 3-5. Estimated 2020 Changes in Emissions Reductions from Proposed Action Changes**

ACTION	ORIGINAL 2020 EMISSION REDUCTION	ESTIMATED 2020 EMISSION REDUCTION AFTER CHANGES
LUP-1.2 *	320	0
OR-2.3	7,190	7,190†
OVT-1.7	1,210	0
OVT-1.8	4,780	7,970

\* The proposed changes to LUP-1.2 will cause the overall emissions reduction from Measure CTO-3 to increase from 3,120 to 3,200.

†Emissions will be assigned only in the years 2020 and 2035.

Full implementation of the CAP is estimated to reduce emissions by 246,410 MTCO<sub>2</sub>e, as noted in **Table 3-3**, assuming the successful implementation of a CCE program. If the proposed changes to the CAP are adopted, the estimated GHG reductions from full implementation of the CAP will be 248,150 MTCO<sub>2</sub>e.

Pending approval of these proposed changes by the City Council and any additional direction, the CAP will be updated to reflect the changes.

## 4 – Future CAP Implementation

This chapter provides an updated outlook of CAP implementation through 2020, including priorities for the next two-year cycle, revisions to CAP Work Plan 2020, and updates on funding sources. This biennial report offers the City an opportunity to assess whether priorities have changed since the original CAP was adopted in 2014 and to determine the best path forward for continued implementation of CAP measures. The report accounts for new information on the availability of resources (staff and financial), changes in the regulatory context, and advances in available technologies, which may influence local-level decision-making. The City Council adopted the CAP Work Plan 2020 in November 2014, resulting in a small implementation window between the work plan adoption and development of this first biennial monitoring report. Notwithstanding the limited proposed CAP modification, it is recommended that CAP implementation continue as described in the updated CAP Work Plan 2020.

### 4.1. Key Initiatives for Next Biennial Reporting Cycle

As discussed in **Chapter 3**, the City has made significant early progress in implementing the reduction measures as identified in the CAP Work Plan 2020. Many actions were completed and implementation is ongoing for others. Priorities for the next two-year work plan cycle will include a focus on three key initiatives and work on CAP policy related study items.

#### 4.1.1. Up and Coming Initiatives

##### *CALGreen and Green Building Policies*

The California Green Building Standards Code (CALGreen; part 11 of Title 24) is a statewide green building code. CALGreen includes both mandatory and voluntary measures to enhance the design and construction of buildings to have a positive environmental impact. CALGreen measures address: planning and design, energy efficiency, water efficiency and conservation, material conservation, and environmental quality.





The State's updated code, anticipated to be released by July 2016, will likely have new and changed measures that provide a greater reduction in environmental impacts across all areas. The City plans to adopt the mandatory measures of this new code into its local building ordinance, with some minor

changes and modifications, to be effective on or before January 1, 2017. During 2017, the City will conduct a review and update the City's green building program that will include an evaluation of the alignment of the green building incentives with CALGreen voluntary measures, LEED, and Build It Green. The review of the City's green building program will also evaluate implementation of a series of CAP actions (**Table 4-1**) related to encouraging green building practices in the community. Additionally, the 2017 green building program update will also evaluate opportunities that are not specifically CAP related, such as zero net energy building policies, and other potential considerations.

**Table 4-1. Reduction Measures to be evaluated with next Green Building Program Update**

ACTIVITY ID	REDUCTION MEASURE DESCRIPTION
OS-3.3	Promote tree planting on private property through incentives and support programs.
EC 4.3	Create ordinance to facilitate energy efficiency improvements in non-residential buildings that may include energy performance reports, time of sale upgrades, and other innovative partnerships.
EC 5.1	Require new construction and major remodels to install interior real-time energy monitors.
EP 2.1	Require new homes and businesses and major remodels to be "solar ready" by pre-wiring for solar water heating and solar electricity.
WC 2.1	Require new development to reduce potable indoor water consumption by 30% (Tier 1 CALGreen) and outdoor landscaping water use by 40%.
OR 1.2	Require new buildings to provide electrical outlets on the exterior in an accessible location to charge electric-powered lawn and garden equipment.

### Commercial Energy Conservation

Commercial/Industrial Energy makes up 39% of GHG emissions. Significant efforts are currently underway to address and encourage residential energy efficiency. The City plans to expand its energy efficiency outreach efforts to target commercial and industrial facilities (**CAP actions EC-4.1, EC-4.2, EC-4.3, and EC-4.4**). The City will develop an expanded strategy to engage commercial property owners in energy efficient practices. This includes sharing information at potential milestone events (such as remodels) to encourage sharing of energy use and efficiency information. The City is initiating collaborations with realtors to educate them on energy efficiency upgrades that can be proposed to their clients at the time of sale. The City will also develop a plan for targeting commercial businesses, including larger consumers of energy, and assist them in addressing their energy use.



*The City's IGreenSunnyvale app, released at a launch event in January 2016 (shown here), allows users to record their sustainability actions and compete with other users. The City will be hosting friendly challenges among Sunnyvale employers, neighborhoods, and schools.*

### Adaptation Planning and Preparation

The City participated in the development of Silicon Valley 2.0<sup>10</sup> and intends to work with the County of Santa Clara to leverage Silicon Valley 2.0 data and resources to further guide the coordination and development of appropriate adaptation programs at the local or regional scales. The City will develop an internal plan for the implementation of measures related to climate change adaptation and building local resilience (**CAP actions A-1.1, A-2.1, A-2.2, A-3.1, A-3.2, A-4.1, and A-4.2**). The City will also continue to collaborate with regional entities, including Santa Clara County, the Santa Clara Valley Water District, the Association of Bay Area Governments (ABAG), and others in contributing information to and providing support for regional-scale adaptation strategies or programs.

<sup>10</sup> Silicon Valley 2.0 is a decision-support tool developed by the County of Santa Clara to aid in the development of strategies and measures to address climate resilience.

### 4.1.2. CAP Study Items

There are also CAP reduction measures that require further study to determine an implementation approach, specify any resulting policy changes, and to better understand funding implications. These study items were identified in the original CAP Work Plan 2020 and are highlighted in **Table 4-2** along with planned timing for conducting the study. In most cases, the resources needed to conduct the study are already budgeted or work will be prioritized within available staffing resources.

**Table 4-2. Study Items identified in the CAP Workplan**

ACTION ID	REDUCTION MEASURE DESCRIPTION	LEAD DEPT.	YEAR
LUP 1.6	Designate street parking stalls near commercial and multi-family developments for efficient/alternatively fueled vehicles	DPW	2017
EC 5.1	Require new construction and major remodels to install real time energy monitors	CDD	2017
WC 2.2	Revise development standards to ensure use of grey water, recycled water, and rainwater catchment	CDD	2017
OVT 1.4	Increase the number efficient or alternatively fueled vehicles in City fleet	DPW/ESD	2016-2017
CTO 4.2	TDM Program for City staff	DPW	2018
CTO 2.2	Require secure bike parking at public events and large private events	LCS	2018
LW 1.2	Ban single-use water bottles at public events permitted by City	ESD	2019
LUP 1.3	Parking management tools for residential use such as decreased/flexible standards, unbundled parking, and shared parking	CDD	2019
OVT 1.6	Zoning or other incentives to encourage alternative fueling stations (biodiesel, CNG, etc)	CDD	2020
EC 6.1	Require all new and resurfaced parking lots to be high reflectivity	DPW	2020
LUP 1.1	Build and maintain electronic parking management system for downtown parking structures and beyond	DPW	2020



ACTION ID	REDUCTION MEASURE DESCRIPTION	LEAD DEPT.	YEAR
LUP 3.1	Revise zoning code to allow small-scale commercial urban farms in residential areas	CDD	2020
LUP 3.4	Locally supplied food purchasing policy	FIN/ESD	Long term (2020+)
CTO 2.6	Create at least one day a year when a portion of streets and plazas is designated for pedestrian and/or bicycle access only	LCS	Long term (2020+)
OVT 3.2	Deploying intelligent transportation system measures for managing traffic at large scale construction or major City and private events	DPW	TBD

## 4.2. Revisions to CAP Work Plan 2020

CAP Work Plan 2020, adopted in November 2014, identified the lead department responsible for implementation of each CAP action, implementation status, funding sources. The work plan laid out the proposed schedule for implementation of the near-term and mid-term CAP actions over the six-year time frame from 2014-2020. As required by this work plan, the current biennial report provides an updated version of the CAP Work Plan 2020 implementation matrix, which has been revised based on 2014-2015 CAP implementation results and incorporates the latest information available on funding. The revised Work Plan 2020 also lays out an updated timeline for implementation between 2016 and 2020.

The next biennial report, scheduled for 2018, will document progress made on CAP implementation between January 2016 and December 2017. As with the current report, data reported will be the most recent data available.

A complete revised Work Plan 2020 matrix is presented in Appendix A. Revisions to remaining implementation steps, funding status, funding sources, and other notes are noted in blue italicized text. Implementation timelines have also been revised as appropriate; grey dots represent the scheduled year of implementation per the original Work Plan 2020, black dots represent unchanged implementation years, while blue dots represent new years for which implementation has been scheduled. The revised Work Plan also reflects the proposed changes to CAP actions noted in section 3.3.1, Table 5.

### 4.3. Updates to Funding Strategies

The implementation of Sunnyvale's CAP remains largely unchanged from the first edition of the Work Plan 2020, adopted in November 2014. The City's CAP implementation continues to be funded by the following sources:

- *The General Fund* covers operating expenses for basic government services such as public safety, street maintenance, library services, and maintenance of parks and open space.
- *Enterprise Funds* continue to be available from programs or activities that are fully or partially funded by user fees, such as water supply and distribution, wastewater treatment, solid waste management, and the Development Enterprise Fund.
- *Grant funding* may be available through regional, state, or federal initiatives. For example, California receives significant revenues from the proceeds of the state-administered Cap and Trade program. This funding is distributed to numerous state agencies to support sustainability and GHG reduction activities in the form of grants that could be available to cities, such as Sunnyvale.



#### 4.3.1. Funding for Initial CAP Implementation

With the FY 15-16 Projects Budget, the City Council approved funding from the General Fund to support the first two years of CAP implementation. This project budget includes funding for:

- consultant support for tracking, monitoring, and reporting;
- support to evaluate and develop policy and program approaches for actions identified broadly in the CAP, such as climate adaptation, resiliency planning, and response coordination;
- development and implementation of a comprehensive community engagement strategy focused on schools, designed to increase participation in CAP programs such as energy efficiency, renewable energy, and alternative transportation modes; and

- limited resources for grant proposal development focused on bringing in external funding for CAP initiatives.

Some CAP actions have significant resource needs and are managed as discreet projects (e.g., Recycled Water or Community Choice Energy), while many actions have smaller resource needs that can be flexibly prioritized across one another as implementation progresses. The approved budget is intended to support the aggregate of the smaller actions to be implemented during FY 15-16/16-17. Funding needed for CAP implementation beyond FY 16-17 will be brought forward for City Council consideration in future budget cycles and as study items are completed and funding needs are identified.

### 4.3.2. Update on Grant Funding Opportunities

During this reporting period, the City applied for and participated in several regional grants that support CAP implementation including:

- The 2014 California Energy Commission Grant through the Bay Area Climate Collaborative for public EV charging stations installations in Sunnyvale.
- 2014 Sustainable Communities Planning Grant through the County of Santa Clara for Driving to Net Zero, Decarbonizing Transportation in Silicon Valley, which will support Sunnyvale's efforts to expand alternative fuel adoption. This includes, but is not limited to, the development of an EV Charging Station siting plan and guidance and resources for municipal fleet conversion.
- The City and the Santa Clara Valley Water District (SCVWD) received a grant from the California Department of Water Resources to expand the existing recycled water pipeline from Sunnyvale to the Apple 2 campus in Cupertino along Wolfe Road. Construction is anticipated to commence in 2016.



## Chapter 4

- The City applied but was not selected for the 2014 Rockefeller Foundation 100 Resilient Cities Grant, which would have supported the City's efforts to develop a comprehensive Resiliency Plan.

Cap and Trade Revenue will continue to be made available to support climate change efforts through competitive grants. While the final expenditure plan for the 2016-2017 budget will not be available until the State adopts a budget in the summer of 2016, the proposed Cap and Trade expenditure plan anticipates \$3.09 billion in Cap and Trade revenue. The City could potentially apply for grants to fund programs supported by Cap and Trade revenue to offset the cost of local CAP implementation. Potential programs and their proposed 2016-2017 allocations are shown in **Table 4-3**.

**Table 4-3. Potential Grant Opportunities from Cap and Trade Revenue**

DEPARTMENT	PROGRAM	PROPOSED 2016-2017 ALLOCATION
Strategic Growth Council	Affordable Housing and Sustainable Communities Program	\$400 million
Caltrans	Low Carbon Road Program	\$100 million
California Air Resources Board	Low Carbon Transportation and Fuels	\$100 million
California Energy Commission	Biofuel Facility Investments	\$100 million
Department of Food & Agriculture and Department of Water Resources	Water and Energy Efficiency	\$30 million
California Natural Resources Agency	Urban Greening	\$20 million
Department of Community Services & Development	Energy Efficiency Upgrades and Weatherization	\$75 million
Total		\$825 million

The City will continue to monitor Cap and Trade revenue and other grant funding opportunities. The City will pursue additional funding through grants, when possible, for implementing specific projects that align with the implementation of CAP actions.

