



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, July 26, 2016

6:00 PM

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

**Special Meeting: Closed Session-6 P.M | Special Redevelopment Successor Agency
Meeting-6:45 PM | Regular City Council Meeting-7 PM**

6 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

[16-0767](#)

Closed Session held pursuant to California Government Code
Section 54956.9(d)(1): CONFERENCE WITH LEGAL
COUNSEL-EXISTING LITIGATION
Name of case: Fild, Inc. vs. Lynne Kilpatrick, Fire Marshal,
and Sunnyvale Department of Public Safety, Case No.
16CV295872

[16-0741](#)

Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
Title: City Attorney

5 Adjourn Special Meeting

6:45 P.M. SPECIAL REDEVELOPMENT SUCCESSOR AGENCY MEETING

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

2 Roll Call

3 Public Comment

4 Consent Calendar

- A [16-0728](#) Approve Redevelopment Successor Agency Special Meeting Minutes of June 30, 2016

Recommendation: Approve the Redevelopment Successor Agency Special Meeting Minutes of June 30, 2016 as submitted.

- B [16-0701](#) Approve the Second Amendment to Outside Counsel Agreement with Goldfarb Lipman for Town Center Development Matters and Approve Budget Modification No. 4 to appropriate \$100,000 to the Project Management for Town Center Development Agreement Project

Recommendation: Authorize the Agency Counsel 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 Goldfarb Lipman to increase the not-to-exceed amount by \$100,000, for a new not-to-exceed contract amount of \$200,000.

5 Adjourn Special Meeting

7 P.M. COUNCIL MEETING

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

CALL TO ORDER

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

SALUTE TO THE FLAG

ROLL CALL

CLOSED SESSION REPORT

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 [16-0658](#) Approve City Council Meeting Minutes of June 28, 2016

Recommendation: Approve the City Council Meeting Minutes of June 28, 2016 as submitted.

1.B [16-0695](#) Approve City Council Meeting Minutes of July 12, 2016

Recommendation: Approve the City Council Meeting Minutes of July 12, 2016 as submitted.

1.C [16-0676](#) 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 [16-0564](#) Appoint a City Representative to the Valley Transportation Authority Bicycle and Pedestrian Advisory Committee

Recommendation: Appoint David Simons to the Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee for a two-year term, ending June 30, 2018.

1.E [16-0642](#) Authorize the City Manager to Execute an Agreement with the Peninsula Corridor Joint Powers Board for the Caltrain Peninsula Corridor Electrification Project

Recommendation: Authorize the City Manager to Execute an Agreement with the Peninsula Corridor Joint Powers Board for the Caltrain Peninsula Corridor Electrification Project.

1.F [16-0644](#) Allow the Withdrawal of a Bid in Conformance with State Law

and Reject a Bid Received for the Wolfe-Evelyn Water Plant Reconstruction Project (PW16-20)

Recommendation: 1) Allow Blocka Construction to withdraw its bid in conformance with State law; and 2) Reject the bid received from Mountain Cascade Inc.

- 1.G [16-0659](#) Modify an Existing Construction Contract for the Traffic Signal Project at Mathilda/Olive Avenues and Approval of Budget Modification No. 3 in the Amount of \$71,873 (PW16-05-1)

Recommendation: 1) Authorize the City Manager to execute a change order to an existing construction contract with Tennyson Electric in an amount not-to-exceed \$71,873; and 2) Approve Budget Modification No. 3 in the amount of \$71,873 to provide additional funding for the project.

- 1.H [16-0468](#) Authorize the Issuance of a Purchase Order for Street Tree Maintenance Services (F16-90) and Finding a CEQA Categorical Exemption

Recommendation: 1) Make a finding of a CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 (h) 6 for the maintenance of existing landscape; 2) Authorize the issuance of a two-year Purchase Order in the amount not-to-exceed \$1,498,460 to West Coast Arborists, Inc. in substantially the same form as Attachment 2 of the report; and 3) Delegate authority to the City Manager to renew the Purchase Order for three additional one-year periods, providing pricing and service remain acceptable to the City.

- 1.I [16-0746](#) Adopt Ordinance No. 3089-16 Awarding Nonexclusive Franchise for Taxicab Service to My Ekadea, Inc. dba California Cab Company

Recommendation: Adopt Ordinance No. 3089-16.

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 [16-0467](#) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Old Mountain

View-Alviso Road Bridge Replacement at Calabazas Creek Project, and Approve Proceeding with the Project.

Recommendation: Alternative 1: Make the Findings Required by CEQA (Attachment 5 in the staff report), Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Old Mountain View-Alviso Road Bridge Replacement at Calabazas Creek Project, and approve proceeding with the Project.

- 3 [16-0491](#) Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy Annual Assessment for The Downtown Parking Maintenance District Assessment for Fiscal Year 2016/17

Recommendation: Alternative 1: Adopt the resolution to approve the final Engineer's report, to confirm the assessment, and levy annual assessment for the Downtown Parking Maintenance District assessment for FY 2016/17.

- 4 [16-0601](#) Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2016/17 County of Santa Clara Property Tax Roll

Recommendation: Alternative 1: Adopt a resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the FY 2016/17 County of Santa Clara Property Tax Roll.

- 5 [16-0652](#) Public Hearing and Approval of the City of Sunnyvale's 2016 Public Health Goal Report on Water Quality (2013-2015), Direct Staff to file with the California State Water Resources Control Board Division of Drinking Water, and Find that the Action is Exempt from CEQA

Recommendation: Alternative 1: Approve the City of Sunnyvale's 2016 Public Health Goal Report on Water Quality (2013-2015) and Direct Staff to file with the California State Water Resources Control Board Division of Drinking Water.

- 6 [16-0707](#) Rescind Previous Council Action and Provide a Recommendation on the Relocation of the Butcher House and Improvements at Orchard Heritage Park

Recommendation: Alternatives 1 and 3: 1) Rescind the motion passed by the City Council at its April 5, 2016 meeting regarding this project and 3) Do not relocate the Butcher House, design Improvements in the vacated area per Attachment 2 in the report, and acknowledge that a future budget modification at the time of construction contract award will be required to provide funding for drainage improvements (re-grading and valley gutter) behind the existing multi-purpose building.

- 7 [16-0762](#) Approve the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association (SMA) and Adopt 3 Resolutions: (1) Amending the Salary Resolution for SMA, Unrepresented Management Employees, and Department Directors; (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management Employees, and Department Directors; and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety

Recommendation: Alternative 1: Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association (SMA), presented as Attachment 3 of this report, and Adopt 3 Resolutions: (1) Amending the Salary Resolutions for SMA, Unrepresented Management Employees, Department Directors (Attachment 4); (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management, and Department Directors (Attachment 5); and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety (Attachment 6).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [16-0070](#) Tentative Council Meeting Agenda Calendar
- [16-0507](#) Information/Action Items
- [16-0605](#) Status on the Branch Library Project and Deferral of Fair Oaks Park Project (Information Only)

ADJOURNMENT**NOTICE TO THE PUBLIC**

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

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

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

Planning a presentation for a City Council meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available at Presentations.inSunnyvale.com.

Planning to provide materials to Council?

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

Upcoming Meetings

Visit CouncilMeetings.inSunnyvale.com for upcoming Council meeting information.

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

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



City of Sunnyvale

Agenda Item

16-0767

Agenda Date: 7/26/2016

Closed Session held pursuant to California Government Code Section 54956.9(d)(1):

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Name of case: Fild, Inc. vs. Lynne Kilpatrick, Fire Marshal, and Sunnyvale Department of Public Safety, Case No. 16CV295872



City of Sunnyvale

Agenda Item

16-0741

Agenda Date: 7/26/2016

Closed Session held pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE
PERFORMANCE EVALUATION

Title: City Attorney



City of Sunnyvale

Agenda Item

16-0728

Agenda Date: 7/26/2016

SUBJECT

Approve Redevelopment Successor Agency Special Meeting Minutes of June 30, 2016

RECOMMENDATION

Approve the Redevelopment Successor Agency Special Meeting Minutes of June 30, 2016 as submitted.



City of Sunnyvale

Meeting Minutes - Draft City Council

Thursday, June 30, 2016

7:00 PM

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

Special Meeting: REDEVELOPMENT SUCCESSOR AGENCY

CALL TO ORDER

Chair Hendricks called the Redevelopment Successor Agency meeting to order in Council Chambers.

SALUTE TO THE FLAG

Chair Hendricks led the salute to the flag.

ROLL CALL

Present: 6 - Chair Hendricks
Vice Chair Larsson
Board Member Griffith
Board Member Meyering
Board Member Martin-Milius

Absent: 1 - Board Member Davis

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

Board Member Meyering pulled Items 1.A and 1.B.

1.A [16-0411](#) Approve Redevelopment Successor Agency Meeting Minutes
of May 24, 2016

MOTION: Board Member Meyering moved to deny approval of the minutes until the minutes include comments and summaries of dissent positions.

The motion to died due to lack of a second.

MOTION: Vice Chair Larsson moved and Board Member Martin-Milius seconded the motion to approve the Redevelopment Successor Agency Meeting Minutes of May 24, 2016 as submitted.

The motion carried by the following vote:

Yes: 4 - Chair Hendricks
Vice Chair Larsson
Board Member Griffith
Board Member Martin-Milius

No: 1 - Board Member Meyering

Absent: 1 - Board Member Davis

1.B [16-0063](#) Adopt a Resolution authorizing Investment of Monies in Local Agency Investment Fund

Successor Agency Manager Brice McQueen responded to questions. Director of Finance Tim Kirby provided additional information.

Public Hearing opened at 7:08 p.m.

No speakers.

Public Hearing closed at 7:08 p.m.

MOTION: Board Member Meyering moved to table the item until copies of receipts and disbursements identifying the dates, amounts, and reasons are provided. The motion to amend died due to lack of a second.

MOTION: Vice Chair Larsson moved and Board Member Griffith seconded the motion to adopt a resolution listing the individuals authorized to manage investment transactions with the Local Agency Investment Fund for the Successor Agency.

The motion carried by the following vote:

Yes: 4 - Chair Hendricks
Vice Chair Larsson
Board Member Griffith
Board Member Martin-Milius

No: 1 - Board Member Meyering

Absent: 1 - Board Member Davis

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [16-0665](#) Adoption of Two Resolutions Authorizing the Successor Agency Executive Director to Execute the 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement and Related Documents Pertaining to the Sunnyvale Town Center Project

Vice Chair Larsson reported he would recuse himself from the first portion of the discussion as his home is near Downtown; the FPCC advised he may have a conflict of interest for topics in Part A, but would return for discussion of Part B. Vice Chair Larsson recused himself and left the room.

Assistant City Manager/Chief of Downtown Planning Hanson Hom provided the staff report regarding Part A and stated an additional attachment, Exhibit B-2 Minimum Project Map, has been provided. City Attorney John Nagel, City Manager Deanna Santana, and Attorney Karen Tiedemann, Goldfarb & Lipman LLP, provided additional information.

Public Hearing opened at 7:46 p.m.

Deke Hunter, Hunter Properties, provided information about the project.

Russ Melton recommended approval of Alternatives 1 and 2 for Part A and Alternatives 1 and 3 for Part B.

Public Hearing closed at 7:50 p.m.

MOTION: Board Member Martin-Milius moved and Board Member Griffith seconded the motion to approve Part A Alternatives 1 and 2: 1) Find for the reasons set forth in Attachment 5 of the June 28, 2016 Staff Report (RTC No. 16-0551) that the proposed 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement is categorically exempt from environmental review pursuant to CEQA Guidelines Section 15304 and 15305 and that no additional environmental review is necessary as the proposed amendments are within the scope of the previous environmental analysis for the Downtown Program Improvement Update, pursuant to CEQA Guidelines Section 15168(c)(2); and 2) Adopt the Resolution authorizing the Successor Agency Executive Director to execute the 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement, Part A and related documents. (Attachments 12, 14 and 15 to the staff report)

AMENDMENT: Board Member Meyering moved to amend the agreement to require the commercial property portion allocate 10 percent of the retail space for

non-profits at 50 percent of the rental rate charged for adjacent spaces.
The motion to amend died due to lack of a second.

The main motion carried by the following vote:

Yes: 3 - Chair Hendricks
Board Member Griffith
Board Member Martin-Milius

No: 1 - Board Member Meyering

Recused: 1 - Vice Chair Larsson

Absent: 1 - Board Member Davis

Following action on Part A, Vice Chair Larsson returned to the room and took his seat at the dais.

Assistant City Manager/Chief of Downtown Planning Hanson Hom provided the staff report.

Public Hearing opened at 8:20 p.m.

Applicant Deke Hunter, Hunter Properties, provided information regarding the project.

Public Hearing closed at 8:30 p.m.

MOTION: Board Member Martin-Milius moved and Vice Chair Larsson seconded the motion to approve Part B Alternatives 1 and 3: 1) Find for the reasons set forth in Attachment 5 of the June 28, 2016 Staff Report (RTC No. 16-0551) that the proposed 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement is categorically exempt from environmental review pursuant to CEQA Guidelines Section 15304 and 15305 and that no additional environmental review is necessary as the proposed amendments are within the scope of the previous environmental analysis for the Downtown Program Improvement Update, pursuant to CEQA Guidelines Section 15168(c)(2); and Alternative 3) Adopt the Resolution authorizing the Successor Agency Executive Director to execute the 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement, Part B. (Attachments 13 and 14)

The motion carried by the following vote:

Yes: 4 - Chair Hendricks
Vice Chair Larsson
Board Member Griffith
Board Member Martin-Milius

No: 1 - Board Member Meyering

Absent: 1 - Board Member Davis

ADJOURNMENT

Chair Hendricks adjourned the meeting at 8:48 p.m.



City of Sunnyvale

Agenda Item

16-0701

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Approve the Second Amendment to Outside Counsel Agreement with Goldfarb Lipman for Town Center Development Matters and Approve Budget Modification No. 4 to appropriate \$100,000 to the Project Management for Town Center Development Agreement Project

REPORT IN BRIEF

Approval is requested for a Second Amendment to the Outside Counsel Agreement with the law firm of Goldfarb Lipman to assist the Agency Counsel with legal matters pertaining to the former Redevelopment Agency of the City of Sunnyvale (former Redevelopment Agency), the development of the Town Center Project and related real estate matters and other advisory services that may be needed by the Agency Counsel. This Second Amendment is needed to cover the costs associated with the above work and will increase the not-to-exceed amount of the Agreement by \$100,000.00 for a new not-to-exceed amount of \$200,000.

BACKGROUND

Karen Tiedemann, a partner in the law firm Goldfarb Lipman in Oakland, is a lawyer specializing in the areas of redevelopment law, redevelopment dissolution law, real estate transactions, affordable housing, nonprofit organization and environmental law. Ms. Tiedemann and her firm were retained by the Agency Counsel to represent the Successor Agency and provide legal services, consultation and advice concerning matters related to the former Redevelopment Agency, including the Town Center Project. The Agreement was originally entered on June 20, 2013, with an original not-to-exceed amount of \$50,000. In March 2016, a first amendment was executed, which increased the not-to-exceed amount by another \$50,000 for a total compensation amount of \$100,000, and extended the term to June 30, 2019.

DISCUSSION

The Goldfarb Lipman law firm has represented the City and the former Redevelopment Agency since 2001, and with dissolution of the former Redevelopment Agency pertaining to the redevelopment of the downtown area and related real estate matters. This assistance has been particularly valuable in conjunction with the Town Center Project.

The Goldfarb Lipman law firm will continue to provide specialized legal services in the areas of law discussed above and any issues arising from the 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement (2016 MRADDOPA) and its approval by the Oversight Board for the Successor Agency and the State Department of Finance.

It is anticipated that the Successor Agency may incur an additional \$100,000 in legal fees for provision of the work discussed above. Therefore, it is necessary to amend the Agreement to increase the not to exceed amount by \$100,000, for a new not-to-exceed amount of \$200,000.

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.

FISCAL IMPACT

Budget Modification No. 4 appropriates \$100,000 from the Redevelopment Successor Agency (RSA) Fund Balance reserve to the Project Management for Town Center Developer Agreement project budget. The RSA Fund accounts for revenues and expenses related to the dissolution of the Sunnyvale Redevelopment Agency. A critical piece of the dissolution process is the determination of enforceable obligations for payment from the former property tax increment allocation. Obligations related to the Amended Disposition and Development and Owner Participation Agreement are enforceable obligations. Therefore, it is anticipated that the additional costs appropriated in this Budget Modification will be reimbursed by property tax increment.

Budget Modification No. 4**FY 2016/17**

Current	Increase/ Decrease	Revised
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Redevelopment Successor Agency Fund**Project Costs**

824571 - Project Management for Town Center Developer Agreement	\$25,000	\$100,000	\$125,000
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Reserves

RSA Fund Balance	\$2,171,512	(\$100,000)	\$2,071,512
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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 Agency Counsel 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 Goldfarb Lipman to increase the not-to-exceed amount by \$100,000, for a new not-to-exceed contract amount of \$200,000.

Prepared by: Nichole Anglin, Paralegal
 Reviewed by: Brice McQueen, Senior Management Analyst
 Reviewed by: Deanna J. Santana, City Manager

Reviewed and Approved by: John A. Nagel, Agency Counsel

ATTACHMENT

1. Draft Second Amendment to Outside Counsel Agreement

**SECOND AMENDMENT TO
OUTSIDE COUNSEL SERVICES AGREEMENT
BETWEEN THE SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SUNNYVALE AND
GOLDFARB & LIPMAN LLP
(Former RDA Related Issues)**

THIS SECOND AMENDMENT TO OUTSIDE COUNSEL SERVICES AGREEMENT is entered into this ____ day of _____, 2016, by the SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SUNNYVALE (“Agency”), a municipal corporation and GOLDFARB & LIPMAN LLP, engaged in the practice of law in California (“Outside Counsel”).

RECITALS

WHEREAS, on June 20, 2013, Agency and Outside Counsel entered into an agreement entitled, “Outside Counsel Services Agreement between the Successor Agency to the Redevelopment Agency of the City of Sunnyvale and Goldfarb & Lipman LLP (Former RDA Related Issues)” (“Agreement”); and

WHEREAS, on March 31, 2016, Agency and Outside Counsel entered into a first amendment to the Agreement extending the term and increasing the compensation by \$50,000 to a total compensation amount of \$100,000; and

WHEREAS, Agency and Outside Counsel desire to amend the Agreement to increase the amount of total compensation amount allowed to \$200,000.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Section 3.0 is hereby amended to read as follows:

3.0 COMPENSATION, REIMBURSEMENT AND METHOD OF PAYMENTS.

- 3.1 Compensation.** Fees for all legal services provided hereunder shall be charged in accordance with Second Revised Exhibit “A” which is attached and incorporated by reference. Second Revised Exhibit “A” may be amended, from time to time, to alter fees and charges applicable hereto provided that a letter agreement is duly signed and approved by the Agency Counsel. The total amount of fees and expenses shall not exceed \$200,000. Outside Counsel shall notify the Agency prior to incurring billable costs in excess of 95% of the not-to-exceed amount.

2. First Revised Exhibit A, "Fee Schedule" is amended to read as shown in Second Revised Exhibit A, attached and incorporated into this Second Amendment.

3. All of the terms and conditions of the amended Agreement not specifically modified by this Second Amendment shall remain in full force and effect.

WITNESS THE EXECUTION HEREOF on the day and year first written above.

CITY OF SUNNYVALE, a municipal
corporation

GOLDFARB & LIPMAN LLP

By _____
JOHN A. NAGEL
Agency Counsel

By _____
KAREN M. TIEDEMANN
Partner

Dated: _____

Dated: _____

SECOND REVISED EXHIBIT A

FEE SCHEDULE

HOURLY RATE

Partner	\$275-295
Senior Counsel	\$275-295
Associates	\$175-215
Litigation Paralegal	\$145
Senior Law Clerks	\$145
Law Clerks	\$130
Project Coordinators	\$130



City of Sunnyvale

Agenda Item

16-0658

Agenda Date: 7/26/2016

SUBJECT

Approve City Council Meeting Minutes of June 28, 2016

RECOMMENDATION

Approve the City Council Meeting Minutes of June 28, 2016 as submitted.



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, June 28, 2016

4:00 PM

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

**Special Meeting: Closed Sessions-4 PM | Study Session-6 PM | Regular Meeting-7 PM |
Special Meeting:
Redevelopment Successor Agency (Study Session - Immediately following City Council
meeting)**

4 P.M. SPECIAL COUNCIL MEETING (Closed Sessions)

1 Call to Order in the West Conference Room

Vice Mayor Larsson announced the items for Closed Session and invited any members of the public to provide public comments before convening to Closed Session.

Vice Mayor Larsson called the meeting to order at 4:02 p.m.

2 Roll Call

Present: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis

Absent: 1 - Councilmember Meyering

3 Public Comment

None.

4 Convene to Closed Session

[16-0326](#)

Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
Title: City Manager

Closed Session held pursuant to California Government Code

Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS

Agency designated representatives: City Council
Compensation Subcommittee
Unrepresented Employee: City Manager

[16-0330](#)

Closed Session held pursuant to California Government Code
Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Attorney

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 5:35 p.m.

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

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

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

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

4 Study Session

[16-0370](#)

Mobile Home Park Policies

5 Adjourn Special Meeting

Mayor Hendricks adjourned the meeting at 6:57 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Hendricks called the meeting to order in Council Chambers.

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 the Council met in Closed Session pursuant to California Government Code Section 54957: Public Employee Performance Evaluation, California Government Code Section 54957.6: Conference With Labor Negotiators; City Manager, and California Government Code Section 54957: Public Employee Performance Evaluation, City Attorney; nothing to report.

SPECIAL ORDERS OF THE DAY

[16-0074](#) SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members

City Clerk Kathleen Franco Simmons administered the Oath of Office to new and returning Board and Commission Members. Mayor Hendricks congratulated the new members and thanked them for their service.

[16-0469](#) SPECIAL ORDER OF THE DAY - July is Parks and Recreation Month

Mayor Hendricks presented a proclamation declaring July as Parks and Recreation Month to Director of Library and Community Services Cynthia Bojorquez and Director of Public Works Manuel Pineda. Library and Community Services Cynthia Bojorquez provided information regarding the parks and recreation services provided by the City.

ORAL COMMUNICATIONS

Mayor Hendricks announced the upcoming State of the City Event.

Ronald Banks spoke regarding rent stabilization for mobile home parks.

MOTION: Councilmember Meyering moved to set an agenda item for the last Council meeting in July to consider a rent stabilization ordinance along that of Santa Clarita, which was passed recently.

The motion died due to lack of a second.

Councilmember Davis proposed a study issue regarding rent stabilization for mobile home parks.

Michael McCarthy spoke regarding a potential ballot measure for rent control.

MOTION: Councilmember Meyering moved to put rent stabilization on the agenda along the line of the Santa Clarita ordinance for the first Tuesday meeting in August.

The motion died due to lack of a second.

Linda Davis, League of Women Voters Cupertino-Sunnyvale, announced an upcoming candidate forum.

Holly Lofgren spoke regarding the high tech sector and housing unaffordability.

Michael Goldman spoke regarding the size of the library and provided a PowerPoint presentation.

CONSENT CALENDAR

Mayor Hendricks stated a member of the public requested to pull Item 1.H.

Councilmember Meyering pulled Items 1.A, 1.B, 1.C, 1.F and 1.G.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Consent Calendar Items 1.D and 1.E.

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 [16-0064](#) Approve Corrected City Council Meeting Minutes of May 3, 2016

Public Hearing opened at 9:21 p.m.
No speakers.

Public Hearing closed at 9:21 p.m.

MOTION: Councilmember Meyering moved to deny approval of the minutes until a summary of the positions expressed by dissenting votes is included in the minutes for each agenda item.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the corrected City Council Meeting Minutes of May 3, 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 [16-0073](#) Approve City Council Meeting Minutes of June 14, 2016

Public Hearing opened at 9:21 p.m.

No speakers.

Public Hearing closed at 9:21 p.m.

MOTION: Councilmember Meyering moved to deny approval of the minutes until a summary of the positions expressed by dissenting votes is included in the minutes for each agenda item.

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 June 14, 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.C** [16-0604](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 9:22 p.m.

No speakers.

Public Hearing closed at 9:22 p.m.

MOTION: Councilmember Meyering moved to deny the claims until 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.D** [16-0473](#) Reject All Bids Received in Response to Bid No. PW16-08 for Fire Station No. 2 Roof Replacement

1) Reject all bids received in response to Invitation for Bids No. PW16 08 for Fire Station No. 2 Roof Replacement.

- 1.E** [16-0536](#) Authorize the Issuance of a Purchase Order for Sodium Hypochlorite for the Water Pollution Control Plant (F16-125)

1) Authorize the issuance of a one year purchase order to Univar USA, Inc. in an amount not to exceed \$150,000 for the purchase of sodium hypochlorite; 2) Delegate authority to the City Manager to award annual purchase orders for sodium hypochlorite for a period not to exceed four years to those companies determined by the BACC to be the lowest responsive and responsible bidders, subject to: a) continued participation in the Bay Area Chemical Consortium cooperative purchasing program, b) funding availability, c) acceptable pricing/service; and 3) Delegate authority to the City Manager to increase the not to exceed amount of the annual purchase orders within operating budgeted appropriation limits if additional quantities are needed for wastewater treatment processes.

- 1.F** [16-0583](#) Award of Bid No. PW16-11 for Improvements to Downtown

Parking Lots and Finding of CEQA Categorical Exemption

Public Hearing opened at 9:23 p.m.

No speakers.

Public Hearing closed at 9:23 p.m.

MOTION: Councilmember Meyering moved to deny recommendation for Items 1.F and 1.G, for the contingency amount.