## 5 – References

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Appendix A. Revised CAP Work Plan 2020 Implementation Matrix

Measure ID	Activity ID	Activity Description	Lead Dept.	Partner Dept.	Status	Remaining Steps	Cost Range	Funding Source	Funding Status	2014	2015	2016	2017	2018	2019	2020	GHG Metric 2020	2020 GHG Reduction MTCO <sub>2</sub> e
OS-1	OS-1.1	Achieve and maintain an open space to population ratio of 5.5 acres per 1,000 residents.	DPW	CDD	O	A revised park standard was recently adopted by Council. A study Issue would be required to increase it to meet the CAP action item. Due to low emissions reduction staff has moved this from near term to long term to be reevaluated prior to 2020. Current open space estimate is at 5.6 acres per capita	Very High	Park in-lieu fees. Dedication.							●		64 New acres of park land	20
OS-2	OS-2.1	Provide availability and access to outdoor space for recreation or social purposes, including access to public open spaces on privately owned property such as retail shopping centers.	CDD	DPW	O	May also require zoning code amendments for non-residential uses.	Minimal	Development Enterprise Fund	Already budgeted.		●	●	●	●	●	●	Supportive Measure	Supportive Measure
OS-3	OS-3.1	Continue to implement the City's Tree Preservation requirements.	DPW	CDD	O	Implementation ongoing.	Medium	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●	7,400 trees planted	300
OS-3	OS-3.2	Develop and implement canopy coverage requirements for City-owned parking lots, with exceptions for solar installations.	DPW	CDD	O	Urban Forestry Management Plan addresses canopy coverage in private parking lots and includes monitoring of canopy cover in parking lots subject to the City's parking lot shading standards. Developing standards for public parking lots may be reviewed as part of study to revise Municipal Code requirements related to City trees.	Medium	General Fund	Already budgeted.	●	●	●	●	●	●	●		
OS-3	OS-3.3	Promote tree planting on private property through incentive and support programs.	CDD	DPW	I	Study needed to develop incentive program. Currently promote parking lot shading requirement. Will be balanced and prioritized with other non-CAP related work. <i>Included in both Lawrence Station Area Plan and Peery Park Specific Plan. Can potentially be incorporated into City's Green Building code.</i>	Medium	Development Enterprise Fund/General Fund	Already budgeted (Planning staff time for studies).			●	●	●	●	●		
OS-3	OS-3.4	Expand existing park, open space, and boulevard tree inventory through the replacement of trees with a greater number of trees when trees are removed due to disease, park development, or other reasons.	DPW	None	O	Consolidated General Plan and the Urban Forestry Management Plan address tree replacement.	Medium	General Fund	Already budgeted.	●	●	●	●	●	●	●		
OS-3	OS-3.5	Clarify codes and policies to maximize the preservation of the largest longest-living trees, and ensure the expansion of the urban forest over time as appropriate for the site.	CDD	DPW	O	City Municipal Code already addresses this. Can be strengthened and could be done as part of study of municipal codes requirements related to City Trees per OS-3.2. <i>Urban Forest Management Plan is in place &amp; includes action for private properties as well. Needs additional implementation.</i>	Medium	General Fund	Already budgeted.	●	●	●	●	●	●	●		
EC-1	EC-1.1	Replace City-owned streetlights and park and parking lot lighting with energy-efficient lighting such as light-emitting diode (LED) or induction lights as technology becomes more affordable and when return on investment is less than five years.	DPW	None	O	New lights due to private development and City projects are LED. <i>Council approved funding to retrofit remaining city-owned streetlights by 2017.</i>	Very High	General Fund	Funded.			●	●				75% Streetlights retrofit to LED	260
EC-1	EC-1.2	Participate in an illumination bank that provides loans for upfront cost of energy-efficient lighting technologies to be paid back over three to seven years.	FIN	ESD	N	<i>Clarified intent of program and included in recommendations for revising activity description.</i>	Unknown	General Fund	Research can be absorbed by existing staff and will determine future funding needs.					●				

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EC-1	EC-1.3	Require new private parking lot lighting to use energy efficient lighting technologies.	CDD	None	O	Currently as COA for discretionary projects. Title 24 requires this already.	Minimal	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EC-2	EC-2.1	Evaluate and update the 2009 Zoning Code for Green Buildings for single-family, multi -family, and non-residential building construction and major remodels every three to five years.	CDD	None	O	In Process. Currently <i>implementing</i> third update to Green Building Code. Ongoing updates as directed by Council. <i>Fourth update will be in 2017 after CALGreen Update is released.</i>	Low	Development Enterprise Fund/General Fund	Already budgeted.	●			●			●	<i>15% improvement over minimum Title 24 requirements</i>	<i>4,090</i>
EC-2	EC-2.2	Continue to require energy efficient siting of buildings. Buildings should be oriented and landscape material should be selected to provide maximum energy efficiency for the buildings.	CDD	None	O	Citywide Design Guidelines include site design guidelines to consider energy efficiency in the siting of buildings (1. B15). To strengthen CAP measure would require study issue to evaluate codes and design guidelines. Provide training, Create handouts.	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EC-2	EC-2.3	Continue to provide incentives for new construction <del>and remodels</del> to adhere to a higher green building standard than required by the City.	CDD	None	O	Ongoing when projects apply for high FAR as a Green Building Code incentive.	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EC-3	EC-3.1	Establish a residential energy conservation program that encourages or incentivizes homeowners to perform energy and water audits, with an emphasis on leveraging homeowner decision-making during home sale, purchase, and remodel.	ESD	CDD	O	<i>Working with County and Silicon Valley Association of Realtors to engage real estate professionals.</i>	Medium-High	General Fund	<i>Funded through 2-yr Projects Budget for CAP program implementation.</i>		●	●	●	●	●	●	15% residential participation in PACE	<i>4,360</i>
EC-3	EC-3.2	Participate in a Property Assessed Clean Energy (PACE) or similar financing program to offer low-interest loans to residents for energy-efficiency upgrades.	ESD	None	O	CA First Rolling out program in Sunnyvale beginning in Aug '14. <i>Monitoring progress and evaluating to determine if additional programs are needed.</i>	Low	General Fund	<i>Funded through 2-yr Projects Budget for CAP program implementation.</i>	●	●	●	●	●	●	●		
EC-4	EC-4.1	Consistent with California AB <del>802 1103</del> , <del>require all nonresidential building owners to disclose building energy consumption and promote the availability of building energy ratings to building owners and support other energy efficiency efforts resulting from AB 802 upon sale or lease of building.</del>	<i>ESD</i>	CDD	N	<i>AB 1103 was repealed and replaced by AB 802. CEC working on regulations to implement AB 802. However, AB 802 has deleted the requirement for building owners to disclose energy information to prospective buyers, lessees, or lenders. Therefore, action is revised to broaden th approach.</i>	Low	General Fund	Projects Budget Proposal for additional outreach support.	●	●	●	●	●	●	●	10% participation in PACE	53,190
EC-4	EC-4.2	Participate in a Property Assessed Clean Energy (PACE) or similar financing program to offer low-interest loans to businesses for energy efficiency upgrades.	ESD	OCM, CDD	O	CA First Rolling out program in Sunnyvale beginning in Aug '14. <i>Monitoring progress and evaluating to determine if additional programs are needed.</i>	Low	General Fund	<i>Funded through 2-yr Projects Budget for CAP program implementation.</i>	●	●	●	●	●	●	●		
EC-4	EC-4.3	Create an ordinance to facilitate energy efficiency improvements in non-residential buildings through incentives and regulations that may include energy performance reports, <del>time of sale upgrades</del> , and/or innovative partnerships to reduce energy use.	CDD	ESD, OCM	O	Included in parts of Green Building code. Addresses existing buildings not new construction. Will require study Issue to expand beyond Green Building code. <i>Consider for study in 2017 with Green Building program update.</i>	High	Development Enterprise Fund General Fund	Already budgeted.				●	●	●	●		
EC-4	EC-4.4	Identify businesses that are likely to be the largest consumers of energy within the city and target City outreach to these businesses.	ESD	OCM	N	<i>Need to determine how to identify customers and develop outreach and engagement strategy. Will coordinate with Office of Economic Development.</i>	Low	General Fund	Projects Budget Proposal.				●					



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EC-5	EC-5.1	Require new construction and major remodels to install interior real-time energy monitors.	CDD	None	N	This is not currently part of the California or Sunnyvale green building codes. Can determine if study issue needed for 2016-2019. Codes may require this by then. Assumes minimal staff time to outreach to businesses. An outreach measure to educate about CAP and programs available to encourage reduction in energy costs.	Low	Development Enterprise Fund	Already budgeted (Planning staff time for studies).				●	●	●	●	60% existing and 75% of new homes; 50% existing and 75% new businesses participate in a monitoring program	12,210
EC-5	EC-5.2	Connect businesses and residents with rebate programs that give priority to appliances with smart grid technology.	ESD	CDD, OCM	N	Need to research programs and work with PGE, Silicon Valley Energy Watch, and County to develop program.	Medium-High	General Fund Grant Regional Program	Projects Budget Proposal.						●	●		
EC-5	EC-5.3	Inform the community of metering options, such as online applications and in-home monitors.	ESD	CDD	N	Included initial information as part of Energize Sunnyvale. Additional research into available applications and monitoring programs is needed. Develop additional outreach materials. Check in with Mountain View on their program.	Medium	General Fund Grant Regional Program	Funded through 2-yr Projects Budget for CAP program implementation.			●	●	●	●			
EC-6	EC-6.1	Require all new and resurfaced parking lots, sidewalks, and crosswalks to be made of materials with high reflectivity, such as concrete or reflective aggregate in paving materials.	DPW	None	I	Requires City to adopt a standard for highly reflective paving materials. May require a Study Issue unless State or other regional agency adopts a standard. Study issue would be forwarded in 2020 or later unless Council sets new priority.	Low									●	100% of all new parking lots, crosswalks, and sidewalks are made of high albedo content	560
EC-6	EC-6.2	Require new multi-family buildings and re-roofing projects to install 'cool roofs' consistent with the current California Green Building Code (CalGreen) standards for commercial and industrial buildings.	CDD	None	O	This is already a requirement for multi-family projects. Consider for single-family and review different aesthetic standards for residential roofs as part of 2017 Green Building program upgrade.	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EC-6	EC-6.3	Commit to using a warm aggregate mix for all asphalt patching, overlay, and reconstruction.	DPW	None	N													
EC-6	EC-6.4	Consider the lifespan and embedded GHG content of pavement materials for public projects.	DPW	None	N													
EP-1	EP-1.1	Create a Community Choice Aggregation (CCA) program for the City of Sunnyvale in order for the City to take control of power generation for its residents and businesses.	ESD	OCM	I	Completed Study Issue. Sunnyvale is a sponsoring partner in Silicon Valley Community Choice Energy Partnership and adopted CCE resolution in January 2016. Program launch scheduled for Winter 2016.	Medium-High	General Fund Partner Funding	Feasibility Study and Start-up funding approved for Sunnyvale's contribution approved.	●	●	●	●				75% "light green" participants 5% "dark green" participants "Light green" option delivers 50% renewable energy "Dark green" option delivers 100% renewable energy 20% opt-out of CCE	77,030
EP-2	EP-2.1	Require new homes and businesses and major remodels to be “solar ready” by pre-wiring for solar water heating and solar electricity.	CDD	None	N	There is currently no code requirement for pre-wiring. The current building code addresses reserving "solar ready area" on roof tops of some projects such as single family projects of 10 or more units and low rise apartments of 10 or fewer stories. Study to be coordinated with Green Building Update 2017.	Low	Development Enterprise Fund	Already budgeted.				●	●	●	●	15% residential participation rate 5% non-residential participation rate	24,580

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Measure ID	Activity ID	Activity Description	Lead Dept.	Partner Dept.	Status	Remaining Steps	Cost Range	Funding Source	Funding Status	2014	2015	2016	2017	2018	2019	2020	GHG Metric 2020	2020 GHG Reduction MTCO <sub>2</sub> e
EP-2	EP-2.2	Participate in a Property Assessed Clean Energy (PACE) or similar financing program to offer low-interest loans to residents and businesses for renewable energy installations.	ESD	CDD	O	CA First Rolling out program in Sunnyvale beginning in Aug '14. <i>Monitoring progress and evaluating to determine if additional programs are needed.</i>	Low	General Fund Grant Regional Program	<i>Initially, funded through 2-yr Projects Budget for CAP program implementation. On-going funding to be identified.</i>	●	●	●	●	●	●	●		
EP-2	EP-2.3	Prevent buildings and additions from shading more than 10% of roofs of other structures.	CDD	None	O	This is already a code requirement. <i>Study issue in 2016 (CDD #16-13) is considering solar access requirements.</i>	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EP-2	EP-2.4	Continue to allow and encourage solar facilities above paved parking areas.	CDD	None	O	Current code allows for this.	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EP-2	EP-2.5	Maintain incentives for alternative energy installations in new and existing development, including solar and small-scale wind turbines.	CDD	None	O	Current code provides a FAR incentive.	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
EP-2	EP-2.6	Advocate for the development of a regional or statewide feed-in tariff that further encourages the development of mid-sized renewable energy installations.	ESD	None	<i>N</i>	Monitor legislative and CPUC rule making processes and engage as appropriate.	Low	General Fund	<i>Already budgeted.</i>	●	●	●	●	●	●	●		
WC-1	WC-1.1	Prepare a feasibility study for 'purple pipe' (reclaimed water) capture, distribution and safe use.	ESD	None	C	Study complete. Calculate GHG reduction from the stages of the plan. Check in on status and determine if new calculations and update of goal is needed.	Very High	Wastewater Management Fund	NA (Study is complete.)		●						<i>15% of the water Sunnyvale uses is reclaimed water</i>	<i>180</i>
WC-1	WC-1.2	Promote “purple pipe” (reclaimed water) infrastructure in new construction or major renovation in preparation for a growing, usable network.	ESD	CDD	O	Received grant funds in partnership with SCVWD to extend system (Wolf Rd Extension).	Very High	Wastewater Management Fund Grant and partner funds	Projects Budget proposal and grants.	●	●	●	●	●	●	●		
WC-1	WC-1.3	Create a purple pipe network for citywide use of recycled water for irrigation and other outdoor purposes.	ESD	None	O	Received grant funds in partnership with SCVWD to extend system (Wolf Rd Extension).	Very High	Wastewater Management Fund Grant and partner funds	<i>Grant obtained for Wolfe Rd expansion.</i>			●	●	●	●	●		
WC-1	WC-1.4	Create flexible provisions and encourage residents and businesses to collect rainwater to use for irrigation purposes.	ESD	CDD	O	Rain barrel rebate program started in 2015 as part of Drought Response efforts.	Low	Water Supply and Distribution System Fund	<i>Already budgeted.</i>		●	●						

Measure ID	Activity ID	Activity Description	Lead Dept.	Partner Dept.	Status	Remaining Steps	Cost Range	Funding Source	Funding Status	2014	2015	2016	2017	2018	2019	2020	GHG Metric 2020	2020 GHG Reduction MTCO <sub>2</sub> e
WC-2	WC-2.1	Require new development to reduce potable indoor water consumption by 30% (Tier 1 CALGreen) and outdoor landscaping water use by 40%.	CDD	ESD	O	Study, to be coordinated with Green Building Update 2017.The City chose to use Build It Green instead of Tier 1 CalGreen in Sunnyvale's green building program. Will need to evaluate the % reduction from Build It Green to determine if it reaches the 30% reduction in potable indoor water consumption same as Tier 1 Cal Green. May require a study if City chooses to change our green building code. Our WELO landscaping code gets us to about a 20% reduction in new projects based on the state program it was based on so a study is needed to see how a higher percent can be reached. Developers can also voluntarily choose some landscape points under Build it Green but again we need to evaluate if it gets us to 40% reduction when used voluntarily. <i>Indoor use is part of CALGreen standards.</i>	Low	Development Enterprise Fund	Already budgeted.				●	●	●	●	63 million gallons in water savings	640
WC-2	WC-2.2	Revise development standards to ensure the use of greywater, recycled water, and rainwater catchment systems is allowed in all zones.	CDD	ESD	O	Requires a study. CDD has setback and height standards for accessory structures in all zones. The zoning code does not specifically address any water quality or safety standards for dealing with water that is reclaimed or reused on site. Additional standards specific to these systems may need to be identified and evaluated for possible adoption.	Low	Development Enterprise Fund	Already budgeted.			●	●	●	●	●		
WC-2	WC-2.3	Require new open space and street trees to be drought tolerant.	CDD	DPW	O	Recently adopted Urban Forestry Management Plan addresses this and requires low-water use trees.	Low	General Fund	Already budgeted.	●	●	●	●	●	●	●		
WC-2	WC-2.4	Implement the City's Urban Water Management Plan to facilitate a 20% reduction in per capita water use by 2020.	ESD	None	O	The UWMP has been adopted. Implement Plan.	Low	Water Supply and Distribution System Fund	Already budgeted.	●	●	●	●	●	●	●		
LW-1	LW-1.1	Reduce the use of plastic bags at grocery stores and convenience stores in the community through incentives or requirements.	ESD	None	O	Ordinance is currently in place.	Low-Medium	Solid Waste Management Fund	Already budgeted.	●	●	●	●	●	●	●	Supportive Measure	Supportive Measure
LW-1	LW-1.2	<i>Ban the sale or dispersal of disposable, single use plastic water bottles at public events permitted by the City.</i>	ESD	None	N	<i>Was originally identified as a long-term measure and have accelerated to conduct study in 2019.</i>	Low-Medium	Solid Waste Management Fund	Study Issue to determine implementation costs.						●	●		

Measure ID	Activity ID	Activity Description	Lead Dept.	Partner Dept.	Status	Remaining Steps	Cost Range	Funding Source	Funding Status	2014	2015	2016	2017	2018	2019	2020	GHG Metric 2020	2020 GHG Reduction MTCO <sub>2</sub> e
LW-1	LW-1.3	Ban the use of expanded polystyrene (EPS) take-out containers at restaurants and fast food facilities.	ESD	None	O	Council adopted ordinance in 2013 to ban EPS use by food providers by April 2014 and ban retail sale of EPS food containers by April 2015. Staff is currently doing outreach and enforcement of food providers and stores <i>found not to be in compliance</i> .	Low-Medium	Solid Waste Management Fund	Already budgeted.	●	●	●	●	●	●	●		
LW-2	LW-2.1	Require multi-family homes to participate in the City's Multi-family Recycling Program	ESD	None	O	<i>Program in place. Continuing to conduct outreach and work with properties.</i>	Medium	Solid Waste Management Fund	Already budgeted.	●	●	●	●	●	●	●	1.5 lb/day disposal rate	26,690
LW-2	LW-2.2	Select materials to be targeted for diversion and diversion methods, services, or technologies based on the results of the Zero Waste Strategic Plan.	ESD	None	O	Current (2014) diversion is 64% . On April 23, 2013, Council adopted staff recommendation to target diversion levels of 70% by 2015, 75% by 2020 and 90% by 2030. Staff is currently implementing various measures (see RTC 13-085).	Very High	Solid Waste Management Fund	Some funding already budgeted. Projects Budget Proposal in future years, if needed.	●	●	●	●	●	●	●		
OR-1	OR-1.1	Partner with the Bay Area Air Quality Management District to re-establish a voluntary exchange program for residential electric lawnmowers and backpack-style leaf blowers.	ESD	None	N	Complete Leaf Blower Ban Study Issue and offered voluntary pilot exchange/rebate program with minimal participation. BAAQMD currently not offering rebate program. Will monitor BAAQMD program development for partnership opportunities.	Low	General Fund	<i>Projects Budget Proposal, grants, or partner funding.</i>	●	●	●	●	●			25% of leaf blowers and lawn mowers are exchanged	30
OR-1	OR-1.2	Require new buildings to provide electrical outlets on the exterior in an accessible location to charge electric-powered lawn and garden equipment.	CDD	None	N	Study, to be coordinated with Green Building Update 2017.	Low	Development Enterprise Fund	Already budgeted.				●					
OR-1	OR-1.3	In project review, encourage the replacement of high-maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment.	CDD	ESD	O	CDD <i>is implementing Municipal</i> Water Efficient Landscape Ordinance (MWEL0) in 2016. Build It Green points are gained for reduced turf.	Low			●	●	●	●	●	●	●		
OR-2	OR-2.1	Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.	<i>DPW</i>	DPW, DPS	O	Actions have been added as COAs of discretionary projects through CDD. <i>DPW has included in General Provisions for public projects (starting in 2016).</i>	Minimal	Development Enterprise Fund for private development.	Already budgeted.	●	●	●	●	●	●	●	40% of construction equipment is efficient or alternatively fueled; Local idling restrictions are met 50% of the time	7,190
<del>OR-2</del>	<del>OR-2.2</del>	<del>Construction equipment must be maintained per manufacturer's specifications</del>	<del>DPW</del>	<del>DPS</del>	<del>D</del>	<del>Actions have been added as COAs of discretionary projects through CDD. DPW has included in General Provisions for public projects (starting in 2016).</del>	<del>Minimal</del>	<del>Development Enterprise Fund</del>	<del>Already budgeted.</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>		

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OR-2	OR-2.3	Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project: a. Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical. b. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel. c. Avoid the use on on-site generators by connecting to grid electricity or utilizing solar-powered equipment. d. Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes.	CDD	DPW	O	Actions have been added as COAs of discretionary projects through CDD. <i>Added to DPW site development specifications in 2015.</i>	Minimal	Development Enterprise Fund	Operating Budget Proposal, if needed for enforcement.	●	●	●	●	●	●	●		
CA-1	CA-1.1	Create a structure or partner with other groups for volunteers, residents, and other organizations to help achieve Sunnyvale's sustainability goals.	ESD	HR/NOVA	O	<i>Energize Sunnyvale has engaged community volunteers to support energy efficiency outreach.</i> Include in development comprehensive CAP Community Engagement Program, identify key outreach strategies including how leverage and use volunteers or other organizations to engage the community.	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>	●	●	●	●	●	●	●	Supportive Measure	Supportive Measure
CA-1	CA-1.10	Use the City's Sustainability Commission and outreach staff as a structure to coordinate with other groups for volunteers, residents, and other organizations to help achieve Sunnyvale's sustainability goals.	ESD	None	O	Coordinate with Sustainability Commission. <i>Proposed Budget Issue to establish Sustainability Speaker Series starting in FY 2016-2017.</i>	Low	General Fund	<i>16-17 Budget Issue Items for Sustainability Speaker Series</i>	●	●	●	●	●	●	●		
CA-1	CA-1.11	Actively engage with Sunnyvale businesses to identify areas for GHG reduction and financial savings.	ESD	OCM	N	Create Program. Collaborate with Economic Development.	Medium-High	General Fund	Projects Budget Proposal.		●	●	●	●	●	●		
CA-1	CA-1.2	Provide regular communication with schools, business, faith groups, community members and neighborhood groups to increase participation in the City's progress toward sustainability.	ESD	LCS	O	<i>Energize Sunnyvale has engage community and neighborhood groups to support energy efficiency outreach.</i> Expand on existing program and develop and provide information in support of sustainability initiatives.	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>	●	●	●	●	●	●	●		
CA-1	CA-1.3	Develop and encourage a mechanism for neighborhoods to share equipment and resources to improve sustainability.	ESD	LCS	I	<i>Working increase availability of DIY Home Energy Savings Kits, and have organized Repair Café events.</i> Identify and develop other opportunities.	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>		●	●	●	●	●	●		
CA-1	CA-1.4	Provide a toolkit of resources, including web based efficiency calculators, for residents and businesses to analyze their greenhouse gas emissions in comparison to their neighborhood, the city, and the region.	ESD	OCM	N	<i>IGreenSunnyvale provides estimate of impacts of sustainable actions take. Review opportunities to create climate change web page with calculator.</i>	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>		●	●	●	●	●	●		
CA-1	CA-1.5	Develop and implement a competitive greenhouse gas reduction program between groups of citizens in the City with an award component.	ESD	OCM	I	<i>IGreenSunnyvale provides platform for fostering competitions.</i>	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>		●	●	●	●	●	●		

Status Key: I = In progress, O= On-going; N = Not started; C= Completed; J= Just Do It  
Blue text denotes additions; grey text denotes deletions; strikethrough denotes CAP actions proposed for deletion

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CA-1	CA-1.6	Use sustainability initiatives within City operations to educate the community of ways to achieve sustainability by example.	ESD	CDD, DPW, LCS, FIN	I	<i>Quarterly Report/ReNews promotes City sustainability efforts. Ongoing improvements to sustainability/climate action web page in 2016.</i>	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>		●	●	●	●	●	●		
CA-1	CA-1.7	Actively promote use of alternative modes of transportation as safe modes of travel. When applicable, promote on the City's web site and publications about viable programs sponsored by 511, the Air District and other recognized agencies.	<i>DPW</i>	<i>ESD</i>	O	Create Climate Change Web Page. Use Quarterly Report to promote.	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>	●	●	●	●	●	●	●		
CA-1	CA-1.8	Through selected projects and efforts to improve City operations, demonstrate how sustainability efforts are possible and successful.	ESD	CDD, DPW, LCS	I	<i>Some sustainability efforts underway include conversion to LED streetlights, solar for City facilities, and EV charging station installations.</i>	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>		●	●	●	●	●	●		
CA-1	CA-1.9	Make comparison an intrinsic part of consumption. Bring awareness of how our consumption compares to other communities, regions, and others in our neighborhood.	ESD	OCM	N	<i>Create CAP Monitoring dashboard and develop further opportunities for comparison.</i>	Medium-High	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>		●	●	●	●	●	●		
CA-2	CA-2.1	Recommend and advocate for schools to use the Air District curriculum or other programs for local school teachers to teach children about climate change, greenhouse gas emissions, and local actions.	ESD	LCS	<i>N</i>	Create sustainability outreach program with schools.	Medium	General Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>			●	●	●	●	●	Supportive Measure	Supportive Measure
CA-2	CA-2.2	Continue to provide and improve the bicycle driver education program for elementary, middle, and high school students.	DPS	None	O	Coordinate with DPS to continue Program	Medium	General Fund Grant Funds	Already budgeted.	●	●	●	●	●	●	●		
LUP-1	LUP-1.1	Build and maintain an electronic parking management system for City-owned parking structures in the downtown and consider expanding to other City lots in the downtown and in proximity to other commercial areas.	DPW	None	N	A study would be required to evaluate the costs and benefits of a parking management system. Technically the City does not currently own any downtown parking structures - two are owned by the RDA successor agency, others are privately owned.	Medium	General Fund	Projects Budget Proposal							●	10% reduction in parking provision compared to a parking generation rate <del>\$10 monthly parking cost</del>	<i>3,180</i>
LUP-1	LUP-1.2	Create maximum parking requirements and reduce minimum parking requirements for mixed-use development. Require parking lot sharing for mixed-use or commercial development with complementary hours of operation.	CDD	DPW	C	Done with recent parking code adoption. Will be reemphasized with mixed use tool kit.	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
LUP-1	LUP-1.3	Implement parking management tools for residential uses such as decreased or flexible standards, unbundled parking and shared parking plans.	CDD	DPW	I	Requires a Study. <i>Not yet Citywide. City already has maximum parking standards and has reduced minimum parking requirements.</i>	Low	Development Enterprise Fund	Already budgeted (Planning staff time for studies).						●	●		
LUP-1	LUP-1.4	Establish parking meters throughout downtown Sunnyvale to optimize parking availability and reduce unnecessary vehicle circulation.	DPW	None	N	The initial phase of parking meters for City owned parking spaces near Caltrain is funded and scheduled to be completed by the end of FY 14-15. Expanding to other areas would require a significant outreach effort to merchants and a study to identify	Medium	General Fund and Parking Assessment District	Initial phase already budgeted. Projects Budget Proposal to study and fund expansion.		●	●	●					