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

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 for alterations to existing facilities involving negligible or no expansion of use beyond that which presently exists; 2) award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$230,354 to Alaniz Construction Inc.; and 3) approve a 10% construction contingency in the amount of \$23,035.

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.G [16-0572](#) Award of Bid No. PW16-25 for Baylands Stormwater Pump Station No. 2 Rehabilitation

Public Hearing opened at 9:23 p.m.

No speakers.

Public Hearing closed at 9:23 p.m.

MOTION: Councilmember Meyering moved to deny recommendation for Items 1.F and 1.G, for the contingency amount.

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

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$3,342,000 to JMB Construction Inc.; and 2) Approve a 10% construction contingency in the amount of \$334,200.

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 [16-0668](#) Adopt Ordinance No. 3086-16 to Amend Section 12.34.020 of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code relating to Prohibition of Nonessential Uses of Water

Public Hearing opened at 7:36 p.m.

Zachary Kaufman spoke regarding restrictions in parts 6 and 4 of the ordinance.

Public Hearing closed at 7:40 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to adopt Ordinance No. 3086-16.

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

PUBLIC HEARINGS/GENERAL BUSINESS

2 [16-0137](#) Adoption of the FY 2016/17 Budget, Fee Schedule, and Appropriations Limit

Director of Finance Tim Kirby provided the staff report.

Public Hearing opened at 7:46 p.m.

Sandra Delateur, Director of Tenant Landlord Services, Project Sentinel, spoke regarding the services and rent assistance mediation the organization provides and in support of the budget.

Public Hearing closed at 7:49 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Make the findings required by CEQA, approve the resolutions presented as Attachment 1 (including Exhibits A through D) to the report, Attachment 2 (including Exhibit A) to the report and Attachment 3 (including Exhibit A) to the report that provide for the adoption of the FY 2016/17 Budget, Fee Schedule, and Appropriations Limit.

AMENDMENT: Councilmember Meyering moved to amend the motion to delete funding from the budget for Councilmember pay raises.
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: 1 - Councilmember Meyering

- 3 [16-0606](#) File #: 2015-7400
Location: 1184 N. 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 a portion of 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 existing office campus.
Applicant / Owner: FSP-Sunnyvale Office Park, LLC (owner) /Jeffery Jacobsen, Commonwealth Partners (applicant)
Environmental Review: Mitigated Negative Declaration

Director of Community Development Trudi Ryan provided the staff report. Director of Finance Tim Kirby provided additional information. Director of Public Works Manuel Pineda clarified data in the Traffic Impact Analysis report.

Applicant Jeff Jacobsen, Commonwealth Partners, provided information regarding the project. Steve Worthington, RMW Architecture and Engineers, provided additional information regarding the project and a PowerPoint presentation.

Public Hearing opened at 8:26 p.m.

John Cordes, speaking for himself, recommended including requirements to reduce the number of trips.

Public Hearing closed at 8:27 p.m.

Applicant Jeff Jacobsen provided concluding remarks.

Vice Mayor Larsson noted a correction needed in Attachment 3, page 5 of 5, that the recommended findings for the Mitigated Negative Declaration mention the Planning Commission in several places, and it should be City Council.

MOTION: Councilmember Davis moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Make the required CEQA findings set forth in Attachment 3 in the report and adopt the Mitigated Negative Declaration and approve the Major Moffett Park Special Development Permit with recommended findings in Attachment 3 in the report and the Recommended Conditions of Approval in Attachment 4 in the report;
Including the corrections to page 5 of Attachment 3, that the references to Planning Commission in the recommended findings for the Mitigated Negative Declaration should be changed to City Council, as noted by Vice Mayor Larsson.

AMENDMENT: Councilmember Meyering moved to amend the motion to change the special development permit to require that the property owner purchase and provide for free to all employees of the building annual transit passes for Santa Clara Valley Transportation Authority Express bus service, light rail and Caltrain. 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: 1 - Councilmember Meyering

4 [16-0479](#) Review and Approve Recommendations from the Community
Event Grant Distribution Subcommittee

Community Event Grant Distribution Subcommittee Chair Martin-Milius provided the report. Director of Library and Community Services Cynthia Bojorquez and Director of Finance Tim Kirby provided additional information.

Public Hearing opened at 9:11 p.m.

No speakers.

Public Hearing closed at 9:11 p.m.

MOTION: Councilmember Meyering moved that Council consider Items 1, 2 and 3 as separate motions.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to adopt Subcommittee recommendations 1, 2 and 3 and appropriate \$900 from the Council set-aside fund:

1. Approve Community Event Grants in the amount of \$10,200 as included in the FY 2016/17 Recommended Budget, itemized as follows:
 - a. Pakistani Culture Center: \$1,000 for Basant Kite Flying Festival
 - b. Sunnyvale Downtown Association: \$4,000 for Holiday Tree Lighting
 - c. Sunnyvale Downtown Association: \$3,675 for Jazz and Beyond
 - d. Sunnyvale Historical Society: \$525 for Antique Appraisal Faire
 - e. Crosswalk Church: \$1,000 for The Hunt, provided that Crosswalk Church is required to ensure that their event and their publicity includes only secular activities as a condition of this grant funding. If Crosswalk Church declines this requirement, the declined grant funds will be awarded equally to Sunnyvale Downtown Association's Holiday Tree Lighting and Jazz and Beyond events.
2. Approve Neighborhood Grants in the amount of \$6,248 as included in the FY 2016/17 Recommended Budget, itemized as follows:
 - a. Cherry Chase NA: \$1,000 for Cultural and Social Improvement
 - b. Cherryhill NA: \$1,000 for Grow Together
 - c. Cumberland South NA: \$750 for July 4 Parade and Potluck
 - d. Cumberland West NA: \$400 for Block Parties
 - e. Ortega Park NA: \$500 for National Night Out
 - f. SNAIL NA: \$1,000 for National Night Out
 - g. Stratford Gardens NA: \$623 for Emergency Response Project
 - h. Sunnysarts NA: \$575 for Community Building/Neighborhood Pride
 - i. Valley Forge Neighborhood Group: \$400 for Block Party.
3. Approve Neighborhood Grants in the amount of \$900 from the Council Service Level Set Aside Fund, itemized as follows:

- a. Evelyn Glen Owners Association: \$500 for Drought Tolerant Landscaping
- b. Hazelheads Neighborhood Group: \$400 for Block Party/Formalize Association.

AMENDMENT: Councilmember Griffith moved to amend the motion and Councilmember Meyering seconded to remove the Evelyn Glen Owners Association funding.

The motion to amend failed by the following vote

- Yes:** 3 - Councilmember Griffith
Councilmember Meyering
Councilmember Davis
- No:** 3 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius

The main motion carried by the following vote:

- Yes:** 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis
- No:** 1 - Councilmember Meyering

- 5** [16-0667](#) Introduce an Ordinance to Amend Section 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 Maintain Prohibitions Related to Parking on Unpaved Surfaces; Finding of CEQA Exemption Pursuant to Guideline Section 15061(b)(3) (Continued from June 21, 2016, formerly RTC 16-0437)

Neighborhood Preservation Manager Christy Gunvalsen provided the staff report.

Public Hearing opened at 9:18 p.m.

No speakers.

Public Hearing closed at 9:18 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Find that the ordinance is exempt from environmental review pursuant to CEQA Guideline 15061(b)(3), and Introduce an Ordinance to Amend Section 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 Maintain Prohibitions Related to Parking on Unpaved Surfaces.

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

Mayor Hendricks reported his attendance at a meeting of the VTA Board regarding the ½ cent sales tax measure to be placed on the November ballot.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Davis proposed a study issue regarding rent stabilization for mobile home parks.

Councilmember Griffith and Councilmember Martin-Milius co-sponsored the study issue.

MOTION: Councilmember Meyering moved to place on the agenda consideration of the Santa Clarita ordinance four weeks from tonight.

The motion died due to lack of a second.

MOTION TO RECONSIDER: Councilmember Martin-Milius moved and Councilmember Griffith seconded the motion to reconsider Council's action on the historical museum vote, excluding the capital project, maintenance yard, and trash enclosure; and including the fencing issue, the gate, and the planting

Councilmember Griffith clarified that the motion is only regarding permanent versus temporary entryway features to the museum.

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

Councilmember Meyering requested an update on the board and commission policy regarding email responses.

Councilmember Meyering inquired about a change in the process regarding broadcasting candidate statements.

-City Manager

City Manager Santana noted two information only items on the agenda regarding the Feasibility of Establishing a Park Mitigation Fee for Non residential Development Study Issue and Follow Up and Update on the Relocation of the Butcher House to Orchard Heritage Park.

INFORMATION ONLY REPORTS/ITEMS

- [16-0535](#) Tentative Council Meeting Agenda Calendar
- [16-0385](#) Information/Action Items
- [15-0903](#) Feasibility of Establishing a Park Mitigation Fee for Non-residential Development Study Issue DPW 15-09 (Information Only)
- [16-0474](#) Follow Up and Update on the Relocation of the Butcher House to Orchard Heritage Park (Information Only)
- [16-0191](#) Board/Commission Meeting Minutes

ORAL COMMUNICATIONS (RE-OPENED AT 9:48 P.M.)

Ron Banks spoke regarding sponsored study issue regarding rent stabilization and in support of a moratorium.

ADJOURNMENT TO SPECIAL MEETING OF THE REDEVELOPMENT SUCCESSOR AGENCY

Mayor Hendricks adjourned the meeting at 9:50 p.m.

SPECIAL REDEVELOPMENT SUCCESSOR AGENCY STUDY SESSION
(Immediately following City Council Meeting)

CALL TO ORDER

Chair Hendricks called the Redevelopment Successor Agency meeting to order at 9:50 p.m.

ROLL CALL

Present: 6 - Chair Hendricks
Vice Chair Larsson
Board Member Griffith
Board Member Meyering
Board Member Martin-Milius
Board Member Davis

PUBLIC COMMENT

None.

STUDY SESSION

Vice Chair Larsson disclosed he lives near the Downtown, has received advice from the Fair Political Practices Commission stating he might have a conflict of interest with a portion of the subject matter, recused himself and left the room.

City Attorney John Nagel clarified that the FPPC stated there were two areas in which Vice Chair Larsson and Board Member Davis would be able to participate if the discussion was segmented, and those areas are decisions regarding modifying the liquidated damages provision and whether to delete the developers entitlement to the annual tax increment financing payments. Nagel stated staff will be making a presentation on everything about the modified restated ADDOPA at which time Vice Chair Larsson and Board Member Davis would step out of the room, and then return for the discussion on the two items.

Board Member Davis recused himself for the same reason and left the room.

- 1 [16-0551](#) Discussion and Provide Direction on the 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement for the Sunnyvale Town Center Project

Assistant City Manager/Chief of Downtown Planning Hanson Hom provided the staff report for Part A. Karen Tiedemann, Partner at Goldfarb & Lipman LLP, and

City Attorney John Nagel and City Manager Deanna Santana provided additional information.

Vice Chair Larsson and Board Member Davis returned to the room and took their seats at 10:34 p.m.

Assistant City Manager/Chief of Downtown Planning Hanson Hom provided the staff report for Part B.

Public Comment opened at 10:47 p.m.

No speakers.

Public Comment closed at 10:47 p.m.

ADJOURN SPECIAL MEETING

Chair Hendricks adjourned the meeting at 10:49 p.m.



City of Sunnyvale

Agenda Item

16-0695

Agenda Date: 7/26/2016

SUBJECT

Approve City Council Meeting Minutes of July 12, 2016

RECOMMENDATION

Approve the City Council Meeting Minutes of July 12, 2016 as submitted.



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, July 12, 2016

5:00 PM

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

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

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

1 Call to Order in the West Conference Room

Vice Mayor Larsson announced the items for Closed Session and invited any members of the public to provide public comments before convening to Closed Session.

Vice Mayor Larsson called the meeting to order at 5:02 p.m.

2 Roll Call

Present: 5 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Jim Davis
Absent: 1 - Councilmember Pat Meyering

3 Public Comment

None.

4 Convene to Closed Session

[16-0328](#)

Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
Title: City Manager

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS
Agency designated representatives: City Council
Compensation Subcommittee

Unrepresented Employee: City Manager

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:03 p.m.

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

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

Vice Mayor Larsson called the meeting to order at 6:06 p.m.

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

4 Study Session

[16-0603](#) Next Network Project - Valley Transportation Authority (VTA)

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:52 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Hendricks called the meeting to order in Council Chambers.

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 the Council met in Closed Session pursuant to California Government Code Section 54957: Public Employee Performance Evaluation: City Manager and Closed Session held pursuant to California Government Code Section 54957.6: Conference With Labor Negotiators. Larsson reported the Agency's designated representative was the City Council Compensation Subcommittee consisting of Councilmember Griffith, Councilmember Davis and Councilmember Martin-Milius. Larsson reported there was nothing to report, and the subject of the Closed Session was also announced before Council convened the Closed Session.

ORAL COMMUNICATIONS

Mayor Hendricks spoke regarding the recent State of the City Event and the groundbreaking ceremony for the new Water Pollution Control Plant.

Michael Goldman spoke regarding library space needs and provided a PowerPoint presentation.

Ray Johnson spoke regarding the cost of the Special Election and requested the Mayor call an emergency executive session of the Council to cancel the Special Election.

MOTION: Councilmember Meyering moved that the Council consider setting the emergency meeting to consider action on the special election.
The motion died due to lack of a second.

Ron Banks spoke regarding rent stabilization for mobile home parks.

CONSENT CALENDAR

Councilmember Meyering pulled Items 1.A and 1.B and requested to record a No vote on Item 1.D.

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

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 [16-0518](#) Approve City Council Special Meeting Minutes of June 21, 2016

MOTION: Councilmember Meyering moved to amend the minutes on page 6, Item 1.E, to include the statement that Meyering voted no on 1.E.
The motion died due to lack of a second.

Public Hearing opened at 7:52 p.m.
No speakers.
Public Hearing closed at 7:52 p.m.

MOTION: Councilmember Meyering moved to deny the minutes until a summary of the positions expressed by dissenting voters is included.
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve the City Council Special Meeting Minutes of June 21, 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 [16-0649](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 7:54 p.m.
No speakers.
Public Hearing closed at 7:54 p.m.

MOTION: Councilmember Meyering moved to deny the claims until Councilmembers are provided with copies of bills upon request. The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius 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 [16-0526](#) Adopt Resolution Authorizing Application for Affordable Housing Sustainable Communities (AHSC) Grant for Edwina Benner Plaza and Persian Drive Sidewalk Extension

Adopt the resolution authorizing application for an Affordable Housing Sustainable Communities (AHSC) Grant for Edwina Benner Plaza and Persian Drive sidewalk extension.

1.D [16-0669](#) Adopt Ordinance No. 3087-16 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

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to adopt Ordinance No. 3087-16.

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

1.E [16-0694](#) Adopt Ordinance No. 3088-16 Amending Section 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 Maintain Prohibitions related to Parking on Unpaved Surfaces

Adopt Ordinance No. 3088-16.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [16-0241](#) RECOMMEND CONTINUANCE TO AUGUST 9, 2016
Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code related to the Solar Access Requirements Study Issue (2016-7279)

Director of Community Development Trudi Ryan provided introductory remarks.

Public Hearing opened at 7:16 p.m.

No speakers.

Public Hearing closed at 7:16 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to continue this matter to August 9, 2016.

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** [16-0597](#) Introduce an Ordinance to Award a Non-Exclusive Taxicab Franchise to My Ekadea, Inc DBA California Cab Company

Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 7:19 p.m.

No speakers.

Public Hearing closed at 7:19 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Introduce an Ordinance to Award a Non exclusive Taxicab Franchise to My Ekadea, Inc. DBA California Cab Company 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** [16-0600](#) Adopt a Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016, for the Purpose of Submitting to City Voters a Measure to Modernize the Utility Users Tax; Requesting Consolidation with the Statewide General Election and Election Services from Santa Clara County; Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments

Purchasing Officer Pete Gonda provided the staff report and reported a memo was provided to clarify that the tax is not being broadened to include new tax categories and that a rate increase is not being proposed. City Attorney John Nagel provided additional information.

Vice Mayor Larsson noted a potentially misplaced quotation mark in Attachment A, page 3, Definitions, (1)(b) "Detailed telecommunications" and suggested the quotation mark should be moved to read, "Detailed telecommunications billing service."

Mayor Hendricks expressed willingness to be a signer of the argument.

Public Hearing opened at 7:29 p.m.

No speakers.

Public Hearing closed at 7:29 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Adopt a Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016, for the Purpose of Submitting to City Voters a Measure to Modernize the Utility Users Tax; Requesting Consolidation with the Statewide General Election

and Election Services from Santa Clara County; Directing the City Attorney to Prepare an Impartial Analysis; and authorizing the Mayor to submit a written argument for the measure as outlined in Option B; and moving the quotation mark in Attachment A, page 3, Definitions, (1)(b) from "Detailed telecommunications" to "Detailed telecommunications billing service."

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

Mayor Hendricks asked Councilmembers to let him know if they would also like to sign the argument for the measure.

- 5** [16-0655](#) Adopt a Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016, for the Purpose of Submitting to City Voters an Initiative Ordinance 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 (The "Public Lands For Public Use Act"); Requesting Consolidation with the Statewide General Election and Election Services from Santa Clara County; Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments

City Attorney John Nagel provided the staff report.

Public Hearing opened at 7:40 p.m.

No speakers.

Public Hearing closed at 7:40 p.m.

Mayor Hendricks expressed willingness to be a signer of the argument against the measure.

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Adopt Ballot Question Option 1: A Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016, for the Purpose of Submitting to City Voters an

Initiative Ordinance 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 (The "Public Lands For Public Use Act"); Requesting Consolidation with the Statewide General Election and Election Services from Santa Clara County; Directing the City Attorney to Prepare an Impartial Analysis; and select Option (b) to provide for authority to submit written ballot arguments and rebuttal arguments to the Mayor or his designee.

City Manager Santana provided additional information regarding the distinctions between Option 1 and Option 2.

FRIENDLY AMENDMENT: Following discussion, Councilmember Griffith accepted the recommendation as a Friendly Amendment to insert after the word "citywide" in the ballot question, the words, "special or general."

Councilmember Martin-Milius accepted the friendly amendment.

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** [16-0511](#) Consider Amending the Employment Agreement between the City of Sunnyvale and City Manager Deanna Santana and the City's Salary Schedule to Adjust the City Manager's Compensation

City Manager Deanna Santana left the Council Chambers.

Director of Human Resources Teri Silva provided the staff report.

Public Hearing opened at 7:49 p.m.

No speakers.

Public Hearing closed at 7:49 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Griffith seconded the motion to approve the 2 percent Cost of Living Adjustment for the City Manager, inclusive of the current pay period.

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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Mayor Hendricks expressed appreciation for the Valley Transportation Authority Study Session held earlier.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

[16-0081](#) Tentative Council Meeting Agenda Calendar

[16-0506](#) Information/Action Items

[16-0683](#) Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 7:59 p.m.



City of Sunnyvale

Agenda Item

16-0676

Agenda Date: 7/26/2016

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
823	6-26-16 through 7-02-16	\$3,452,012.38
824	7-03-16 through 7-09-16	\$7,270,336.48

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, Director of Finance
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

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

7/11/2016

City of Sunnyvale

LIST # 823

Page 1

List of All Claims and Bills Approved for Payment
For Payments Dated 6/26/2016 through 7/2/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
xxx7321	6/28/16	AIMEE FOSBENNER	JULY2016	Insurances	258.21	0.00	258.21	\$258.21
xxx7322	6/28/16	ALEX MICHAELIS	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7323	6/28/16	ANNABEL YURUTUCU	JULY2016	Insurances	539.34	0.00	539.34	\$539.34
xxx7324	6/28/16	BYRON K PIPKIN	JULY2016	Insurances	1,031.03	0.00	1,031.03	\$1,031.03
xxx7325	6/28/16	CATHY E MERRILL	JULY2016	Insurances	258.21	0.00	258.21	\$258.21
xxx7326	6/28/16	CATHY HAYNES	JULY2016	Insurances	1,317.77	0.00	1,317.77	\$1,317.77
xxx7327	6/28/16	CHARLES J SCHWABE	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7328	6/28/16	CHRIS CARRION	JULY2016	Insurances	734.97	0.00	734.97	\$734.97
xxx7329	6/28/16	CORYN CAMPBELL	JULY2016	Insurances	346.56	0.00	346.56	\$346.56
xxx7330	6/28/16	DAN HAMMONS	JULY2016	Insurances	1,274.39	0.00	1,274.39	\$1,274.39
xxx7331	6/28/16	DAVID A LEWIS	JULY2016	Insurances	1,020.57	0.00	1,020.57	\$1,020.57
xxx7332	6/28/16	DAVID KAHN	JULY2016	Insurances	867.84	0.00	867.84	\$867.84
xxx7333	6/28/16	DAVID L NIETO	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7334	6/28/16	DAVID L VERBRUGGE	JULY2016	Insurances	1,884.10	0.00	1,884.10	\$1,884.10
xxx7335	6/28/16	DAVID M GOTT	JULY2016	Insurances	346.56	0.00	346.56	\$346.56
xxx7336	6/28/16	DEE SCHABOT	JULY2016	Insurances	1,274.39	0.00	1,274.39	\$1,274.39
xxx7337	6/28/16	DON JOHNSON	JULY2016	Insurances	492.65	0.00	492.65	\$492.65
xxx7338	6/28/16	DONALD R OLSEN	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7339	6/28/16	DONNA A SCOTT	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7340	6/28/16	ENCARNACION HERNANDEZ	JULY2016	Insurances	233.72	0.00	233.72	\$233.72
xxx7341	6/28/16	ERWIN YOUNG	JULY2016	Insurances	1,052.90	0.00	1,052.90	\$1,052.90
xxx7342	6/28/16	ESTRELLA AGRAVIADOR KAWCZYNSKI	JULY2016	Insurances	172.23	0.00	172.23	\$172.23
xxx7343	6/28/16	EUGENE J WADDELL	JULY2016	Insurances	1,091.71	0.00	1,091.71	\$1,091.71
xxx7344	6/28/16	FRANK CURTIS BLACK	JULY2016	Insurances	551.77	0.00	551.77	\$551.77
xxx7345	6/28/16	FRANK P BELLUCCI	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7346	6/28/16	GABRIEL A SILVA	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7347	6/28/16	GARY K CARLS	JULY2016	Insurances	406.77	0.00	406.77	\$406.77
xxx7348	6/28/16	GARY LUEBBERS	JULY2016	Insurances	346.56	0.00	346.56	\$346.56
xxx7349	6/28/16	GLENN FORTIN	JULY2016	Insurances	641.03	0.00	641.03	\$641.03

List of All Claims and Bills Approved for Payment

For Payments Dated 6/26/2016 through 7/2/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
xxx7350	6/28/16	GREGORY E KEVIN	JULY2016	Insurances	641.03	0.00	641.03	\$641.03
xxx7351	6/28/16	HIRA L RAINA	JULY2016	Insurances	406.77	0.00	406.77	\$406.77
xxx7352	6/28/16	IRWIN I BAKIN	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7353	6/28/16	JAMES A BRICE	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7354	6/28/16	JAMES BOUZIANE	JULY2016	Insurances	635.01	0.00	635.01	\$635.01
xxx7355	6/28/16	JAMES R RAND	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7356	6/28/16	JAMES WEBB JR	JULY2016	Insurances	285.73	0.00	285.73	\$285.73
xxx7357	6/28/16	JEROME P AMMERMAN	JULY2016	Insurances	734.97	0.00	734.97	\$734.97
xxx7358	6/28/16	JERRY D BAKER	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7359	6/28/16	JERRY RONDEAU	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7360	6/28/16	JOHN ADDEO	JULY2015	Insurances	0.00	0.00	0.00	\$58.11
			JULY2016	Insurances	58.11	0.00	58.11	
xxx7361	6/28/16	JOHN DEBATTISTA	JULY2016	Insurances	734.97	0.00	734.97	\$734.97
xxx7362	6/28/16	JOHN HOWE	JULY2016	Insurances	539.34	0.00	539.34	\$539.34
xxx7363	6/28/16	JOHN S WITTHAUS	JULY2016	Insurances	1,884.10	0.00	1,884.10	\$1,884.10
xxx7364	6/28/16	KAREN D WILLES	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7365	6/28/16	KAREN L DAVIS	JULY2016	Insurances	131.30	0.00	131.30	\$131.30
xxx7366	6/28/16	KAREN WOBLESKY	JULY2016	Insurances	1,020.57	0.00	1,020.57	\$1,020.57
xxx7367	6/28/16	KATHERINE B CHAPPELEAR	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7368	6/28/16	KATHRYN BERRY	JULY2016	Insurances	1,274.39	0.00	1,274.39	\$1,274.39
xxx7369	6/28/16	KELLY FITZGERALD	JULY2016	Insurances	641.03	0.00	641.03	\$641.03
xxx7370	6/28/16	KELLY MENEHAN	JULY2016	Insurances	131.30	0.00	131.30	\$131.30
xxx7371	6/28/16	KENNETH C HOWELL	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7372	6/28/16	LELAND W VANDIVER	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7373	6/28/16	MARIO R NAPPI	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7374	6/28/16	MARK G PETERSEN	JULY2016	Insurances	1,554.13	0.00	1,554.13	\$1,554.13
xxx7375	6/28/16	MARK STIVERS	JULY2016	Insurances	1,031.03	0.00	1,031.03	\$1,031.03
xxx7376	6/28/16	MARVIN A ROSE	JULY2016	Insurances	1,884.10	0.00	1,884.10	\$1,884.10
xxx7377	6/28/16	MICHAEL A CHAN	JULY2016	Insurances	1,884.10	0.00	1,884.10	\$1,884.10
xxx7378	6/28/16	MICHAEL CURRAN	JULY2016	Insurances	518.45	0.00	518.45	\$518.45
xxx7379	6/28/16	MICHAEL N JONES	JULY2016	Insurances	58.11	0.00	58.11	\$58.11