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LUP-1	LUP-1.5	Retain a residential parking permit program for residential areas adjacent to commercial areas of the City where parking is in higher demand.	DPW	None	O	This is an existing program we plan to continue.	Medium	General Fund	Already budgeted.	●	●	●	●	●	●	●		
LUP-1	LUP-1.6	Designate street parking stalls in the vicinity of key commercial and multi-family residential locations for efficient or alternatively fueled vehicles.	DPW	None	N	A study would be needed to determine the location and number of spaces as well as cost for additional signage.	Medium	General Fund	Projects Budget Proposal pending Study Issue.				●	●				
LUP-2	LUP-2.1	Continue to plan for most new residential, commercial and industrial developments <i>to be developed</i> in specific plan areas, near transit, and close to employment and activity centers.	CDD	None	I	Changes were recently made to DSP to allow more housing. Studies underway. LSAP. Housing Element. Draft Land Use and Transportation Element.	Unknown	Development Enterprise Fund	Already budgeted (Planning staff time for studies).	●	●	●	●	●	●	●	15% of new housing units are deed-restricted below market rate	9,850
LUP-2	LUP-2.2	Continue to identify underutilized areas that can support higher density housing and mixed-use development.	CDD	None	I	Incorporate policies into General Plan or area plans such as Lawrence Station Area Plan and Precise Plan for El Camino Real.	Unknown	Development Enterprise Fund	Already budgeted (Planning staff time for studies).	●	●	●	●	●	●	●		
LUP-2	LUP-2.3	Facilitate the development of affordable housing near transit.	CDD	None	O	Utilizing State Density Bonus as incentive for affordable housing in new multi-family development in DSP. LSAP study in progress and Precise Plan for ECR to be updated.	Unknown	Development Enterprise Fund	Already budgeted (Planning staff time for studies).	●	●	●	●	●	●	●		
LUP-2	LUP-2.4	Expand the zoning opportunities for the construction of accessory dwelling units in existing residential neighborhoods near transit as a means to increase affordable housing near transit.	CDD	None	N	Study <i>is part of Housing Element update</i> .	Unknown	Development Enterprise Fund	Already budgeted (Planning staff time for studies).			●	●	●	●	●		
LUP-2	LUP-2.5	Continue to allow for the development of live/work spaces in commercial zoning districts and mixed-use residential zoning districts.	CDD	None	O	Currently evaluated on a case by case basis as part of development review. <i>Passed limited use design guidelines in 2015.</i>	Unknown	Development Enterprise Fund	Already budgeted (Planning staff time for studies).	●	●	●	●	●	●	●		
LUP-3	LUP-3.1	Amend the Zoning Code to allow small-scale, commercial urban farms to operate in residential areas.	CDD	None	N	Requires a Study Issue. Study Issue to be forwarded by 2020.	Low	Development Enterprise Fund								●	Supportive Measure	Supportive Measure
LUP-3	LUP-3.2	Ensure that every village core has opportunities for growing produce locally.	CDD	None	N	<i>Village Centers are a proposed feature of the Draft Land Use and Transportation Element estimated for consideration 2016.</i>	Low	Development Enterprise Fund	Already budgeted.									
LUP-3	LUP-3.3	Establish community gardens for public use.	DPW	None	O	Could be considered as part of planned park improvement projects. Already have one community garden (Charles Street Garden) developed in conjunction with Full Circle Farms. Haven't received requests for additional community gardens.	Low	General Fund or developer supported	Projects Budget Proposal.									
LUP-3	LUP-3.4	Develop and implement a purchasing policy that requires food and other appropriate materials purchased by the City to be purchased from as local a supply as possible.	FIN	ESD	N	<i>Study needed to determine scope and implications of such a policy.</i>	Low	General Fund.	Study Issue to determine implementation costs.									
LUP-4	LUP-4.1	Support the retention and expansion of local anchor and growth industries.	OCM	CDD	O	Continue efforts.	Unknown	General Fund	Already budgeted.	●	●	●	●	●	●	●	Jobs to housing ratio: 1.5	640
LUP-4	LUP-4.2	Review land use plans and regulations and revise as needed to support additional live/work opportunities and home occupations, provided they are compatible with the existing neighborhood.	CDD	None	I		Unknown	Development Enterprise Fund	Already budgeted.					●	●	●		

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LUP-5	LUP-5.1	Encourage the establishment and even distribution of neighborhood-serving facilities such as day care providers, banking/ATM locations, markets and drug stores in existing residential, commercial, and industrial areas in order to reduce the need for vehicle trips.	CDD	None	I	Existing General Plan, MPSP and DSP policies support this. <i>LUTE will include policies for services near residents. Daycare study issue completed 2015.</i>	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●	See LUP-4	See LUP-4
LUP-5	LUP-5.2	Require new development to reduce the need for external trips by providing useful services/facilities on-site such as an ATM, vehicle refueling, shopping.	CDD	None	I	Existing General Plan, MPSP and DSP policies support this. <i>Mixed use design guidelines include such requirements.</i>	Low	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
CTO-1	CTO-1.1	Incorporate the provisions of AB 1358, the California Complete Streets Act of 2008, into all roadway design, construction and maintenance activities.	DPW	None	C	Done. We have adopted a complete streets policy.	Very High	General Fund	Completed. Will be implemented with Project Budgets for future roadway projects.	●	●	●	●	●	●	●	1.5% commute to work bicycle mode share	2,860
CTO-1	CTO-1.2	Implement the street space allocation policy in coordination with road reconstruction or resurfacing projects to provide road configurations that accommodate all travel modes.	DPW	None	O	This is current City policy. Some improvements done at time of new development. Striping studies by staff at resurfacing.	Very High	General Fund Developer funded	Already budgeted.	●	●	●	●	●	●	●		
CTO-1	CTO-1.3	Require new development to provide cross-parcel access and linkages from the development entrance to the public sidewalk system, transit stops, nearby employment and shopping centers, schools, parks, and other parcels for ease of pedestrian and cyclist access.	CDD	DPW	O	The Precise Plan for El Camino Real includes policy to minimize curb cuts and encourage use of shared driveways and pedestrian planning guidelines. Citywide Design Guidelines include policies to strengthen on-site pedestrian connections in new development. Accomplished through project review on case by case basis.	Unknown	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
CTO-1	CTO-1.4	Improve pedestrian safety and comfort through design elements such as landscaped medians, pedestrian level amenities, sidewalk improvements, and compliance with Americans with Disabilities Act (ADA) design standards, particularly for areas serving high volumes of traffic	DPW	None	O	City has completed Pedestrian Safety and Opportunity Study. Some implementation is ongoing.	Very High	Private developer funded as new projects occur	Private developer funded as new projects occur.	●	●	●	●	●	●	●		
CTO-1	CTO-1.5	Improve bicycle facilities and perceptions of comfort through pavement marking/coloring, physical separation specialized signs and markings, and other design elements.	DPW	None	O	City has completed Pedestrian Safety and Opportunity Study. Some implementation is ongoing.	Very High	General Fund Grants	Partially funded in Projects Budget. Need additional funding to complete and for maintenance.	●	●	●	●	●	●	●		
CTO-1	CTO-1.6	Require sidewalks to be a minimum of six feet wide in order to allow side by side walking at identified locations that currently serve high pedestrian traffic volumes, or locations planned to serve high pedestrian traffic.	DPW	None	O	New 6 foot DPW Standard in place.	Low	Private development Grants	Private developer funded as new projects occur.	●	●	●	●	●	●	●		
CTO-1	CTO-1.7	Actively promote intermodal linkages to and from regional transit options by establishing or improving well-defined, convenient intermodal hubs in downtown and specific plan areas. Work with city planning and the Valley Transportation Authority (VTA), Peninsula Corridor Joint Powers Board (PCJPB), the Advisory Committee on Accessibility (ACA), and others to establish best places for these locations.	DPW	CDD	O	Downtown multi-modal station complete. LSAP in progress. Linkages typically developed and paid for by developers.	Very High	Private development Grants	Already budgeted.	●	●	●	●	●	●	●		



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CTO-2	CTO-2.1	Require public areas and new development to provide bicycle parking consistent with the Valley Transportation Authority (VTA) Bicycle Technical Guidelines, as amended.	DPW	CDD	O	Bicycle parking requirements are already in the SMC. Standard COAs for new development require adhering to VTA guidelines.	Low	Development Enterprise Fund Private developer funded	Already budgeted.	●	●	●	●	●	●	●	Supportive Measure	Supportive Measure
CTO-2	CTO-2.2	Require secure bicycle parking at public and large private events.	LCS	DPW	N	Study required prior to implementation.	Low-Medium	General Fund Private event sponsors	If adopted by Council, funding would be borne by event sponsor.					●				
CTO-2	CTO-2.3	Increase awareness of the city's bicycle facilities by updating the city bicycle map to show locations of public and private bicycle parking, creating a web-based application for members of the public to identify locations of private parking, and establishing information kiosks at key city locations to provide maps and highlight alternative modes of transportation.	DPW	None	C	Updating the City's bike map is a funded project in FY 15-16. Creating a web based map would be a new project that is unfunded. A bike facilities map could potentially be accommodated with the GIS update being planned by including a publicly accessible bike layer.	Low-Medium	General Fund Grants	Already partially budgeted. <i>Funding to create web-based application to be identified.</i>		●							
CTO-2	CTO-2.4	Fully fund the City's bicycle and pedestrian improvement plans for completion by 2035.	DPW	None	O	Some projects already included in Projects Budget and are being implemented. Continue to identify projects and pursue grant and partner funding.	Very High	General Fund Grants Partner funding	Already partially budgeted in Projects Budget.	●	●	●	●	●	●	●		
CTO-2	CTO-2.5	Implement projects and programs to improve the safety of cyclists and pedestrians through increased enforcement of pedestrian right-of-way laws, removing crossing impediments, improving crossing time at signalized intersections for pedestrians and cyclists, requiring drive-through food establishments to serve bicyclists, and providing center refuge areas for pedestrians and bicyclists to pause when crossing arterials.	DPW	DPS	O	While some aspects of this could potentially be implemented there are about five different action items contained within this item. Widening arterials to accommodate refuge islands is unlikely to ever take place because of right-of-way constraints at intersections.	Very High	General Fund Grants and partner funding.	Already partially budgeted in Projects Budget.	●	●	●	●	●	●	●		
CTO-2	CTO-2.6	Create at least one day a year when a portion of streets and plazas is designated for pedestrian and/or bicycle access only.	DPW	None	N	This was proposed as a Council study and dropped due to high costs. Will require a Study Issue to determine location, outreach, and funding.	Very High	General Fund	Pending study issue.									
CTO-2	CTO-2.7	Support business efforts to plan and implement a bike-sharing program for major commercial and industrial areas.	DPW	None	N	The City would be happy to support a privately funded bike share program including use of the public right-of-way for bike storage. However since the City has no control over timing, this was suggested as a long term measure.	Very High											
CTO-3	CTO-3.1	Continue sponsoring projects to provide transit rider amenities at bus stops and rail stations.	DPW	None	O	Already completed Frances Street bus stops, and Caltrain station re-building. Improved access to the north Caltrain platform with two different projects. Participate in the VTA's bus shelter advertising program which provides bus shelters. Require developers to improve bus stops. Shelter program pays City money, one Caltrain platform access paid for by a developer. There are no definitive plans for future improvements. Future investments would be as opportunities arise and would be at the discretion of the City Council. <del>Certain improvements such as shelters</del>	Low	General Fund Grants	Some portions already funded. Seek grants/partnerships for additional actions.	●	●	●	●	●	●	●	80% new development participating in <del>GreenTrip program</del> trip reduction program <del>VTA transit ridership in Sunnyvale</del>	3,200

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CTO-3	CTO-3.2	Work with the Valley Transportation Authority and neighboring jurisdictions to provide transit priority signal timing in order to decrease travel time.	DPW	None	O	Install equipment on signals and buses. Timing is unknown since VTA would be the project led. Signal priority would be included with El Camino BRT if implemented.	Low	General Fund	Already budgeted.	●	●	●	●	●	●	●		
CTO-3	CTO-3.3	Work with other agencies to provide High Occupancy Toll (HOT) lanes, and support expenditure of HOT lane revenue on projects that reduce vehicle miles traveled in Sunnyvale. Support regional congestion pricing measures.	DPW	None	O	Track and advocate as needed.	Low	General Fund	Already budgeted.	●	●	●	●	●	●	●		
CTO-3	CTO-3.4	Advocate for transit service improvements by area transit providers consistent with established performance standards, with an emphasis on coordinating public transit schedules and connections and for subsidies for a higher level of transit service and/or more transit passes for residents and/or employees.	DPW	None	O	Track and advocate as needed.	Low	General Fund	Already budgeted.	●	●	●	●	●	●	●		
CTO-3	CTO-3.5	<del>Partner with GreenTRIP and other local or regional organizations to implement trip reduction programs in new residential, commercial, and mixed use developments.</del> Require trip reduction programs in new residential, commercial, and mixed use development.	DPW	CDD	N	Create Program/Partnership. Add COA on New Projects.	Low	General Fund Partner Funding	Already budgeted.				●	●	●	●		
CTO-4	CTO-4.1	Require existing and future major employers to utilize a variety of transportation demand management (TDM) measures such as flexible work schedules, telecommuting, guaranteed rides home, low- or no-cost transit passes, parking "cash-out" incentives, and other programs that provide employees with alternatives to single-occupant commutes.	CDD	DPW	O	TDM is a requirement for new employment development. It is programmed and ongoing implementation is done at employers cost. City staff monitor TDM annual reports provided by employers. TDM programs are currently a typical condition of approval on large development projects. A project is underway to better measure program results. <i>Ongoing study issue in 2016.</i>	Low-Medium	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●	Participation in commute trip reduction programs	3,810
CTO-4	CTO-4.2	Create a TDM program for City staff to promote alternative transportation modes and carpooling to the greatest extent possible.	DPW	HR/NOVA CDD	N	Would require a new part time TDM coordinator position within DPW to implement. A study would be required to evaluate measures and costs for the City.	Low-Medium	General Fund	Projects Budget Proposal.					●				
CTO-4	CTO-4.3	Continue to provide density and other zoning incentives or procedural or financial incentives to developments for establishment of alternative transportation infrastructure within the private as well as adjacent public right-of-way, such as increased bicycle parking, separated sidewalks, bike lanes and signage, and change and shower facilities.	CDD	DPW	O	These incentives are already included in CDD codes and policies used for development review. <i>Peery Park Rides Pilot program to commence in 2016 will provide on-demand dynamic shuttle service to serve Peery Park employees.</i>	Low-Medium	Development Enterprise Fund Grants Partner Funding	<i>Peery Park Rides Pilot already funded through grants and partnerships. Seek grants/partnerships for additional actions.</i>	●	●	●	●	●	●	●		
CTO-4	CTO-4.4	Explore programs to encourage large employers to hire Sunnyvale residents.	OCM	None	N	<i>Need to define program.</i>	Low-Medium	Economic Development Budget				●	●	●	●	●		
CTO-5	CTO-5.1	Support the creation of walking school bus programs in coordination with schools and parent organizations.	DPS	LCS	O	Sunnyvale is already partnering with the Santa Clara County Health Department and Sunnyvale School District to promote alternative transportation modes to school. (VERBS Grant)	High	Grant funded General Fund	<i>Existing grant funding to sunset. FY16-17 Budget Issue for Safe Routes to School Coordinator.</i>	●	●	●	●	●	●	●	Commute to school mode share (35% reduction in school commute-related VMT)	1,050

Appendix A. Revised CAP Work Plan 2020 Implementation Matrix

Measure ID	Activity ID	Activity Description	Lead Dept.	Partner Dept.	Status	Remaining Steps	Cost Range	Funding Source	Funding Status	2014	2015	2016	2017	2018	2019	2020	GHG Metric 2020	2020 GHG Reduction MTCO <sub>2</sub> e
CTO-5	CTO-5.2	Encourage schools to link employees and guardians of students with an online system such as 511.org that provides carpool matching.	DPW	LCS	N	Sunnyvale is currently partnering with the Santa Clara County Health Department and Sunnyvale School District to promote alternative transportation modes to school. (VERBS Grant)	High	Grant funded General Fund	Existing grant funding to sunset. FY16-17 Budget Issue for Safe Routes to School Coordinator.	●	●	●	●	●	●	●		
CTO-5	CTO-5.3	Continue to implement a Safe Routes to School program for increased bicycle and pedestrian safety to and from schools.	DPS	None	O	Sunnyvale is currently partnering with the Santa Clara County Health Department and Sunnyvale School District to promote alternative transportation modes to school. (VERBS Grant)	High	State and Federal grants General Fund	Existing grant funding to sunset. FY16-17 Budget Issue for Safe Routes to School Coordinator.	●	●	●	●	●	●	●		
OVT-1	OVT-1.1	Designate preferred parking stalls for electric, hybrid, and other alternative fuel vehicles in all public and private parking lots consistent with the California Green Building Code.	CDD	DPW	O	This is already part of Green Building Code that applies to private development. A new policy would be required for public parking lots.	High	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●	1,500 NEVs in operation 2,660 new electric vehicle charging stations 3% of all vehicles in community are electric vehicles	5990 7970
OVT-1	OVT-1.2	Secure funding to install electric vehicle recharging stations or other alternative fuel vehicle support infrastructure in existing public and private parking lots.	ESD	DPW	I	Participating in regional grant project to install 4 EV charging stations in public areas. Will continue to monitor other grant opportunities.	High	General Fund Grants	Participating in regional two grant projects.	●	●	●	●	●	●	●		
OVT-1	OVT-1.3	Require sufficient electrical service in the garages/parking facilities of new residential development to support electric vehicle charging.	CDD	None	O	Already a requirement	Minimal	Development Enterprise Fund	Already budgeted.	●	●	●	●	●	●	●		
OVT-1	OVT-1.4	Increase the number of efficient or alternatively fueled vehicles in the City fleet as vehicles are turned over.	DPW	ESD/FIN	O	Fuel efficiency is already a significant factor in selecting new City vehicles; alternative fuels vehicles are higher cost and not typically purchased. Would need to review that purchasing policy.	High	Varies depending on use of vehicles	Additional incremental costs for alternative fuel vehicles not yet budgeted.	●	●	●	●	●	●	●		
OVT-1	OVT-1.5	Collaborate with taxi franchises to use low-emissions vehicles such as hybrids, compressed natural gas vehicles, biodiesel vehicles, or electric vehicles.	DPS	ESD	I	Discussions are underway regarding adding an incentive, such as a reduced vehicle inspection fee for low-emission vehicles, to the FY2016/17 Fee Schedule.	High	General Fund	Absorbed in existing budget resources.				●	●	●	●		
OVT-1	OVT-1.6	Explore zoning or other incentives to encourage alternative fuel stations like biodiesel and compressed or liquefied natural gas in place of or in combination with traditional gasoline and diesel fueling stations.	CDD	ESD	N	Study issue with extensive industry outreach. Implementation cost is private. Study in 2020.	High	Development Enterprise Fund								●		
OVT-1	OVT-1.7	Facilitate new fueling stations that offer alternative fuels.	CDD	ESD	N	Study issue. May have ongoing costs depending on outcome of study issue. Study Issue to be proposed prior to 2020.	High	Development Enterprise Fund								●		
OVT-1	OVT-1.8	Accommodate <del>neighborhood electric vehicles (NEVs)</del> alternatively fueled vehicles by enacting regulations consistent with the California Vehicle Code and the Manual of Uniform Traffic Control Devices.	DPS	DPW	N	Need further examination of which regulations may pertain to NEVs.	High	General Fund Grants	Projects Budget Proposal					●	●	●		
OVT-2	OVT-2.1	Work with car sharing companies such as Zipcar and City Car Share to increase the availability of car-share programs in Sunnyvale	DPW	OCM	N	Sunnyvale already has policies supportive of car sharing services including the use of City maintained parking lots.	Low			●	●	●	●	●	●	●	One car share option in operation	1,270

Status Key: I = In progress, O= On-going; N = Not started; C= Completed; J= Just Do It  
Blue text denotes additions; grey text denotes deletions; strikethrough denotes CAP actions proposed for deletion

Appendix A. Revised CAP Work Plan 2020 Implementation Matrix

Measure ID	Activity ID	Activity Description	Lead Dept.	Partner Dept.	Status	Remaining Steps	Cost Range	Funding Source	Funding Status	2014	2015	2016	2017	2018	2019	2020	GHG Metric 2020	2020 GHG Reduction MTCO <sub>2</sub> e
OVT-2	OVT-2.2	Identify appropriate locations, and require facilities for car share vehicles in new parking garages, job, centers, commercial cores, neighborhoods, and transit hubs.	CDD	DPW, OCM	O	The Sunnyvale Caltrain Station would be an appropriate location with adjacent City maintained parking lots that could accommodate a car share program. <i>City is including car share facilities in Specific Plans (e.g., Lawrence Station Area Plan).</i>	Low			●	●	●	●	●	●	●		
OVT-3	OVT-3.1	Increase signal coordination as warranted to facilitate traffic flow along arterials and major collectors.	DPW	None	O	This is an ongoing effort as funds permit.	High	General Fund	Already budgeted.	●	●	●	●	●	●	●	40% Reduction in vehicle idling times	3,000
OVT-3	OVT-3.2	Deploy intelligent transportation systems measures for managing traffic of large-scale construction projects and at major City and private events.	DPW	DPS	I	<i>The City successfully pilot tested the deployment of an Advanced Traffic Management System in 2015. Traffic signal optimization and coordination on four corridors in Sunnyvale is under study. The first contract award in February 2016.</i>	High	General Fund	Partially budgeted.	●	●	●	●	●	●	●		
A-1	A-1.1	Appoint a staff liaison to attend and participate in regional meetings focusing on adaptation and resilience and to report back to staff on a regular basis.	ESD	CDD, OCM	I	Need to determine appropriate staff to participation and set up mechanism for reporting out for City specific actions and follow-ups.	Minimal	General Fund Grant Fund	Absorbed in existing budget resources.	●	●	●	●	●	●	●		
A-2	A-2.1	Regularly train and inform the Department of Public Safety Office of Emergency Services (OES) on potential climate change risks and hazards.	DPS	None	I	Present CAP to DPS and discuss opportunities for integrating climate adaption and resiliency into emergency preparedness plans and materials.	Low	General Fund Grant Fund	Absorbed in existing budget resources.		●							
A-2	A-2.2	Update the City Emergency Plan and Emergency Preparedness Workbook to address climate change impacts.	DPS	None	I	Determine schedule for next update of Plan.	Low	General Fund Grant Fund	Projects Budget Proposal.		●							
A-3	A-3.1	Analyze and disclose possible impacts of climate change on the project or plan area with an emphasis on sea level rise.	CDD	None	O	Requires analysis and adoption of climate change data specifically to Sunnyvale and creation of adoption of adaptation assumptions. Continue participation in Silicon Valley 2.0 Project. Submitted application to Rockefeller 100 Resilient Cities Challenge that would fund Chief Resiliency Officer to develop resiliency plan.	Unknown	Regional Program Grant General Fund	Continue regional participation. Pursue grants.	●	●	●	●	●	●	●		
A-3	A-3.2	Integrate climate change adaptation into future updates of the Zoning Code, Building Code, General Plan, and other related documents.	ESD	CDD	O	Create Adaptation Plan or adopt adaptation assumptions. Consult CAP and Adaptation Plan when updating codes. See A-3.1	Unknown	Regional Program Development Enterprise Fund	Continue regional participation. Pursue grants.				●	●				
A-4	A-4.1	Dedicate a page of the City’s website to climate change and climate change adaptation.	ESD	OCM	N	Create Climate Change Web Page. Fully interactive webpage following citywide webpage redesign project.	Low	General Fund Grant Fund	<i>Initially funded through 2-yr Projects Budget for CAP program implementation. On-going funds to be identified.</i>			●	●	●	●	●		
A-4	A-4.2	On a regular basis, assess adaptation efforts of the City, region, and state and identify goals or gaps to be addressed.	ESD	CDD	I	Prepare Information RTC. Incorporate Study Issue scope, potentially report out with bi-annual update	Unknown Potentially Very High	General Fund Grant Fund	Continue regional participation. Pursue grants.			●		●		●		

## Proposed Revisions to CAP Actions

### CAP Biennial Progress Report – 2016

ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<i>Actions Proposed for Deletion:</i>			
OR-2.2: Construction equipment must be maintained per manufacturer's specifications	None	City cannot monitor privately owned/operated construction equipment.	No
<i>Actions Proposed for Language Change:</i>			
EC-4.1: Consistent with California AB 1103, require all nonresidential building owners to disclose building energy consumption and building energy ratings upon sale or lease of building.	EC-4.1: Consistent with California AB 802, promote the availability of <del>require all nonresidential building owners to disclose building energy consumption and</del> building energy ratings to building owners and support other energy efficiency efforts resulting from AB 802 <del>upon sale or lease of building.</del>	AB1103 was repealed and replaced by AB 802. CEC working on regulations to implement AB 802. However, AB 802 has deleted the requirement for building owners to disclose energy information to prospective buyers, leasees, or lenders. Therefore, action is revised to broaden the approach.	No
LUP-2.1: Continue to plan for most new residential, commercial and industrial developments in specific plan areas, near transit, and close to employment and activity centers.	LUP-2.1: Continue to plan for most new residential, commercial and industrial developments <del>to be developed</del> in specific plan areas, near transit, and close to employment and activity centers.	Edited to clarify language.	No

ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<i>Actions Proposed for Language and Indicator Change:</i>			
<p>EC-2.3: Continue to provide incentives for new construction and remodels to adhere to a higher green building standard than required by the City.</p>	<p>EC-2.3: Continue to provide incentives for new construction <del>and remodels</del> to adhere to a higher green building standard than required by the City.</p> <p>Change in performance indicators:  <i>(1) Cumulative number of new homes built <del>to Tier 1 standards or above the City's mandatory green building standards</del>; (2) Cumulative square feet of new nonresidential square feet built <del>to Tier 1 standards or above the City's mandatory green building standards</del></i></p>	<p>Remodel projects, due to their limited scope, are not compelled to exceed green building standards. There are other resources available to educate and encourage green practices for remodels. Additionally, the performance metric is focused on new buildings rather than on remodels.</p> <p>The performance indicator was revised to reflect the City's green building code, rather than the CALGreen standard, as new construction projects are required to comply with the local code.</p>	<p>No</p>

ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<p>CTO-3.5: Partner with GreenTRIP and other local or regional organizations to implement trip reduction programs in new residential, commercial, and mixed use developments.</p>	<p>CTO-3.5: <del>Partner with GreenTRIP and other local or regional organizations to implement</del> Require trip reduction programs in new residential, commercial, and mixed use developments.</p> <p>Change in performance indicators:  <i>(1) Cumulative number of dwelling units in new developments <del>participating in GreenTRIP or similar efforts with TDM requirements</del>; (2) Cumulative nonresidential square feet in new developments <del>participating in GreenTRIP or similar efforts with TDM requirements</del>.</i></p>	<p>Language was broadened to include trip reduction programs (other than only GreenTRIP) that the City is likely to participate in.</p>	<p>No</p>
<p>OVT-1.8: Accommodate neighborhood electric vehicles (NEVs) by enacting regulations consistent with the California Vehicle Code and the Manual of Uniform Traffic Control Devices.</p>	<p>OVT-1.8: Accommodate <del>neighborhood electric vehicles (NEVs)</del> alternatively fueled vehicles by enacting regulations consistent with the California Vehicle Code and the Manual of Uniform Traffic Control Devices.</p> <p>Change in performance indicator:  <i>Cumulative number of <del>NEVs in operation</del> alternatively fueled vehicles in the City</i></p>	<p>Language was broadened to include different types of alternatively fueled vehicles, rather than only NEVs. Based on recent trends, it is likely that alternatively fueled vehicles, particularly EVs, will be more prevalent in Sunnyvale than NEVs in the upcoming years.</p> <p>The performance indicator was revised accordingly. This indicator is similar to that originally used for OVT-1.7.</p>	<p>Yes</p> <p>Tracking the new performance indicator will result in an estimated 2020 emissions reduction of 7,970 MTCO<sub>2</sub>e compared to the originally estimated reduction of 4,780 MTCO<sub>2</sub>e.</p>



ORIGINAL CAP ACTION	REVISED CAP ACTION AND/OR INDICATOR	RATIONALE FOR MODIFICATION	DOES CHANGE IMPACT GHG REDUCTIONS?
<i>Actions Proposed for Indicator Change:</i>			
LUP-1.2: Create maximum parking requirements and reduce minimum parking requirements for mixed-use development. Require parking lot sharing for mixed use or commercial development with complementary hours of operation.	Change performance indicator from: <del>Average monthly cost of parking in developments with unbundled parking</del> [Metric to be determined]	The current performance indicator cannot be tracked as the City does not monitor the cost of parking at all developments. The City will consider developing a better indicator during the next biennial reporting cycle.	Yes  Impact associated with the change in performance indicator will be determined when new indicator is identified.
OR-2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures [parts a through d, as specified in the adopted CAP], at a minimum, as appropriate to the construction project.	<del>Percent of construction equipment used in Sunnyvale which uses alternative fuels [CNG, LNG, propane, biodiesel, or electricity], or which uses hybrid technology</del>	The current performance indicator cannot be tracked as the City does not monitor each piece of equipment that is alternatively fueled; therefore, it has been proposed for deletion.	No
OVT-1.7: Facilitate new fueling stations that offer alternative fuels.	<del>Cumulative number of alternative fuel vehicles [excluding EVs and hybrids] in operation</del>	The current performance indicator as defined (i.e., excluding EVs and hybrids) cannot be tracked as most records of alternatively fueled vehicles include both EVs and hybrids. Therefore, it has been proposed for deletion. See OVT-1.8 for which a similar indicator has been proposed.	Yes  Deletion of this indicator will also eliminate all associated emission reductions. This change is offset by the increase in reductions resulting from the proposed change to OVT 1.8.