List of All Claims and Bills Approved for Payment

For Payments Dated 6/26/2016 through 7/2/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
xxx7380	6/28/16	MYRIAM CASTANEDA	JULY2016	Insurances	1,072.90	0.00	1,072.90	\$1,072.90
xxx7381	6/28/16	NANCY BOLGARD STEWARD	JULY2016	Insurances	1,020.57	0.00	1,020.57	\$1,020.57
xxx7382	6/28/16	NANCY F JACKSON	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7383	6/28/16	OSCAR J BARBA	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7384	6/28/16	PATRICIA E CASTILLO	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7385	6/28/16	RAE BARBARA WALDMAN	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7386	6/28/16	RAYMOND C WILLIAMSON	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7387	6/28/16	RICHARD C GURNEY	JULY2016	Insurances	539.34	0.00	539.34	\$539.34
xxx7388	6/28/16	ROBERT PATERNOSTER	JULY2016	Insurances	316.98	0.00	316.98	\$316.98
xxx7389	6/28/16	ROMOLA GEORGIA	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7390	6/28/16	RONALD DALBA	JULY2016	Insurances	641.03	0.00	641.03	\$641.03
xxx7391	6/28/16	SCOTT MORTON	JULY2016	Insurances	1,182.85	0.00	1,182.85	\$1,182.85
xxx7392	6/28/16	SILVIA MARTINS	JULY2016	Insurances	1,274.39	0.00	1,274.39	\$1,274.39
xxx7393	6/28/16	SIMON C LEMUS	JULY2016	Insurances	1,554.13	0.00	1,554.13	\$1,554.13
xxx7394	6/28/16	SONJA GUPTA	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7395	6/28/16	STEVEN D PIGOTT	JULY2016	Insurances	591.67	0.00	591.67	\$591.67
xxx7396	6/28/16	TAMMY PARKHURST	JULY2016	Insurances	346.56	0.00	346.56	\$346.56
xxx7397	6/28/16	THEODORE R BRESLER	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7398	6/28/16	THERESE BALBO	JULY2016	Insurances	944.69	0.00	944.69	\$944.69
xxx7399	6/28/16	THOMAS A BAISLEY	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7400	6/28/16	TIM CARLYLE	JULY2016	Insurances	641.03	0.00	641.03	\$641.03
xxx7401	6/28/16	TIM JOHNSON	JULY2016	Insurances	641.03	0.00	641.03	\$641.03
xxx7402	6/28/16	TONY J PEREZ	JULY2016	Insurances	518.45	0.00	518.45	\$518.45
xxx7403	6/28/16	WILLIAM BIELINSKI	JULY2016	Insurances	492.65	0.00	492.65	\$492.65
xxx7404	6/28/16	WILLIAM F POWERS	JULY2016	Insurances	58.11	0.00	58.11	\$58.11
xxx7405	6/28/16	WILLIAM L DISQUE	JULY2016	Insurances	536.22	0.00	536.22	\$536.22
xxx281957	6/28/16	ACCESS HARDWARE	5627032-IN	Bldg Maint Matls & Supplies	335.00	0.00	335.00	\$335.00
xxx281958	6/28/16	ACE FIRE EQUIPMENT & SERVICE CO INC	131452	Supplies, Fire Protection	385.09	0.00	385.09	\$385.09
xxx281959	6/28/16	ADAMSON POLICE PRODUCTS	INV214889	Ammunition	10,798.88	0.00	10,798.88	\$10,798.88
xxx281960	6/28/16	ADVANCED CHEMICAL TRANSPORT INC	105872	HazMat Disposal - Hazardous Waste Disposal	429.21	0.00	429.21	\$429.21
xxx281961	6/28/16	AIR EXCHANGE INC						\$1,495.73

List of All Claims and Bills Approved for Payment

For Payments Dated 6/26/2016 through 7/2/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			38596	General Supplies	1,495.73	0.00	1,495.73	
xxx281962	6/28/16	AMERICAN LEAK DETECTION	5051A	Construction Services	595.00	0.00	595.00	\$595.00
xxx281963	6/28/16	AMERICAN PUBLIC WORKS ASSN	8/1/16-7/31/17	Prepaid Goods, Services or Obligations	1,012.00	0.00	1,012.00	\$1,012.00
xxx281964	6/28/16	AMERICAN RED CROSS	10455049	Supplies, First Aid	189.00	0.00	189.00	\$378.00
			10455055	Supplies, First Aid	54.00	0.00	54.00	
			10457454	Supplies, First Aid	135.00	0.00	135.00	
xxx281965	6/28/16	ANDERSON PACIFIC ENGINEERING	1607-02	Misc Equip Maint & Repair - Materials	18,507.13	0.00	18,507.13	\$18,507.13
xxx281966	6/28/16	APPLEONE EMPLOYMENT SERVICES	01-4085314	Contracts/Service Agreements	2,362.60	0.00	2,362.60	\$4,878.88
			01-4092616	Contracts/Service Agreements	2,516.28	0.00	2,516.28	
xxx281967	6/28/16	ARNE SIGN & DECAL CO INC	16-9234	Miscellaneous Equipment Parts & Supplies	1,027.69	0.00	1,027.69	\$1,185.38
			16-9292	General Supplies	157.69	0.00	157.69	
xxx281968	6/28/16	ASTRA RADIO COMMUNICATIONS	80896	Clothing, Uniforms & Access	449.80	0.00	449.80	\$449.80
xxx281969	6/28/16	AUTOSCRIBE CORP	153670	Financial Services	1,215.80	0.00	1,215.80	\$1,215.80
xxx281970	6/28/16	AZTEC CONSULTANTS	ANAEROBC123 #25	Construction Services	242,190.91	0.00	242,190.91	\$242,190.91
xxx281971	6/28/16	BADGER METER INC	1102423	Water Meters	1,919.64	0.00	1,919.64	\$1,919.64
xxx281972	6/28/16	BAUER COMPRESSORS INC	0000210362	Miscellaneous Equipment	17.84	0.00	17.84	\$960.41
			0000211789	Safety Equipment Maintenance & Repair	942.57	0.00	942.57	
xxx281973	6/28/16	BAY AREA VIDEO COALITION INC	25173	DED Services/Training - Training	5,140.00	0.00	5,140.00	\$5,705.00
			25410	DED Services/Training - Training	565.00	0.00	565.00	
xxx281974	6/28/16	BAY-VALLEY PEST CONTROL INC	0207103	Services Maintain Land Improv	58.00	0.00	58.00	\$415.00
			0207310	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0207541	Facilities Maint & Repair - Labor	64.00	0.00	64.00	
			0207549	Facilities Maint & Repair - Labor	42.00	0.00	42.00	
			0207557	Facilities Maint & Repair - Labor	86.00	0.00	86.00	
			0207579	Services Maintain Land Improv	58.00	0.00	58.00	
			0207888	Facilities Maint & Repair - Labor	65.00	0.00	65.00	
xxx281975	6/28/16	BIGGS CARDOSA ASSOC INC	69294	Consultants	32,639.88	0.00	32,639.88	\$38,498.16
			69377	Consultants	5,858.28	0.00	5,858.28	
xxx281976	6/28/16	BROWNELLS INC	12628030.00	General Supplies	1,000.65	0.00	1,000.65	\$1,047.65
			12628030.01	General Supplies	47.00	0.00	47.00	

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xxx281977	6/28/16	BURKE WILLIAMS & SORENSEN LLP	200352	Legal Services	17,068.09	0.00	17,068.09	\$19,793.09
			201468	Legal Services	2,725.00	0.00	2,725.00	
xxx281978	6/28/16	CALIFORNIA DEPT OF GENERAL SERVICES	1409673	Utilities - Gas	11,761.52	0.00	11,761.52	\$24,665.45
			1409853	Utilities - Gas	12,903.93	0.00	12,903.93	
xxx281979	6/28/16	CENTRAL LABOR COUNCIL PARTNERSHIP	MAY2016	DED Services/Training - Training	2,989.27	0.00	2,989.27	\$43,206.88
			MAY2016	Contracts/Service Agreements	40,217.61	0.00	40,217.61	
xxx281980	6/28/16	CLAY PLANET	216967	General Supplies	42.41	0.00	42.41	\$42.41
xxx281981	6/28/16	COAST PERSONNEL SERVICES INC	243139	Contracts/Service Agreements	652.86	0.00	652.86	\$3,326.29
			243140	Contracts/Service Agreements	967.20	0.00	967.20	
			243141	Contracts/Service Agreements	835.75	0.00	835.75	
			243142	Contracts/Service Agreements	870.48	0.00	870.48	
xxx281983	6/28/16	CUBE SOLUTIONS	18580	Occupational Health and Safety Services	649.95	0.00	649.95	\$12,678.20
			18581	Occupational Health and Safety Services	429.36	0.00	429.36	
			18582	Occupational Health and Safety Services	580.11	0.00	580.11	
			18583	Occupational Health and Safety Services	463.08	0.00	463.08	
			18584	Occupational Health and Safety Services	467.08	0.00	467.08	
			18586	Occupational Health and Safety Services	971.65	0.00	971.65	
			18587	Occupational Health and Safety Services	763.30	0.00	763.30	
			18588	Occupational Health and Safety Services	706.98	0.00	706.98	
			18632	Occupational Health and Safety Services	53.41	0.00	53.41	
			18633	Occupational Health and Safety Services	56.68	0.00	56.68	
			18664	Occupational Health and Safety Services	118.66	0.00	118.66	
			18704	Occupational Health and Safety Services	492.79	0.00	492.79	
			18738	Occupational Health and Safety Services	814.26	0.00	814.26	
			18762	Occupational Health and Safety Services	637.88	0.00	637.88	
			18784	Occupational Health and Safety Services	379.23	0.00	379.23	
			18785	Occupational Health and Safety Services	259.91	0.00	259.91	
			18789	Occupational Health and Safety Services	784.89	0.00	784.89	
			18790	Occupational Health and Safety Services	508.38	0.00	508.38	
			18791	Occupational Health and Safety Services	1,167.09	0.00	1,167.09	
			18808	Occupational Health and Safety Services	63.20	0.00	63.20	

List of All Claims and Bills Approved for Payment

For Payments Dated 6/26/2016 through 7/2/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			18815	Occupational Health and Safety Services	547.88	0.00	547.88	
			18817	Occupational Health and Safety Services	1,480.99	0.00	1,480.99	
			18820	Occupational Health and Safety Services	281.44	0.00	281.44	
xxx281987	6/28/16	DR ASSOCIATES INTERNATIONAL	7685	Investigation Expense	1,947.50	0.00	1,947.50	\$1,947.50
xxx281989	6/28/16	DISCOUNT SCHOOL SUPPLY	W25592910101	General Supplies	342.48	0.00	342.48	\$342.48
xxx281990	6/28/16	FEDERAL EXPRESS CORP	5-445-01467	Mailing & Delivery Services	4.56	0.00	4.56	\$70.52
			5-445-26188	Mailing & Delivery Services	5.33	0.00	5.33	
			5-452-38160	Postage	12.13	0.00	12.13	
			5-452-46525	Mailing & Delivery Services	48.50	0.00	48.50	
xxx281991	6/28/16	FERGUSON ENTERPRISES INC 1423	1183250	Inventory Purchase	1,165.26	10.72	1,154.54	\$1,154.54
xxx281992	6/28/16	FIRST PLACE INC	84546	Customized Products	173.49	0.00	173.49	\$347.72
			84671	Customized Products	174.23	0.00	174.23	
xxx281993	6/28/16	FOSTER BROS SECURITY SYSTEMS INC	280112	Bldg Maint Matls & Supplies	1,183.20	0.00	1,183.20	\$1,183.20
xxx281994	6/28/16	FRANCISCO & ASSOC INC	2711	Financial Services	1,050.00	0.00	1,050.00	\$1,050.00
xxx281995	6/28/16	FREMONT UNION HIGH SCHOOL DISTRICT	16-510	Professional Services	2,298.39	0.00	2,298.39	\$2,298.39
xxx281996	6/28/16	GALE/CENGAGE LEARNING	58228494	Library Acquisitions, Books	25.22	0.00	25.22	\$25.22
xxx281997	6/28/16	GHIRARDELLI ASSOCIATES INC	13100-1	Engineering Services	14,405.00	0.00	14,405.00	\$14,405.00
xxx281998	6/28/16	GOLDER ASSOC INC	450561	Engineering Services	1,228.50	0.00	1,228.50	\$1,228.50
xxx281999	6/28/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1091619	Inventory Purchase	2,475.68	0.00	2,475.68	\$2,475.68
xxx282000	6/28/16	GRAINGER	9137402948	General Supplies	335.76	0.00	335.76	\$361.88
			9141457243	General Supplies	176.99	0.00	176.99	
			9141457250	General Supplies	-150.87	0.00	-150.87	
xxx282001	6/28/16	GRANITEROCK CO	965658	Materials - Land Improve	-1,347.97	0.00	-1,347.97	\$2,501.09
			966908	Materials - Land Improve	3,849.06	0.00	3,849.06	
xxx282002	6/28/16	HARRIS DESIGN	15.05.07	Consultants	2,252.50	0.00	2,252.50	\$21,113.10
			15.05.08	Consultants	18,860.60	0.00	18,860.60	
xxx282003	6/28/16	HENRY & LEMOINE ELECTRIC INC	16-1064	Miscellaneous Services	600.00	0.00	600.00	\$790.00
			16-1069	Computer Hardware	190.00	0.00	190.00	
xxx282005	6/28/16	HI-TECH OPTICAL INC	656895	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	\$1,684.50