# City of Sunnyvale

## Meeting Minutes - Draft

### Sustainability Commission

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Monday, March 21, 2016

7:00 PM

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

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#### **CALL TO ORDER**

Chair Paton called the meeting to order at 7:03 p.m. in the West Conference Room.

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

Chair Paton led the salute to the flag.

#### **ROLL CALL**

**Present:** 7 - Chair Bruce Paton  
Vice Chair Amit Srivastava  
Commissioner Gerald Glaser  
Commissioner Brian Glazebrook  
Commissioner Dan Hafeman  
Commissioner Petya Kisyova  
Commissioner Steven Zornetzer

Commissioner Hafeman arrived at 7:06 p.m.

Commissioner Glazebrook arrived at 7:10 p.m.

Council Liaison – Jim Davis (absent)

#### **PRESENTATION**

- 1      [16-0296](#)      PRESENTATION - Water Pollution Control Plant Capital Improvement Plan Update

John Stuffelbean, Director of the Environmental Services Department, provided an overview of the City's Water Pollution Control Plant (WPCP) Master Plan. This included the proposed alternatives for updating the primary, secondary, and tertiary treatment processes; updates on funding status; the proposed timeline for implementation of the upgrades; and opportunities for increasing recycled water use in Sunnyvale.

**ORAL COMMUNICATIONS**

None.

**CONSENT CALENDAR**

- 2      [16-0294](#)      Approve the Sustainability Commission Meeting Minutes of February 16, 2016

Commissioner Hafeman moved and Commissioner Glazebrook seconded a motion to approve the February 16, 2016 meeting minutes as submitted. The motion carried by the following vote:

**Yes:** 4 -    Chair Paton  
                 Commissioner Glazebrook  
                 Commissioner Hafeman  
                 Commissioner Kisyova

**No:** 0

**Abstain:** 3 -    Vice Chair Srivastava  
                 Commissioner Glaser  
                 Commissioner Zornetzer

Vice Chair Srivastava and Commissioner Zornetzer abstained as they were not present at the February meeting.

Commissioner Glaser abstained as he noted that the minutes of the February 16, 2016 meeting did not reflect his comments to staff regarding the recommended change to CAP measure OVT-1.7. Commissioner Glaser did not proposed a revision to the minutes because he planned to raise the issue again during the CAP Report item on this evening's Commission agenda.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 3      [16-0295](#)      Discussion and Possible Action: Climate Action Plan Biennial Report 2016

Elaine Marshall, Environmental Programs Manager, and Nupur Hiremath, Sustainability Coordinator, presented key highlights from the CAP Biennial Progress Report 2016. The presentation included a review of 2014 community-wide greenhouse gas emissions relative to state-recommended targets and to the 2008 baseline; progress on CAP implementation; key CAP initiatives including items scheduled for implementation in the next two-year cycle; and staff

draft recommendations to Council.

Commissioner Kisyova asked for additional details on the City's implementation efforts related to CALGreen and green building policy updates. She expressed concern that the City will always be lagging by 1-2 years regarding green building code development and behind leading cities, such as Palo Alto, who started work evaluating opportunities for advancing green building policies in 2015. Elaine Marshall clarified that Community Development Department (CDD) staff is scheduled to update the City's green building code in 2017, which is consistent with the CAP Work Plan 2020. CDD staff anticipates that this effort will entail looking at the updates to CALGreen as well as examining where the City would want to go with Zero Net Energy building policies. Commissioner Kisyova explained that the State's updated green building codes will be published later in 2016 and will go into effect starting January 1, 2017, and that waiting until 2017 to review the City's green building code would be too late. Melody Tovar noted that CDD staff recognized that the 2017 update would be a significant level effort. She noted that the sustainability staff would convey Commissioner Kisyova's feedback to CDD staff, clarify with them the exact timeline of anticipated updates, and provide clarification to the Commission at a future date. Commissioner Kisyova also noted that the study issue CDD 16-09 was rejected noting that the update would be made in 2016, but staff is now noting that the updates would be completed in 2017. Sustainability staff will revisit the staff notes from the Study Issue workshop and reconcile the dates in discussion with CDD staff.

The Commission asked clarification questions and provided specific feedback on the report, including the need for an executive summary and for additional details on proposed adaptation-related efforts. Among other changes, the Commission requested that staff include additional analysis of the data, specifically, the identification of drivers of GHG reductions from baseline to 2014 and how other factors (such as population and economic development) may offset efforts to reduce GHG emissions, possibly in visual form. The Commission agreed that future reports should highlight the effects of turning different knobs and, therefore, which knobs can be influenced to reduce the City's GHG emissions.

The Commission also discussed the implications of the 2-year time lag between reported data and the development of CAP biennial progress reports. Commissioner Kisyova noted that the time lag would mean that the City is always behind schedule in truly understanding what CAP-related accomplishments were. Other Commissioners noted that the time lag was inevitable but despite that, reporting data would be valuable in assessing performance and making subsequent decisions.

Commissioner Kisyova noted that the report does little to provide the big picture implications of CAP implementation and fails to outline what high level changes are needed to reach the state-recommended targets sooner. Other Commissioners acknowledged that the CAP Biennial Progress Report for 2016 is a baseline report that updates the GHG emissions inventories and reports on CAP progress, and that trends may not be obvious within a 2-year period after CAP adoption. They agreed that future CAP biennial progress reports should include a greater discussion of what revisions are needed to the CAP to support accelerated achievement of GHG reduction targets.

Chair Paton opened the Public Hearing.

Barbara Fukumoto, Sunnyvale resident, suggested additional changes to the CAP and provided comments on how the City may consider revising its goals and GHG reduction targets.

Chair Paton closed the Public Hearing.

The Commission discussed the proposed changes to CAP actions, asking for clarification from staff as needed. For CAP action EC-2.3, Commissioner Glaser noted that the action as originally written was not about enforcing the green building updates to remodels, but rather about providing incentives for remodels to adhere to higher green building standards. As the rationale for the proposed change seemed inconsistent with the action, Commissioner Glaser recommended rejecting the proposed change.

For CAP action EC-4.1, rather than deleting the action, Commissioner Glazebrook recommended replacing AB 1103 with AB 802, a state regulation that has already been published, although the implementation details are still being worked out. The Commission agreed that a CAP action that required buildings to examine their energy use was a good initial effort to reducing energy consumption and improving energy efficiency.

For CAP action OVT-1.8, Commissioner Glaser clarified that the intent of the CAP action was to change the City's infrastructure to accommodate neighborhood electric vehicles (NEVs) which have a lighter footprint. Commissioner Glaser stated that not supporting this action as originally written was the equivalent of not supporting bicycle lane development because there are not enough bicyclists to fill the lanes. The staff proposed change makes the CAP action measurable but does not reflect the intent of the CAP action.

Commissioner Glaser moved, and Commissioner Glazebrook seconded, a motion that the Commission recommend that Council: (1) accept the CAP Biennial Progress Report 2016, subject to the comments provided during the meeting; (2) accept the proposed changes to the CAP, subject to the following modifications: (a) reject the proposed changes to CAP measures EC-2.3 and OVT-1.8; (b) amend (rather than delete) CAP measure EC-4.1 to reflect Assembly Bill 802 (AB 802) as the replacement for AB 1103; and (3) recommend that subsequent CAP biennial reports include additional analysis on what efforts are working versus those that are not working.

Vice Chair Srivastava offered a friendly amendment to add an Executive Summary to the report that synthesizes the data succinctly.

Commissioner Glaser accepted the friendly amendment.

The motion carried by the following vote:

**Yes:** 6 - Chair Paton  
Vice Chair Srivastava  
Commissioner Glaser  
Commissioner Glazebrook  
Commissioner Hafeman  
Commissioner Zornetzer

**No:** 0

**Abstain:** 1 - Commissioner Kisyova

Commissioner Kisyova abstained as she noted she could not vote to accept the report unless her previously stated concerns regarding the lack of a big picture summary, discussion of future goals, and the time lag in reporting data were addressed.

**4**      [16-0293](#)      Approval of Sustainability Commission 2016 Master Work Plan

The Commission added an item to develop recommendations to Council for making adjustments to the CAP into the 2016 Master Work Plan.

Commissioner Hafeman moved, and Commissioner Glazebrook seconded, a motion to approve the Sustainability Commission's 2016 Master Work Plan:

**Yes: 7 -** Chair Paton  
Vice Chair Srivastava  
Commissioner Glaser  
Commissioner Glazebrook  
Commissioner Hafeman  
Commissioner Kisyova  
Commissioner Zornetzer

**No: 0**

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

**NON-AGENDA ITEMS & COMMENTS**

**-Commissioner Comments**

The Commission welcomed new Commissioner Steven Zornetzer, who introduced himself and provided some details of his background and involvement in sustainability efforts.

Commissioner Hafeman cited the sale of a building behind Raynor Park to the Stratford School as an example of the City inevitably contributing to increasing vehicle miles traveled, by allowing the Stratford School (a predominantly car-commute school) to expand its operations. He noted that the City should be considering the CAP as a part of any action.

Commissioner Kisyova reported that the El Camino Real (ECR) Plan Advisory Committee was starting to draft guiding principles for ECR development. She noted that the current consultant is recommending maintaining existing car dealerships and even adding large furniture stores along ECR, which would greatly affect vehicle use along this corridor. The next meeting will be held in April 2016.

**-Staff Comments**

Melody Tovar provided a brief update on the progress made towards establishing the Community Choice Energy (CCE) program. The first meeting of the Board of Directors for the Silicon Valley Clean Energy Authority will be held on April 13, 2016, at which all Directors and the alternate Directors (from all 12 participating jurisdictions) will take their oath of office. The City Council has appointed Councilmember Jim Griffith as the Director representing Sunnyvale, and Councilmember Tara Martin-Milius as the alternate.

**INFORMATION ONLY REPORTS/ITEMS**

None.

**ADJOURNMENT**

The meeting was adjourned at 10:23 pm.



# City of Sunnyvale

## Agenda Item

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**16-0317**

**Agenda Date: 5/3/2016**

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Tentative Council Meeting Agenda Calendar





# City of Sunnyvale

## Tentative Council Meeting Agenda Calendar

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### Tuesday, May 10, 2016 - City Council

#### Study Session

- 16-0054** 6 P.M. SPECIAL COUNCIL MEETING ONLY (Study Session) -  
NO REGULAR COUNCIL MEETING  
Board and Commission Interviews

### Tuesday, May 17, 2016 - City Council

#### Study Session

- 16-0325** 5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Review Performance Evaluation Tools for the City Manager and City  
Attorney

#### Special Order of the Day

- 16-0102** 6 P.M. SPECIAL COUNCIL MEETING  
  
SPECIAL ORDER OF THE DAY - Schools Goin' Green Update
- 16-0423** SPECIAL ORDER OF THE DAY - Schools Goin' Green Project  
Presentation
- 16-0409** SPECIAL ORDER OF THE DAY - National Teen Self-Esteem Month
- 16-0424** SPECIAL ORDER OF THE DAY - National Public Works Week

#### Public Hearings/General Business

- 16-0077** Receive Civic Center Modernization Project and Utility User Tax Polling  
Results and Provide Direction to Staff on Next Steps
- 16-0221** Adopt a Resolution to Amend the Salary Table of the City's Salary  
Resolution to Follow Section 3.80.040 of the Sunnyvale Municipal Code for  
scheduled increases to the Minimum Wage
- 16-0357** Provide a Recommendation to the City Council on the Roadway Allocation  
Study for Conceptual Design Development of Maude Avenue Bikeways  
and Streetscapes Project
- 16-0406** Positions on State and Local Ballot Measures for the June 7, 2016 Election
- 16-0430** File #: 2015-7530 and 2015-7936

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Location: 521 E. Weddell Drive (APN: 110-14-196), 531 E. Weddell Drive (APN: 110-14-186), 539 E. Weddell Drive (APN: 110-14-158), 1010 Morse Ave. (APN: 110-14-202), Hetch Hetchy ROW (APN: 110-14-202)

Proposed Project:

GENERAL PLAN AMENDMENT: Proposed land use designation change (Alternative 1) from Industrial to School or (Alternative 2) from Industrial to Commercial Neighborhood on three parcels (521, 531, and 539 E. Weddell Drive), and from Industrial-to-Residential/Medium-to-High Density to Park on one parcel (1010 Morse Ave. - Seven Seas Park), and from Industrial to Park on one parcel (Hetch Hetchy ROW);

REZONING from MS-POA (Industrial and Service/Places of Assembly) to PF (Public Facilities) zoning or from MS-POA (Industrial and Service/Places of Assembly) to C1 (Neighborhood Business) zoning on three parcels (521, 531 and 539 E. Weddell Drive), and from MS-ITR-R3-PD (Industrial and Service - Industrial to Residential/Medium Density Residential/Planned Development) to PF (Public Facilities) zoning on one parcel (1010 Morse Ave. - Seven Seas Park), and MS (Industrial and Service) to PF (Public Facilities) zoning on one parcel (Hetch Hetchy ROW);

USE PERMIT for the use of an existing building (539 E. Weddell Dr.) for a public charter middle school of up to 400 students.

Applicant / Owner: Sunnyvale International Church and Summit School (applicants) / Sunnyvale International Church (owner - 521 and 539 E. Weddell Drive), 1st Morning Light Chinese Christian Church (owner - 531 E. Weddell Drive), City of Sunnyvale (owner - 1010 Morse Ave.), and City and County of San Francisco (San Francisco Public Utilities Commission - Hetch Hetchy ROW).

**16-0456** Award of Bid No. PW16-19 for the Primary Treatment Facility Package 1 Site Preparation Project for the Reconstruction of the Water Pollution Control Plant, and Reject Bid from Non-responsive Bidder

**Tuesday, May 24, 2016 - City Council**

**Study Session**

**16-0055** 6 P.M. SPECIAL COUNCIL MEETING ONLY (Study Session)  
NO REGULAR COUNCIL MEETING  
Board and Commission Interviews

**Thursday, May 26, 2016 - City Council**

**Public Hearings/General Business**

**16-0056** 8:30 A.M. SPECIAL COUNCIL MEETING  
Budget Workshop

**Tuesday, June 14, 2016 - City Council**

**Special Order of the Day**

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**16-0074** SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members

**Public Hearings/General Business**

**16-0083** Appoint Applicants to Boards and Commissions

**16-0114** File #: 2015-7275  
Location: 1111 Lockheed Martin Way (APNs: 110-01-036 and 110-01-038)  
Proposed Project: Discussion and possible actions on:  
SPECIAL DEVELOPMENT PERMIT to demolish existing buildings and construct five eight-story buildings, three four-story parking structures, and a two-story amenities building resulting in approximately 1.65 million square feet of office use.  
Environmental Review: An Environmental Impact Report (EIR) has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.  
Applicant / Owner: Jay Paul Company/ Lockheed Missiles and Space Co., Inc.