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			658571	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
			658573	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
			658585	Benefits and Incentives - Prescription Safety Glasses	166.00	0.00	166.00	
			662899	Benefits and Incentives - Prescription Safety Glasses	91.00	0.00	91.00	
			665044	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	
			665060	Benefits and Incentives - Prescription Safety Glasses	91.00	0.00	91.00	
			665061	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	
			665062	Benefits and Incentives - Prescription Safety Glasses	90.50	0.00	90.50	
			665063	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	
			665444	Benefits and Incentives - Prescription Safety Glasses	92.50	0.00	92.50	
			665454	Benefits and Incentives - Prescription Safety Glasses	76.00	0.00	76.00	
			666687	Benefits and Incentives - Prescription Safety Glasses	200.00	0.00	200.00	
xxx282006	6/28/16	HIGH LINE CORP	19655	Computer Software	750.00	0.00	750.00	\$750.00
xxx282007	6/28/16	HUMANSIZE CORP	2155973	Bldg Maint Matls & Supplies	123.65	0.00	123.65	\$123.65
xxx282008	6/28/16	INDEPENDENT ELECTRIC SUPPLY INC	S102822183.001	Electrical Parts & Supplies	385.23	0.00	385.23	\$541.69
			S102824757.001	Electrical Parts & Supplies	156.46	0.00	156.46	
xxx282009	6/28/16	JOHNSON ROBERTS & ASSOC INC	129027	Investigation Expense	156.65	0.00	156.65	\$156.65
xxx282010	6/28/16	KPM CONSULTING LLC	MAY16R-STA5	Construction Services	25.65	0.00	25.65	\$2,425.65
			MAY16-STA5	Construction Services	2,400.00	0.00	2,400.00	
xxx282011	6/28/16	L N CURTIS & SONS INC	1387659-03	Clothing, Uniforms & Access	4,772.71	0.00	4,772.71	\$9,638.46
			1394434-00	Hand Tools	240.72	0.00	240.72	
			INV25890	Clothing, Uniforms & Access	739.50	0.00	739.50	

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			INV27339	Inventory Purchase	558.43	0.00	558.43	
			INV30772	Clothing, Uniforms & Access	369.75	0.00	369.75	
			INV31731	Inventory Purchase	504.05	0.00	504.05	
			INV31757	Inventory Purchase	339.18	0.00	339.18	
			INV31765	Miscellaneous Equipment	2,114.12	0.00	2,114.12	
xxx282012	6/28/16	LEAN ENERGY US	201730	Professional Services	3,301.05	0.00	3,301.05	\$3,301.05
xxx282013	6/28/16	LAWSON PRODUCTS INC	9304173421	Miscellaneous Equipment Parts & Supplies	709.65	0.00	709.65	\$709.65
xxx282014	6/28/16	MCMASTER CARR SUPPLY CO	65836394	Miscellaneous Equipment Parts & Supplies	197.29	0.00	197.29	\$197.29
xxx282015	6/28/16	MIDWEST TAPE	94060105	Library Acquis, Audio/Visual	885.68	0.00	885.68	\$2,948.32
			94062594	Library Acquis, Audio/Visual	228.23	0.00	228.23	
			94062694	Library Acquis, Audio/Visual	714.68	0.00	714.68	
			94064109	Library Acquis, Audio/Visual	1,027.34	0.00	1,027.34	
			94064111	Library Acquis, Audio/Visual	92.39	0.00	92.39	
xxx282016	6/28/16	MUNICIPAL RESOURCE GROUP LLC	03-16-125	Professional Services	1,627.00	0.00	1,627.00	\$1,627.00
xxx282017	6/28/16	NICHOLS CONSULTING ENGINEERS	218185505	Consultants	23,094.12	0.00	23,094.12	\$23,094.12
xxx282018	6/28/16	NORTHWEST YMCA	NWYMCA411-415	Miscellaneous Services	5,865.00	0.00	5,865.00	\$5,865.00
xxx282019	6/28/16	ON ASSIGNMENT LAB SUPPORT	LAB550203445	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	\$1,200.00
xxx282020	6/28/16	PACIFIC JANITORIAL SUPPLY CO	30037469	Inventory Purchase	195.75	0.00	195.75	\$195.75
xxx282021	6/28/16	PENINSULA BATTERY INC	117008	Inventory Purchase	678.08	0.00	678.08	\$678.08
xxx282022	6/28/16	PINE CONE LUMBER CO INC	648410	Materials - Land Improve	125.16	0.00	125.16	\$2,088.63
			648488	Hand Tools	32.30	0.00	32.30	
			648648	Bldg Maint Matls & Supplies	1,931.17	0.00	1,931.17	
xxx282023	6/28/16	POLYDYNE INC	1054523	Chemicals	36,117.48	0.00	36,117.48	\$36,117.48
xxx282024	6/28/16	R E P NUT N BOLT GUY	27430	Inventory Purchase	254.08	0.00	254.08	\$285.14
			27431	Inventory Purchase	31.06	0.00	31.06	
xxx282025	6/28/16	REDGWICK CONSTRUCTION CO	FAIROAKSPRK #04	Construction Services	306,669.93	0.00	306,669.93	\$306,669.93
xxx282026	6/28/16	REED & GRAHAM INC	863504	Materials - Land Improve	830.40	0.00	830.40	\$2,255.87
			863621	Materials - Land Improve	1,425.47	0.00	1,425.47	
xxx282027	6/28/16	RENNE SLOAN HOLTZMAN SAKAI LLP	31474	Investigation Expense	661.50	0.00	661.50	\$10,351.16

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			31481	Legal Services	7,219.12	0.00	7,219.12	
			31482	Legal Services	2,470.54	0.00	2,470.54	
xxx282028	6/28/16	ROYAL BRASS INC	799186-001	Miscellaneous Equipment Parts & Supplies	112.46	0.00	112.46	\$141.72
			799265-001	Miscellaneous Equipment Parts & Supplies	29.26	0.00	29.26	
xxx282029	6/28/16	SC FUELS	3071325	Inventory Purchase	20,309.88	0.00	20,309.88	\$20,309.88
xxx282030	6/28/16	SGS ACCUTEST INC	C4-38911	Water Lab Services	2,049.50	0.00	2,049.50	\$2,049.50
xxx282031	6/28/16	SAFEWAY INC	430838-062016	Food Products	31.77	0.00	31.77	\$193.53
			430838-062016	General Supplies	9.48	0.00	9.48	
			728154-062116	Food Products	95.54	0.00	95.54	
			801917-060816	Special Events	36.20	0.00	36.20	
			805437-061516	Food Products	3.99	0.00	3.99	
			807473-062016	Food Products	3.99	0.00	3.99	
			807513-062016	Food Products	12.56	0.00	12.56	
xxx282032	6/28/16	SCIENSATIONAL WORKSHOPS FOR KIDS INC	12854	Rec Instructors/Officials	5,768.00	0.00	5,768.00	\$5,768.00
xxx282033	6/28/16	SHRED-IT USA LLC	8024152164	Records Related Services	49.00	0.00	49.00	\$351.50
			8120700539	Records Related Services	99.00	0.00	99.00	
			8120701523	Records Related Services	154.00	0.00	154.00	
			9411007168	Records Related Services	49.50	0.00	49.50	
xxx282034	6/28/16	SIERRA CHEMICAL CO	SLS10034616	Chemicals	3,525.03	0.00	3,525.03	\$3,525.03
xxx282035	6/28/16	SMART & FINAL INC	143790-061016	Food Products	190.80	0.00	190.80	\$482.24
			143790-061016	General Supplies	19.56	0.00	19.56	
			152264-062316	Food Products	252.45	0.00	252.45	
			152264-062316	General Supplies	19.43	0.00	19.43	
xxx282036	6/28/16	STUDIO SCOTT	129	Consultants	19,860.00	0.00	19,860.00	\$19,860.00
xxx282037	6/28/16	STUDIO EM GRAPHIC DESIGN	16151	Graphics Services	1,196.25	0.00	1,196.25	\$1,196.25
xxx282038	6/28/16	SUMMIT UNIFORMS	31357	Clothing, Uniforms & Access	183.79	0.00	183.79	\$13,651.43
			31358	Clothing, Uniforms & Access	183.79	0.00	183.79	
			31359	Clothing, Uniforms & Access	183.79	0.00	183.79	
			31360	Clothing, Uniforms & Access	183.79	0.00	183.79	
			31361	Clothing, Uniforms & Access	183.79	0.00	183.79	

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			31363	Clothing, Uniforms & Access	183.79	0.00	183.79	
			31364	Clothing, Uniforms & Access	183.79	0.00	183.79	
			31365	Clothing, Uniforms & Access	183.79	0.00	183.79	
			31368	Clothing, Uniforms & Access	139.20	0.00	139.20	
			31369	Clothing, Uniforms & Access	117.45	0.00	117.45	
			31370	Clothing, Uniforms & Access	58.73	0.00	58.73	
			31371	Clothing, Uniforms & Access	187.05	0.00	187.05	
			31372	Clothing, Uniforms & Access	187.05	0.00	187.05	
			31373	Clothing, Uniforms & Access	69.60	0.00	69.60	
			31384	Clothing, Uniforms & Access	234.90	0.00	234.90	
			31385	Clothing, Uniforms & Access	133.76	0.00	133.76	
			31388	Clothing, Uniforms & Access	383.89	0.00	383.89	
			31389	Clothing, Uniforms & Access	642.71	0.00	642.71	
			31390	Clothing, Uniforms & Access	303.41	0.00	303.41	
			31391	Clothing, Uniforms & Access	303.41	0.00	303.41	
			31392	Clothing, Uniforms & Access	303.41	0.00	303.41	
			31393	Clothing, Uniforms & Access	458.93	0.00	458.93	
			31394	Clothing, Uniforms & Access	303.41	0.00	303.41	
			31395	Clothing, Uniforms & Access	421.95	0.00	421.95	
			31396	Clothing, Uniforms & Access	474.15	0.00	474.15	
			31398	Clothing, Uniforms & Access	326.25	0.00	326.25	
			31399	Clothing, Uniforms & Access	155.51	0.00	155.51	
			31523	Clothing, Uniforms & Access	2,936.26	0.00	2,936.26	
			31541	Clothing, Uniforms & Access	43.50	0.00	43.50	
			31639	Clothing, Uniforms & Access	132.68	0.00	132.68	
			31640	Clothing, Uniforms & Access	42.41	0.00	42.41	
			31641	Clothing, Uniforms & Access	90.26	0.00	90.26	
			31643	Clothing, Uniforms & Access	230.55	0.00	230.55	
			31667	Clothing, Uniforms & Access	215.33	0.00	215.33	
			31668	Clothing, Uniforms & Access	393.68	0.00	393.68	
			31669	Clothing, Uniforms & Access	200.10	0.00	200.10	