**16-0135** Annual Public Hearing on FY 2016-17 Budget and Resource Allocation Plan and Establishment of Appropriations Limit

**16-0136** Public Hearing - Annual Review of Proposed Fees and Charges for Fiscal Year 2016/17

**16-0356** Adopt a Resolution Calling a General Municipal Election for November 8, 2016 for the Election of Councilmembers for Seat Numbers 4, 5, 6 and 7; Request Consolidation with Other Legislative Districts within the County and Request County Services

**16-0364** Adopt Resolutions Calling a General Municipal Election for November 8, 2016 for the Submission to the Voters a Ballot Measure Question Relating to the Initiative Ordinance Petition to Require Voter Approval for Any Sale, Lease, Lease Extension, Lease Renewal, Land Swap, or Transfer of Property Owned, Leased, or Used by the City as a Public Park or Community Service Amenity ("Public Lands for Public Use Act" Initiative); Requesting Consolidation with the Statewide General Election; Requesting the Board of Supervisors of the County of Santa Clara to Render Services to the City to Conduct the Election; and Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Filing Written and Rebuttal Arguments

**16-0397** Public Hearing and Adoption of a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2016/17 County of Santa Clara Property Tax Roll

**Tuesday, June 21, 2016 - City Council**

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## Public Hearings/General Business

- 16-0411** 6 P.M. SPECIAL COUNCIL MEETING  
Location: Council Chambers
- 16-0240** Explore Expanding Friendship City Relationship with Iizuka, Japan to a Sister City Relationship (Study Issue)
- 16-0380** Proposed Utility Rate Increases for FY 2016/17 Rates for Water, Wastewater, and Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries; Finding of CEQA Exemption Pursuant to CEQA Guideline 15273
- 16-0398** Approval of 2015 Urban Water Management Plan (UWMP) Update and Adoption of Resolution
- 16-0436** Introduce an Ordinance to Amend Chapter 9.28 of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code Relating to Regulation of Smoking in Outdoor Areas; Consider Amendment to Section 9.28.030(D) of Title 9 to Modify or Eliminate the Requirement that Taverna Bistro and Lounge (133 S. Murphy Ave) Comply with the Prohibition on Smoking in Outdoor Dining Areas Following a Two Year Amortization Period for Use Permit No. 2006-0827 (Hookah); Finding of CEQA Exemption Pursuant to Guideline Section 15061(b)(3)
- 16-0437** Introduce an Ordinance to Amend Chapter 9.26.030 (Nuisances Described - Authority to Abate) of Chapter 9.26 (Abatement of Nuisances) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code to Delete the Reference to Section 19.48.260 and Maintain Prohibitions Related to Parking on Unpaved Surfaces; Finding of CEQA Exemption Pursuant to Guideline Section 15061(b)(3)

## Tuesday, June 28, 2016 - City Council

### Closed Session

- 16-0326** 4 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager
- 16-0327** 5 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Attorney

### Study Session

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**16-0370** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Mobile Home Park Policies

**Public Hearings/General Business**

**14-0273** Optimization of Wolfe Road for Neighborhood and Commuters via Reconfiguration and Signalization (Study Issue)

**15-0717** Consider Multi-family Residential Transportation Demand Management Programs

**16-0137** Adoption of the FY 2016/17 Budget, Fee Schedule, and Appropriations Limit

**16-0417** File #: 2015-7400  
Location: 1184 Mathilda Avenue (APNs: 110-25-042, 110-25-49, and 110-25-55)  
Zoning: Moffett Park Specific Plan Transit Oriented Development (MP-TOD)  
Proposed Project: Related applications on a 19.31-acre site:  
SPECIAL DEVELOPMENT PERMIT: to demolish the existing surface parking and construct a new 248,259 square foot, five story office building over three stories of parking with additional rooftop and underground parking and reconfiguration of the surface parking lots within the office campus.  
Applicant / Owner: FSP-Sunnyvale Office Park, LLC (applicant) /Jeffery Jacobsen, Common Wealth Partners (owner)  
Environmental Review: Mitigated Negative Declaration  
Project Planner: Margaret Netto, Project Planner, (408) 730-7628, mnetto@sunnyvale.ca.gov

**Tuesday, July 12, 2016 - City Council**

**Closed Session**

**16-0328** 6 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager

**Public Hearings/General Business**

**16-0241** Solar Access Requirements (Study Issue)

**Tuesday, July 26, 2016 - City Council**

**Public Hearings/General Business**

**16-0058** Agenda items pending - to be scheduled

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**Tuesday, August 9, 2016 - City Council**

**Public Hearings/General Business**

- 16-0191**                      Quarterly General Plan Amendment Initiation
- 16-0427**                      Rezoning for a Single-story Combining District for 25 homes on W. Remington Drive, Tangerine Way, Templeton Drive and Spinosa Drive.

**Tuesday, August 23, 2016 - City Council**

**Study Session**

- 16-0082**                      6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Board and Commission Interviews (as necessary)

**Presentation**

- 16-0060**                      PRESENTATION - Update from Foothill-De Anza Community College District

**Public Hearings/General Business**

- 15-0588**                      Peery Park Specific Plan and Environmental Impact Report

**Tuesday, September 13, 2016 - City Council**

**Public Hearings/General Business**

- 15-0605**                      Land Use and Transportation Element and Environmental Impact Report
- 16-0084**                      Appoint Applicants to Boards and Commissions

**Tuesday, September 20, 2016 - City Council**

**Public Hearings/General Business**

- 16-0063**                      TBD - meeting to be held only if necessary

**Tuesday, September 27, 2016 - City Council**

**Special Order of the Day**

- 16-0085**                      SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members

**Public Hearings/General Business**

- 16-0081**                      Agenda items pending - to be scheduled

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**Tuesday, October 4, 2016 - City Council**

**Public Hearings/General Business**

**16-0064** TBD - meeting to be held only if necessary

**Tuesday, October 11, 2016 - City Council**

**Special Order of the Day**

**16-0100** SPECIAL ORDER OF THE DAY - 2016 Fire Safety Poster Contest Awards

**Public Hearings/General Business**

**16-0066** Agenda items pending - to be scheduled

**Tuesday, October 25, 2016 - City Council**

**Public Hearings/General Business**

**16-0067** Agenda items pending - to be scheduled

**Tuesday, November 1, 2016 - City Council**

**Public Hearings/General Business**

**16-0192** Quarterly General Plan Amendment Initiation

**Tuesday, November 15, 2016 - City Council**

**Closed Session**

**16-0329** 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

**Public Hearings/General Business**

**16-0069** Agenda items pending - to be scheduled

**Tuesday, December 6, 2016 - City Council**

**Public Hearings/General Business**

**16-0070** Agenda items pending - to be scheduled

**Tuesday, December 13, 2016 - City Council**

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**Closed Session**

**16-0330**            5 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section  
54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Attorney

**16-0331**            6 P.M. SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session held pursuant to California Government Code Section  
54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager

**Public Hearings/General Business**

**16-0071**            Agenda items pending - to be scheduled

**Tuesday, January 10, 2017 - City Council**

**Public Hearings/General Business**

**16-0072**            Agenda items pending - to be scheduled

**Thursday, January 26, 2017 - City Council**

**Public Hearings/General Business**

**16-0059**            8:30 A.M. SPECIAL COUNCIL MEETING  
Strategic Session-Prioritization & Policy Priorities Update

**Friday, January 27, 2017 - City Council**

**Public Hearings/General Business**

**16-0076**            8:30 A.M. SPECIAL COUNCIL MEETING  
Strategic Session-Prioritization & Policy Priorities Update

**Tuesday, January 31, 2017 - City Council**

**Public Hearings/General Business**

**16-0065**            TBD - meeting to be held only if necessary

**16-0073**            Agenda items pending - to be scheduled

**Friday, February 3, 2017 - City Council**

**Public Hearings/General Business**



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**16-0057**                      8:30 A.M. SPECIAL COUNCIL MEETING  
Study/Budget Issues Workshop

**Tuesday, February 7, 2017 - City Council**

**Study Session**

**16-0087**                      6 P.M. SPECIAL COUNCIL MEETING (Study Session)  
Board and Commission Interviews (as necessary)

**Public Hearings/General Business**

**16-0193**                      Quarterly General Plan Amendment Initiation

**Tuesday, February 28, 2017 - City Council**

**Public Hearings/General Business**

**16-0086**                      Appoint Applicants to Boards and Commissions

**16-0242**                      Individual Lockable Storage Requirements for Multi-Family Housing (Study Issue)

**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, Deferred to January 2017)

**14-0429**                      Resolution Forming Homestead Road Underground Utility District - Public Hearing

**15-0603**                      Lawrence Station Area Plan and Final Environmental Impact Report

**16-0271**                      File #: 2015-7399  
Location: 777 Sunnyvale-Saratoga Road (APN: 201-36-002)  
Zoning: C-2/ECR  
Proposed Project: Appeal by a member of the public of a decision by the Planning Commission to conditionally allow a:  
SPECIAL DEVELOPMENT PERMIT to allow an approximately 11,600 square foot new commercial building (grocery store) on an existing commercial site. The project replaces a portion (approx. 7,599 s.f.) of the Orchard Supply Hardware building and storage area.  
Appellant / Applicant / Owner: Michael Howland (appellant) / Ware Malcomb (applicant) / Mardit Properties, LP (owner)  
Environmental Review: Mitigated Negative Declaration  
Project Planner: Ryan Kuchenig, (408) 730-7431,  
rkuchenig@sunnyvale.ca.gov



# City of Sunnyvale

## Agenda Item

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**16-0274**

**Agenda Date: 5/3/2016**

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Information/Action Items

## **2016 INFORMATION/ACTION ITEMS** **COUNCIL DIRECTIONS TO STAFF**

<b>No.</b>	<b>Date Assigned</b>	<b>Directive/Action Required</b>	<b>Dept</b>	<b>Due Date</b>	<b>Date Completed</b>
1.	8/18/15	Look for potential matching funds for the Lawrence/Wildwood project and adjust TIF assumptions as needed	DPW	September 2016	
2.	12/1/15	UUT Study Session follow up (will be presented as a Report to Council)	FIN	5/17/16	
3.	2/23/16	Evaluate and bring back staff analysis on the request to grandfather in hookah use at an existing downtown restaurant	DPS/ OCA	6/21/16	
4.	3/29/16	Provide a Biweekly Report item on Water Enterprise Fund Debt and expected savings when a portion of the debt is retired.	FIN		<b>4/14/16</b>
5.	4/5/16	Prepare a Biweekly Report item to provide more information on the PERS regulation that requires equal pay for casual classifications. Provide an estimate of the annual fiscal impact of the salary schedule changes made at this Council meeting (coordinate with Finance)	HR/ FIN		<b>4/14/16</b>
6.	4/12/16	Regarding Plaza Del Rey Mobile Home Park – when was the rent hardship program put in place by the owner and has anyone used it. Share information about their communication with the residents.	CDD		<b>4/14/16</b>
7.	4/19/16	Follow up with Holly Lofgren to provide a copy of the comparison of open swim fees	LCS		<b>4/21/16</b>

## NEW STUDY/BUDGET ISSUES SPONSORED BY COUNCIL IN 2016

No.	Date Requested	Study Issue Title	Requested By	Dept	Issue Paper Approved by City Manager
1.	4/12/16	Medical Marijuana – Exception of marijuana cultivation in the city for research and development; regulation of marijuana cultivation for personal use; monitoring of state regulation (work effort to be timed around the potential absence of state legislation on marijuana)	Griffith/ Martin-Milius	DPS	



# City of Sunnyvale

## Agenda Item

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16-0394

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### **SUBJECT**

Notice of Public Works Director's Decision on Final Maps (Information Only)

#### **BACKGROUND**

In accordance with Sunnyvale Municipal Code Section 18.20.270, this is notice of the Public Works Director's pending approval on the following Final Map(s):

<b>Tract</b>	10343
<b>Location</b>	423 E. Maude Avenue
<b>Developer</b>	Classic Communities
<b>Lots/Units</b>	12 (11 developable, 1 common lot)/11 townhouse units

<b>Tract</b>	10344
<b>Location</b>	755-777 E. Evelyn Avenue
<b>Developer</b>	Classic Communities
<b>Lots/Units</b>	43 (42 developable, 1 common lot)/42 townhouse units

#### **ENVIRONMENTAL REVIEW**

Approval of final subdivision map is a ministerial action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15268(b)(3).

#### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, 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.

Prepared by: Jennifer Ng, Assistant City Engineer

Reviewed by: Craig Mobeck, Assistant Director of Public Works

Reviewed by: Manuel Pineda, Director of Public Works



# City of Sunnyvale

## Agenda Item

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16-0453

Agenda Date: 5/3/2016

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### REPORT TO COUNCIL

#### SUBJECT

Update on Response to Twin Pines Manor Fire

#### BACKGROUND

On Friday, April 15, a two-alarm fire occurred at Twin Pines Manor Apartments, an 81-unit apartment complex located at 1066 Sunnyvale-Saratoga Road in Sunnyvale. Seventy-six households were displaced from the building due to the damage caused by the fire. Sunnyvale staff and elected officials, the American Red Cross, Sunnyvale Community Services (SCS) staff, local volunteers and faith communities worked through that weekend to safely shelter the displaced families at the Sunnyvale Senior Center, followed by a transition to local motels beginning on April 17.

On April 19 (RTC 16-0422) Council committed \$150,000 in local funds for motel stays through May 8 and related costs; \$250,000 for rapid re-housing assistance, which can include security deposits, moving costs, and short- to mid-term rental assistance; and \$30,000 in Library and Recreation Program waivers. At that meeting, Council also directed staff to return to Council on May 3 with an update on the relocation efforts and a presentation from SCS on its progress in evaluating and addressing the needs of the displaced residents, and any additional staff recommendations related to this matter.