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			31670	Clothing, Uniforms & Access	316.46	0.00	316.46	
			31671	Clothing, Uniforms & Access	116.36	0.00	116.36	
			31672	Clothing, Uniforms & Access	200.10	0.00	200.10	
			31673	Clothing, Uniforms & Access	116.36	0.00	116.36	
			31674	Clothing, Uniforms & Access	121.80	0.00	121.80	
			31675	Clothing, Uniforms & Access	295.80	0.00	295.80	
			31676	Clothing, Uniforms & Access	572.03	0.00	572.03	
			31677	Clothing, Uniforms & Access	379.54	0.00	379.54	
			31678	Clothing, Uniforms & Access	80.48	0.00	80.48	
			31725	Clothing, Uniforms & Access	117.45	0.00	117.45	
			31726	Clothing, Uniforms & Access	230.55	0.00	230.55	
			31904	Clothing, Uniforms & Access	144.64	0.00	144.64	
xxx282042	6/28/16	SUPERIOR PRESS	3362354	Printing & Related Services	124.92	0.00	124.92	\$124.92
xxx282043	6/28/16	SYNAGRO-WWT INC	03-102497	Miscellaneous Services	251,701.99	0.00	251,701.99	\$251,701.99
xxx282044	6/28/16	TOGOS EATERY	481224	Food Products	205.00	0.00	205.00	\$205.00
xxx282045	6/28/16	TOKAY SOFTWARE INC	094402	Water Backflow Valves	11,325.00	0.00	11,325.00	\$11,325.00
xxx282046	6/28/16	US HEALTHWORKS MEDICAL GROUP PC	2927630-CA	Pre-Employment Testing	146.00	0.00	146.00	\$146.00
xxx282047	6/28/16	USA BLUEBOOK	979236	Miscellaneous Equipment	1,487.99	0.00	1,487.99	\$1,487.99
xxx282048	6/28/16	UNICO MECHANICAL CORPORATION	416-0002-2	Misc Equip Maint & Repair - Labor	25,838.00	0.00	25,838.00	\$33,420.25
			416-0002-2	Misc Equip Maint & Repair - Materials	7,582.25	0.00	7,582.25	
xxx282049	6/28/16	UNITED RENTALS	137185550-002	Construction Services	3,011.60	0.00	3,011.60	\$3,011.60
xxx282050	6/28/16	UNITED SITE SERVICES INC	114-4103422	Equipment Rental/Lease	159.81	0.00	159.81	\$159.81
xxx282051	6/28/16	UNIVAR USA INC	SJ752232	Chemicals	3,058.60	0.00	3,058.60	\$3,058.60
xxx282052	6/28/16	UNIVERSITY OF CALIFORNIA SANTA CRUZ	57197	DED Services/Training - Training	4,473.00	0.00	4,473.00	\$4,473.00
xxx282053	6/28/16	VICKI REESE	042316PURCHASE	DED Services/Training - Books	32.61	0.00	32.61	\$32.61
xxx282054	6/28/16	W-TRANS	17489	Engineering Services	8,387.50	0.00	8,387.50	\$12,660.00
			17717	Engineering Services	4,272.50	0.00	4,272.50	
xxx282055	6/28/16	WECO INDUSTRIES LLC	0036650-IN	Miscellaneous Equipment	268.85	0.00	268.85	\$268.85
xxx282056	6/28/16	WESTERN STATES TOOL & SUPPLY CORP	083397	Inventory Purchase	398.90	0.00	398.90	\$398.90
xxx282057	6/28/16	WILSEY HAM	20734	Consultants	10,364.21	0.00	10,364.21	\$10,364.21

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xxx282058	6/28/16	WINSUPPLY OF SILICON VALLEY	660093 01	Miscellaneous Equipment Parts & Supplies	207.10	0.00	207.10	\$394.98
			660131 00	Electrical Parts & Supplies	187.88	0.00	187.88	
xxx282059	6/28/16	ZEP MANUFACTURING CO	9002302291	Chemicals	5,611.01	0.00	5,611.01	\$5,611.01
xxx282060	6/28/16	E-BUILDER INC	1069	Software Licensing & Support	1,757.17	0.00	1,757.17	\$1,757.17
xxx282061	6/28/16	WAITER.COM INC	G0614345094	Food Products	121.09	0.00	121.09	\$235.55
			G0621360157	Food Products	114.46	0.00	114.46	
xxx282062	6/28/16	ALBERT J SCOTT	JULY2016	Prepaid Goods, Services or Obligations	123.03	0.00	123.03	\$123.03
xxx282063	6/28/16	CHARLES S EANEFF JR	JULY2016	Prepaid Goods, Services or Obligations	1,020.57	0.00	1,020.57	\$1,020.57
xxx282064	6/28/16	DEAN CHU	JULY2016	Prepaid Goods, Services or Obligations	975.37	0.00	975.37	\$975.37
xxx282065	6/28/16	DEAN S RUSSELL	JULY2016	Prepaid Goods, Services or Obligations	1,543.89	0.00	1,543.89	\$1,543.89
xxx282066	6/28/16	G&K SERVICES	1083792002	Laundry & Cleaning Services	18.15	0.00	18.15	\$4,536.85
			1083792003	Laundry & Cleaning Services	5.40	0.00	5.40	
			1083792004	Laundry & Cleaning Services	41.40	0.00	41.40	
			1083792005	Laundry & Cleaning Services	9.38	0.00	9.38	
			1083792006	Laundry & Cleaning Services	59.77	0.00	59.77	
			1083792007	Laundry & Cleaning Services	67.47	0.00	67.47	
			1083792008	Laundry & Cleaning Services	175.11	0.00	175.11	
			1083792011	Laundry & Cleaning Services	18.10	0.00	18.10	
			1083792012	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083792013	Laundry & Cleaning Services	151.72	0.00	151.72	
			1083792014	Laundry & Cleaning Services	12.69	0.00	12.69	
			1083792015	Laundry & Cleaning Services	2.72	0.00	2.72	
			1083792016	Laundry & Cleaning Services	68.54	0.00	68.54	
			1083792017	Laundry & Cleaning Services	214.74	0.00	214.74	
			1083792018	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083792019	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083792020	Laundry & Cleaning Services	42.68	0.00	42.68	
			1083792023	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083792024	Laundry & Cleaning Services	7.92	0.00	7.92	
			1083792025	Laundry & Cleaning Services	13.52	0.00	13.52	
			1083792026	Laundry & Cleaning Services	43.79	0.00	43.79	

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			1083792027	Laundry & Cleaning Services	20.76	0.00	20.76	
			1083792028	Laundry & Cleaning Services	19.40	0.00	19.40	
			1083792029	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083793976	Laundry & Cleaning Services	18.15	0.00	18.15	
			1083793977	Laundry & Cleaning Services	5.40	0.00	5.40	
			1083793978	Laundry & Cleaning Services	41.40	0.00	41.40	
			1083793979	Laundry & Cleaning Services	9.38	0.00	9.38	
			1083793980	Laundry & Cleaning Services	59.77	0.00	59.77	
			1083793981	Laundry & Cleaning Services	67.47	0.00	67.47	
			1083793982	Laundry & Cleaning Services	175.11	0.00	175.11	
			1083793985	Laundry & Cleaning Services	18.10	0.00	18.10	
			1083793986	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083793987	Laundry & Cleaning Services	151.72	0.00	151.72	
			1083793988	Laundry & Cleaning Services	12.69	0.00	12.69	
			1083793989	Laundry & Cleaning Services	2.72	0.00	2.72	
			1083793990	Laundry & Cleaning Services	68.54	0.00	68.54	
			1083793991	Laundry & Cleaning Services	214.74	0.00	214.74	
			1083793992	Laundry & Cleaning Services	18.10	0.00	18.10	
			1083793993	Laundry & Cleaning Services	51.64	0.00	51.64	
			1083793994	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083793995	Laundry & Cleaning Services	30.20	0.00	30.20	
			1083793996	Laundry & Cleaning Services	42.68	0.00	42.68	
			1083793997	Laundry & Cleaning Services	19.68	0.00	19.68	
			1083793998	Laundry & Cleaning Services	32.58	0.00	32.58	
			1083793999	Laundry & Cleaning Services	50.40	0.00	50.40	
			1083794002	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083794003	Laundry & Cleaning Services	15.46	0.00	15.46	
			1083795930	Laundry & Cleaning Services	18.70	0.00	18.70	
			1083795931	Laundry & Cleaning Services	5.58	0.00	5.58	
			1083795932	Laundry & Cleaning Services	42.78	0.00	42.78	
			1083795933	Laundry & Cleaning Services	9.69	0.00	9.69	

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			1083795934	Laundry & Cleaning Services	63.79	0.00	63.79	
			1083795935	Laundry & Cleaning Services	69.50	0.00	69.50	
			1083795936	Laundry & Cleaning Services	179.49	0.00	179.49	
			1083795939	Laundry & Cleaning Services	20.43	0.00	20.43	
			1083795940	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083795941	Laundry & Cleaning Services	155.70	0.00	155.70	
			1083795942	Laundry & Cleaning Services	10.52	0.00	10.52	
			1083795943	Laundry & Cleaning Services	1.76	0.00	1.76	
			1083795944	Laundry & Cleaning Services	69.97	0.00	69.97	
			1083795945	Laundry & Cleaning Services	226.79	0.00	226.79	
			1083795946	Laundry & Cleaning Services	20.43	0.00	20.43	
			1083795947	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083795948	Laundry & Cleaning Services	43.98	0.00	43.98	
			1083795951	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083795952	Laundry & Cleaning Services	8.12	0.00	8.12	
			1083795953	Laundry & Cleaning Services	13.87	0.00	13.87	
			1083795954	Laundry & Cleaning Services	44.84	0.00	44.84	
			1083795955	Laundry & Cleaning Services	21.35	0.00	21.35	
			1083795956	Laundry & Cleaning Services	19.95	0.00	19.95	
			1083795957	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083797841	Laundry & Cleaning Services	18.70	0.00	18.70	
			1083797842	Laundry & Cleaning Services	5.58	0.00	5.58	
			1083797843	Laundry & Cleaning Services	42.78	0.00	42.78	
			1083797844	Laundry & Cleaning Services	9.69	0.00	9.69	
			1083797845	Laundry & Cleaning Services	63.79	0.00	63.79	
			1083797846	Laundry & Cleaning Services	69.50	0.00	69.50	
			1083797847	Laundry & Cleaning Services	179.48	0.00	179.48	
			1083797850	Laundry & Cleaning Services	20.43	0.00	20.43	
			1083797851	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083797852	Laundry & Cleaning Services	151.14	0.00	151.14	
			1083797853	Laundry & Cleaning Services	11.35	0.00	11.35	

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			1083797854	Laundry & Cleaning Services	1.76	0.00	1.76	
			1083797855	Laundry & Cleaning Services	69.97	0.00	69.97	
			1083797856	Laundry & Cleaning Services	226.79	0.00	226.79	
			1083797857	Laundry & Cleaning Services	20.43	0.00	20.43	
			1083797858	Laundry & Cleaning Services	53.09	0.00	53.09	
			1083797859	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083797860	Laundry & Cleaning Services	31.05	0.00	31.05	
			1083797861	Laundry & Cleaning Services	43.98	0.00	43.98	
			1083797862	Laundry & Cleaning Services	20.24	0.00	20.24	
			1083797863	Laundry & Cleaning Services	33.52	0.00	33.52	
			1083797864	Laundry & Cleaning Services	51.79	0.00	51.79	
			1083797867	Laundry & Cleaning Services	17.71	0.00	17.71	
			1083797868	Laundry & Cleaning Services	17.71	0.00	17.71	
xxx282075	6/28/16	GAIL SWEGLES	JULY2016	Prepaid Goods, Services or Obligations	117.59	0.00	117.59	\$117.59
xxx282076	6/28/16	GRAINGER	9100774927	Supplies, Safety	250.14	0.00	250.14	\$2,107.58
			9102172567	Supplies, Safety	69.26	0.00	69.26	
			9102673499	General Supplies	37.33	0.00	37.33	
			9102833986	Chemicals	111.19	0.00	111.19	
			9104092672	Hand Tools	34.74	0.00	34.74	
			9104092680	Hand Tools	31.56	0.00	31.56	
			9107196587	Hand Tools	88.57	0.00	88.57	
			9109963182	Miscellaneous Equipment Parts & Supplies	512.56	0.00	512.56	
			9109998618	Chemicals	48.85	0.00	48.85	
			9110582336	Supplies, Safety	39.53	0.00	39.53	
			9110757649	Fuel, Oil & Lubricants	96.95	0.00	96.95	
			9118000505	Hand Tools	74.95	0.00	74.95	
			9122917686	Supplies, Safety	18.14	0.00	18.14	
			9123804099	General Supplies	350.90	0.00	350.90	
			9124411514	Electrical Parts & Supplies	91.73	0.00	91.73	
			9125896853	Hand Tools	19.62	0.00	19.62	
			9125896861	Hand Tools	231.56	0.00	231.56	

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xxx282078	6/28/16	KLAUS DAEHNE	JULY2016	Prepaid Goods, Services or Obligations	764.63	0.00	764.63	\$764.63
xxx282079	6/28/16	MARK ROGGE	JULY2016	Prepaid Goods, Services or Obligations	258.21	0.00	258.21	\$258.21
xxx282080	6/28/16	MARSHA POLLAK	JULY2016	Prepaid Goods, Services or Obligations	58.11	0.00	58.11	\$58.11
xxx282081	6/28/16	OFFICEMAX CONTRACT INC	08184206022016	Supplies, Office 1	-83.24	0.00	-83.24	\$9,164.60
			19918506012016	Supplies, Office 1	-147.00	0.00	-147.00	
			22123006012016	Supplies, Office 1	132.56	0.00	132.56	
			22496306012016	Supplies, Office 1	9.00	0.00	9.00	
			22506906012016	Supplies, Office 1	79.91	0.00	79.91	
			22765206012016	Supplies, Office 1	73.13	0.00	73.13	
			23251806012016	Supplies, Office 1	50.61	0.00	50.61	
			23268206012016	Inventory Purchase	2,907.20	0.00	2,907.20	
			23411206022016	Supplies, Office 1	541.50	0.00	541.50	
			23847906022016	Supplies, Office 1	102.58	0.00	102.58	
			24137406022016	Supplies, Office 1	77.62	0.00	77.62	
			24220006062016	Supplies, Office 1	-210.91	0.00	-210.91	
			24490306032016	Supplies, Office 1	1,050.65	0.00	1,050.65	
			24490706032016	Supplies, Office 1	37.11	0.00	37.11	
			24601306032016	Supplies, Office 1	39.96	0.00	39.96	
			24695006032016	Supplies, Office 1	143.40	0.00	143.40	
			24758306032016	Supplies, Office 1	47.84	0.00	47.84	
			24768506032016	Supplies, Office 1	11.88	0.00	11.88	
			24906606092016	Supplies, Office 1	43.55	0.00	43.55	
			24988906032016	Supplies, Office 1	22.77	0.00	22.77	
			25229406032016	Supplies, Office 1	62.22	0.00	62.22	
			25276706072016	Supplies, Office 1	5.91	0.00	5.91	
			26150506062016	Supplies, Office 1	29.88	0.00	29.88	
			26197706062016	Supplies, Office 1	75.91	0.00	75.91	
			26206306062016	Supplies, Office 1	68.14	0.00	68.14	
			26925306072016	Supplies, Office 1	232.55	0.00	232.55	
			27016506072016	Supplies, Office 1	59.84	0.00	59.84	
			27245306072016	Supplies, Office 1	228.88	0.00	228.88	