#### EXISTING POLICY

##### **General Plan Safety Element**

*Policy SN-3.1* Provide rapid and timely response to all emergencies.

##### **2015-2020 HUD Consolidated Plan**

##### **Goal B: Alleviation of Homelessness**

*Action 1.F:* To the extent that local (non-HUD) funding is available for this purpose, provide funding for a Sunnyvale homelessness prevention and rapid re-housing program.

#### ENVIRONMENTAL REVIEW

The actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

#### DISCUSSION

As of April 26, various agencies had offered in-kind or financial assistance. The County of Santa Clara approved a grant of \$150,000 to SCS for rapid re-housing efforts on April 26, and the Silicon Valley Housing Trust has approved a grant of \$100,000 to SCS to assist the displaced families

through its “Finally Home” program, which is a rapid re-housing program. Private sector donations to date total to about \$140,000 for replacement of household items, initial move-in costs such as rent and security deposits, and/or motel stays. Downtown Streets Team (DST), West Valley Community Services, Mountain View Community Services Agency, Abode Services, and HomeFirst have contributed case management services, temporary housing units, and other in-kind support. Dozens of community and faith groups have donated time and resources. Local landlords and housing providers have offered rental units to the displaced tenants.

SCS has been working with the City, the County, the Red Cross, DST, and others to assist the displaced households with immediate needs and relocation. As part of the needs assessment process, SCS has determined that among the 168 residents who lived in Twin Pines Manor, there were 40 children aged 17 or younger, eight seniors aged 65 or older and 120 adults aged 18 to 64 years. Three of the tenants are veterans, and three other tenants have Section 8 rent vouchers from the Housing Authority, which means that they pay 30 percent of their monthly income on rent and the remainder is paid for by the Housing Authority with federal Section 8 subsidies. Generally voucher recipients have very low or extremely low incomes. The displaced households include families with babies and young children, and residents with chronic medical conditions. The displaced residents speak various languages including Cantonese, Farsi, German, Hindi, Mandarin, Korean, Spanish, Russian and English.

To date, the City has received invoices for nearly \$52,000 in motel expenses incurred between April 17 and April 24. These expenses are being paid for using the \$150,000 in local Housing funds approved by Council for motel stays through May 8. Staff expects to receive additional invoices soon for 13 rooms reserved at one additional motel. A total of 58 motel rooms in three hotels were booked for the first week to provide shelter to the displaced residents. In addition to the motel stays, approximately \$1,000 has been expended for initial emergency supplies such as food and water.

As of April 25, SCS had assisted 13 households in renting replacement dwellings, and had obtained transitional housing for five additional households. To meet the needs of those still in motels, SCS encourages monetary donations and gift cards for local casual, family-style restaurants, since the families cannot cook in the motels and dining out all the time is expensive, or for local stores such as Target for replacement of needed personal items. Donations of new or used furniture and other goods are not encouraged at this time, due to lack of storage and staff to process and distribute such items.

Entity	Amount	Purpose
City of Sunnyvale	\$150,000	Motel stays and immediate needs
City of Sunnyvale	\$250,000	Homeless Prevention and Rapid Re-housing (HPRR) Program (FY 2016-17 appropriation, in addition to current balance of approximately \$160,000)
City of Sunnyvale	\$30,000	Library / Recreation Waivers
Private Donations	\$110,000	Motels, replacement of personal items, furniture, security deposits, first/last month's rent

GoFundMe (City initiated, there are other GoFundMe efforts)	\$30,000	Replacement of personal items, furniture, food, etc.
County of Santa Clara	\$150,000	Rapid re-housing and case management
Housing Trust Silicon Valley	\$100,000	Rapid Re-housing (Finally Home)
Various Non-Profit Agencies	In-kind assistance	Case management, transitional housing, etc.
<b>Total</b>	<b>\$820,000</b>	

The appropriations made by City Council on April 19 as well as the commitments by other agencies, and the financial support and in-kind assistance from the community collectively amount to over \$800,000. In addition, SCS has been able to place 13 households in permanent housing, plus five in transitional housing within 10 days of the fire and continues to place families in rental housing. At this time, it is not yet clear what level of insurance proceeds from various parties, such as property owner coverage, or tenants' insurance for personal items, may become available to the tenants. It is difficult to estimate whether additional assistance will be needed beyond that already committed. Staff is monitoring the situation closely and is in contact with SCS on a daily basis. If it becomes apparent that additional City action is needed, staff will notify City Council.

An oral update to the above information will be provided at the City Council meeting.

**FISCAL IMPACT**

None.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, 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.

Prepared by: Katrina L. Ardina, Housing Programs Analyst  
Reviewed by: Suzanne Isé, Housing Officer  
Reviewed by: Trudi Ryan, Director, Community Development  
Reviewed by: Walter C. Rossmann, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager





# City of Sunnyvale

## Agenda Item

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**16-0441**

**Agenda Date: 5/3/2016**

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Board/Commission Meeting Minutes



# City of Sunnyvale

## Meeting Minutes - Draft Parks and Recreation Commission

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Wednesday, April 13, 2016

7:00 PM

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

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### **CALL TO ORDER**

Chair Pasqua called the meeting to order at 7:02 p.m. in the Council Chambers.

### **SALUTE TO THE FLAG**

Chair Pasqua led the salute to the flag.

### **ROLL CALL**

**Present:** 4 - Chair Craig Pasqua  
Vice Chair Ralph Kenton  
Commissioner Omar Din  
Commissioner Robert Pochowski  
**Absent:** 1 - Commissioner Henry Alexander III

Commissioner Alexander III's absence is unexcused.  
Council Liaison Meyering (absent)

### **PRESENTATION**

#### [16-0369](#) PRESENTATION - Hands on the Arts Festival

Community Services Manager Trenton Hill provided an overview of the Hands on the Arts Festival, including the goals, artists, volunteers, and sponsorships. The event will be held on May 21, 2016 and more information is available at [HandsontheArts.inSunnyvale.com](http://HandsontheArts.inSunnyvale.com). He answered Commissioner Kenton's question regarding the costs and funding of the event. Chair Pasqua encouraged Commissioners to participate.

### **ORAL COMMUNICATIONS**

None

### **CONSENT CALENDAR**

**1A** [16-0368](#) Approve the Parks and Recreation Commission Meeting

## Minutes of March 9, 2016

Commissioner Din moved, and Chair Pasqua seconded the motion to approve the Parks and Recreation Commission Minutes of March 9, 2016 as submitted. Commissioner Pochowski and Vice Chair Kenton abstained. The motion carried by the following vote:

**Yes:** 2 - Chair Pasqua  
Commissioner Din

**No:** 0

**Absent:** 1 - Commissioner Alexander III

**Abstain:** 2 - Vice Chair Kenton  
Commissioner Pochowski

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [16-0267](#)      Recommend to the City Council to Authorize the City Manager to Execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement of Various Buildings and School Open Space

Superintendent of Parks and Golf James Stark presented the staff report. He answered Commissioners' questions. Commissioner Pochowski asked why the City would terminate their obligations to maintain a pool. Vice Chair Kenton asked if it would be possible to receive a redline version of the agreement to call out the changes. Chair Pasqua stated that collaborating with the school district is a great use of resources.

Chair Pasqua opened the public hearing. There were no public comments and he closed the public hearing.

Vice Chair Kenton moved, and Commissioner Pochowski seconded the motion to recommend to the City Council to authorize the City Manager to enter into a Joint Use Agreement with Sunnyvale School District for the Maintenance and Use of Open Space. The motion carried with the following vote:

**Yes:** 4 - Chair Pasqua  
Vice Chair Kenton  
Commissioner Din  
Commissioner Pochowski

**No:** 0

**Absent:** 1 - Commissioner Alexander III

Commissioners provided their rationale for their vote. Commissioner Pochowski stated the agreement with the school district is positive. He stated he sees a lot of public activity on school grounds during weekends. At Commissioner Pochowski's request, Superintendent Stark provided data about public usage of school district land. Vice Chair Kenton stated he voted to support the agreement because it expands the amount of open space available to the public. Commissioner Din stated he echoes the other Commissioners' comments, and stated he has good memories of spending time after school on the fields at Ponderosa Park. He stated the land is beneficial for residents and students alike. Chair Pasqua agreed it is a wonderful use of resources.

#### **STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

#### **NON-AGENDA ITEMS & COMMENTS**

##### **-Commissioner Comments**

Chair Pasqua inquired about the status of a joint use agreement with Santa Clara School District. Superintendent Stark committed to follow up.

Chair Pasqua provided an update on the April 5, 2016 Council Meeting during which the Council reviewed the Butcher House Study Issue. Superintendent Stark gave an overview of the item at Commissioner Din's request. Council's vote failed to move the Butcher House into the orchard area. Council directed staff to work directly with the Heritage Society to determine if there is an alternate location for the Butcher House. The maintenance shed will be moved to beautify the entrance of the Heritage Museum.

##### **-Staff Comments**

Superintendent of Community Services Daniel Wax presented information about navigating the City Website to access Council and Commission agendas and reports.

Superintendent Wax provided the following announcements:

- The City is recruiting for Commissioners, applications are due on April 15, 2016.
- A form will be available to the public requesting to name a park or recreation facility. Commissioners will be presented the information as an agenda item should applications be received by staff.
- The State of the City will be on July 9, 11 a.m. - 2 p.m., at the Civic Center. The

event will include the Mayor's Address, Community Awards and family friendly activities.

- The next Commission meeting will be on Wednesday, May 18 in the Neighborhood Room of the Community Center, a joint meeting with the Arts Commission.
- Commissioners are invited to attend the Fit and Fun Fair at the Columbia Neighborhood Center on April 30, 2016, 11 a.m. - 3 p.m.
- The Department has submitted a grant application to Kaiser Permanente to purchase and equip an electric vehicle to provide mobile library and community services programs to low income, underserved and isolated Sunnyvale neighborhoods.
- Department of Library and Community Services staff will attend a training in Sacramento from the Harwood Institute of Public Innovation. The training will provide staff with tools to better understand communities by emphasizing the importance of community engagement.

Superintendent Stark provided an update about Golf programs, which he anticipates will generate more revenue.

- The restaurant at Sunken Gardens will open at the end of April.
- The agreement to provide concessions at the Sunnyvale Municipal Golf Course will be presented to Council within the next month.
- New programs will include a new golf instructor, youth summer programs and a pilot program for FootGolf.

Superintendent Stark announced that Council reviewed the Las Palmas Auxiliary Restroom item on April 12. They voted to defer the item for consideration as part of the Las Palmas master plan renovation project in 2023/2024.

### **ADJOURNMENT**

Chair Pasqua adjourned the meeting at 8:18 p.m.



# City of Sunnyvale

## Meeting Minutes - Draft

### Housing and Human Services Commission

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Wednesday, April 20, 2016

7:00 PM

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

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#### Special Meeting

#### **CALL TO ORDER**

Chair Evans called the meeting to order at 7:02 p.m.

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

Chair Evans led the salute to the flag.

#### **ROLL CALL**

**Present:** 6 - Chair Patti Evans  
Vice Chair Barbara Schmidt  
Commissioner Dennis Chiu  
Commissioner Younil Jeong  
Commissioner Minjung Kwok  
Commissioner Narendra Pathak

**Absent:** 1 - Commissioner Diana Gilbert

**Council Liaison (vacant)**

**Commissioner Gilbert (excused absence)**

**Commissioner Jeong (arrived at 7:10 p.m.)**

**Commissioner Kwok (left at 8 p.m.)**

#### **ORAL COMMUNICATIONS**

This section opened following Standing Item: Consideration of Potential Study Issues.

At the request of the Commissioners, Sunnyvale Community Services (SCS) Executive Director Marie Bernard gave an update on the families that were displaced by the Twin Park Manor Apartment fire that happened on April 15, 2016. She gave a summary of: the assistance that has been provided; the estimated length of time that they families will need services; the range of the different levels of need; and a list of immediate additional help needed, e.g. translators, help at SCS to maintain their day to day operation, donations, etc.

Sarah Norman of Friends for Youth spoke on behalf of her agency and thanked the Commissioners for their continued support. She also noted that volunteer mentors in Sunnyvale were needed to be matched to the youth on their waiting list.

### **CONSENT CALENDAR**

- 1.A**      [16-0382](#)      Approve the Housing and Human Services Commission Meeting Minutes of March 23, 2016

Chair Evans asked if anyone wanted to discuss the item on the consent calendar, or for a motion to approve.

Commissioner Chiu moved and Commissioner Pathak seconded the motion to Approve the Housing and Human Services Commission Meeting Minutes of March 23, 2016. The motion carried by the following vote:

**Yes:** 5 -    Chair Evans  
                 Vice Chair Schmidt  
                 Commissioner Chiu  
                 Commissioner Kwok  
                 Commissioner Pathak

**No:** 0

**Absent:** 2 -    Commissioner Gilbert  
                 Commissioner Jeong

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

- 2**            [15-1112](#)      Consider Draft 2016 Housing and Urban Development (HUD) Action Plan

Housing Officer Suzanne Isé gave a short overview of the 2016 Action Plan.

Chair Evans opened the public hearing at 7:42 p.m.

There were no speakers present at this time.

Chair Evans closed the public hearing at 7:42 p.m.

After a brief discussion and some clarifying questions, Chair Evans asked for a motion.

Commissioner Pathak moved and Commissioner Chiu seconded the motion to

recommend to Council Alternative 1: Approve the 2016 Action Plan as presented in Attachment 1. The motion carried by the following vote:

**Yes:** 6 - Chair Evans  
Vice Chair Schmidt  
Commissioner Chiu  
Commissioner Jeong  
Commissioner Kwok  
Commissioner Pathak

**No:** 0

**Absent:** 1 - Commissioner Gilbert

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

Commissioner Pathak reiterated his interest in considering rent control as a study issue. After a short discussion, the commissioners agreed that they were not ready to propose the item and agreed to talk about it at a future meeting.

**Members of the public arrived and requested an opportunity to speak. Chair Evans opened the Oral Communications period.**

**NON-AGENDA ITEMS & COMMENTS**

**-Commissioner Comments**

None.

**-Staff Comments**

None.

**ADJOURNMENT**

Chair Evans adjourned the meeting at 8:28 p.m.