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			27516606072016	Supplies, Office 1	315.64	0.00	315.64	
			28100706082016	Supplies, Office 1	303.23	0.00	303.23	
			28147006082016	Supplies, Office 1	76.18	0.00	76.18	
			28457106082016	Supplies, Office 1	152.52	0.00	152.52	
			29392906102016	Supplies, Office 1	-97.89	0.00	-97.89	
			29527506092016	Supplies, Office 1	63.53	0.00	63.53	
			29628206092016	Supplies, Office 1	59.04	0.00	59.04	
			30133906102016	Supplies, Office 1	116.81	0.00	116.81	
			30243406102016	Supplies, Office 1	64.20	0.00	64.20	
			30385806102016	Supplies, Office 1	11.41	0.00	11.41	
			30404106102016	Supplies, Office 1	81.70	0.00	81.70	
			30712906102016	Supplies, Office 1	21.85	0.00	21.85	
			30887106102016	Supplies, Office 1	85.81	0.00	85.81	
			31223706132016	Supplies, Office 1	69.91	0.00	69.91	
			31333206132016	Supplies, Office 1	1,022.43	0.00	1,022.43	
			31482506132016	Supplies, Office 1	80.85	0.00	80.85	
			31904206132016	Supplies, Office 1	109.73	0.00	109.73	
			31907906132016	Supplies, Office 1	41.86	0.00	41.86	
			31908006132016	Supplies, Office 1	60.35	0.00	60.35	
			31916506132016	Supplies, Office 1	113.90	0.00	113.90	
			31935306142016	Supplies, Office 1	50.22	0.00	50.22	
			32352206132016	Supplies, Office 1	81.21	0.00	81.21	
			32414806132016	Supplies, Office 1	141.83	0.00	141.83	
			32703806142016	Supplies, Office 1	105.31	0.00	105.31	
			32985806142016	Supplies, Office 1	141.88	0.00	141.88	
			62375706072016	Supplies, Office 1	126.11	0.00	126.11	
			95538206142016	Supplies, Office 1	17.36	0.00	17.36	
			96840206102016	Supplies, Office 1	54.17	0.00	54.17	
xxx282086	6/28/16	ROBERT A WALKER	JULY2016	Prepaid Goods, Services or Obligations	1,884.10	0.00	1,884.10	\$1,884.10
xxx282087	6/28/16	ROBERT VAN HEUSEN	JULY2016	Prepaid Goods, Services or Obligations	643.74	0.00	643.74	\$643.74
xxx282088	6/28/16	ISELA PEREZ	314884	Refund Recreation Fees	27.00	0.00	27.00	\$27.00

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xxx282089	6/29/16	3M TRAFFIC SAFETY SYSTEMS DIVISION	SS15858	Materials - Land Improve	538.32	0.00	538.32	\$3,474.57
			SS15859	Materials - Land Improve	2,936.25	0.00	2,936.25	
xxx282090	6/29/16	AMA GOLF	137763	Inventory Purchase	535.87	0.00	535.87	\$535.87
xxx282091	6/29/16	AMS.NET INC	0005970	Communication Equipment	934.02	0.00	934.02	\$934.02
xxx282092	6/29/16	AT&T	06/17-07/16/16	Utilities - Mobile Phones - City Mobile Phones	304.35	0.00	304.35	\$304.35
xxx282093	6/29/16	AT&T	000008193727	Utilities - Telephone	14,913.72	0.00	14,913.72	\$14,913.72
xxx282094	6/29/16	ACUSHNET CO	902551179	Inventory Purchase	160.41	0.00	160.41	\$160.41
xxx282095	6/29/16	AIR COOLED ENGINES INC	78050	Parts, Vehicles & Motor Equip	599.95	0.00	599.95	\$599.95
xxx282096	6/29/16	ALL STAR GLASS	ISJ042714	Auto Maint & Repair - Labor	183.30	0.00	183.30	\$838.71
			ISJ042714	Auto Maint & Repair - Materials	655.41	0.00	655.41	
xxx282097	6/29/16	ARNE SIGN & DECAL CO INC	16-9347	Materials - Land Improve	589.43	0.00	589.43	\$589.43
xxx282098	6/29/16	ASSN OF BAY AREA GOVERNMENTS	1055851	Prepaid Goods, Services or Obligations	25,728.00	0.00	25,728.00	\$25,728.00
xxx282099	6/29/16	ATLAS COPCO COMPRESSORS LLC	678895	Equipment Maintenance & Repair Labor	390.00	0.00	390.00	\$390.00
xxx282100	6/29/16	BACWA	EBM-BDO-01000	Water Lab Services	30,000.00	0.00	30,000.00	\$30,000.00
xxx282101	6/29/16	BMI IMAGING SYSTEMS	304166	Library Technology Services	500.00	0.00	500.00	\$500.00
xxx282102	6/29/16	BANK OF SACRAMENTO	ANAEROBC123#25	Construction Project Contract Retainage	12,746.89	0.00	12,746.89	\$12,746.89
xxx282103	6/29/16	BARTEL ASSOC LLC	16-520	Financial Services	4,900.00	0.00	4,900.00	\$4,900.00
xxx282104	6/29/16	BILL WILSON CENTER	MAY2016	Contracts/Service Agreements	7,499.23	0.00	7,499.23	\$7,499.23
xxx282105	6/29/16	BRENNTAG PACIFIC INC	BPI240932	Chemicals	-5,830.63	0.00	-5,830.63	\$5,701.77
			BPI619679	Chemicals	5,830.63	0.00	5,830.63	
			BPI973222	Chemicals	5,701.77	0.00	5,701.77	
xxx282106	6/29/16	BURTONS FIRE INC	S32783	Parts, Vehicles & Motor Equip	2,177.28	0.00	2,177.28	\$2,798.96
			S33048	Parts, Vehicles & Motor Equip	621.68	0.00	621.68	
xxx282107	6/29/16	CDM SMITH	80555059	Consultants	191,204.10	0.00	191,204.10	\$191,204.10
xxx282108	6/29/16	CALIFORNIA WORKFORCE ASSN	JUNE2016	Contracts/Service Agreements	20,238.21	0.00	20,238.21	\$20,238.21
xxx282109	6/29/16	CALLAWAY GOLF CO	926926848	Inventory Purchase	613.32	0.00	613.32	\$613.32
xxx282110	6/29/16	CALTEST ANALYTICAL LABORATORY	559042	Water Lab Services	306.70	0.00	306.70	\$1,980.70
			559260	Water Lab Services	1,674.00	0.00	1,674.00	
xxx282111	6/29/16	CENTURY GRAPHICS	43690	Clothing, Uniforms & Access	57.97	0.00	57.97	\$57.97

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xxx282112	6/29/16	CITIES ASSN OF SANTA CLARA COUNTY	7/1/16-6/30/17	Prepaid Goods, Services or Obligations	7,641.00	0.00	7,641.00	\$7,641.00
xxx282113	6/29/16	CITY & COUNTY OF SAN FRANCISCO	MAY2016	Contracts/Service Agreements	29,418.13	0.00	29,418.13	\$29,418.13
xxx282114	6/29/16	CITY OF CUPERTINO	CUP-01	Miscellaneous Services	37,132.74	0.00	37,132.74	\$37,132.74
xxx282115	6/29/16	COUNTY OF ALAMEDA	10/01-12/31/15	Contracts/Service Agreements	40,309.89	0.00	40,309.89	\$40,309.89
xxx282116	6/29/16	CROP PRODUCTION SERVICES INC	30500557	Materials - Land Improve	3,132.00	0.00	3,132.00	\$3,915.00
			30500558	Materials - Land Improve	783.00	0.00	783.00	
xxx282117	6/29/16	DES ARCHITECTS + ENGINEERS INC	062216	General Supplies	943.69	0.00	943.69	\$943.69
xxx282118	6/29/16	DGS	0382685-IN	Miscellaneous Equipment	6,773.75	0.00	6,773.75	\$6,773.75
xxx282119	6/29/16	DELL MARKETING LP	XJXP54PX9	Hardware Maintenance	5,408.76	0.00	5,408.76	\$5,408.76
xxx282120	6/29/16	DEPARTMENT OF JUSTICE	167404	Contracts/Service Agreements	292.00	0.00	292.00	\$1,444.00
			170170	Pre-Employment Testing	1,152.00	0.00	1,152.00	
xxx282121	6/29/16	DUNKINWORKS	1827	Consultants	590.00	0.00	590.00	\$590.00
xxx282123	6/29/16	EL GATO PAINTING & RESTORATION INC	1052	Facilities Maint & Repair - Labor	8,985.00	0.00	8,985.00	\$8,985.00
xxx282124	6/29/16	ELIZABETH J STRAIN	ES2016MAY	Rec Instructors/Officials	781.00	0.00	781.00	\$781.00
xxx282125	6/29/16	ESBRO	26093	Chemicals	1,179.51	0.00	1,179.51	\$1,179.51
xxx282126	6/29/16	FEDERAL EXPRESS CORP	5-438-14164	Mailing & Delivery Services	10.78	0.00	10.78	\$15.82
			5-452-12223	Mailing & Delivery Services	5.04	0.00	5.04	
xxx282127	6/29/16	FERRARA FIRE APPARATUS INC	INV00000W77129	Parts, Vehicles & Motor Equip	76.07	0.00	76.07	\$202.39
			INV00000W77493	Parts, Vehicles & Motor Equip	126.32	0.00	126.32	
xxx282128	6/29/16	FOSTER BROS SECURITY SYSTEMS INC	280359	Parts, Vehicles & Motor Equip	225.33	0.00	225.33	\$225.33
xxx282129	6/29/16	GOLDEN GATE MECHANICAL INC	31629	Professional Services	187.94	0.00	187.94	\$187.94
xxx282130	6/29/16	GORILLA METALS	185739	Materials - Land Improve	644.90	0.00	644.90	\$686.46
			185811	Auto Maint & Repair - Labor	5.00	0.00	5.00	
			185811	Auto Maint & Repair - Materials	36.56	0.00	36.56	
xxx282131	6/29/16	HARRIS DESIGN	15.05.09	Consultants	9,198.00	0.00	9,198.00	\$9,198.00
xxx282132	6/29/16	HEXAGON TRANSPORTATION CONSULTANTS INC	9899	Consultants	9,000.00	0.00	9,000.00	\$9,000.00
xxx282133	6/29/16	HI TECH EMERGENCY VEHICLE SERVICE INC	153857	Parts, Vehicles & Motor Equip	2,138.65	0.00	2,138.65	\$2,320.05
			153975	Parts, Vehicles & Motor Equip	181.40	0.00	181.40	
xxx282134	6/29/16	IBM CORP	8518269	Software Licensing & Support	457.30	0.00	457.30	\$457.30

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xxx282135	6/29/16	IMPERIAL SPRINKLER SUPPLY	2629074-00	Materials - Land Improve	155.39	0.00	155.39	\$155.39
xxx282136	6/29/16	INFOSEND INC	106275	Mailing & Delivery Services	992.17	0.00	992.17	\$9,107.92
			106276	Postage	2,275.33	0.00	2,275.33	
			106647	Financial Services	1,906.78	0.00	1,906.78	
			107049	Mailing & Delivery Services	1,178.28	0.00	1,178.28	
			107050	Postage	2,755.36	0.00	2,755.36	
xxx282137	6/29/16	INTERNATIONAL PAPER CO	P0006146-01	Recycling Services	39.38	0.00	39.38	\$39.38
xxx282138	6/29/16	JANA SOKALE ENVIRONMENTAL PLANNING	18-FINAL	Professional Services	1,437.50	0.00	1,437.50	\$1,437.50
xxx282139	6/29/16	JEANNETTE BENT	MAY/21/2016	Miscellaneous Services	250.00	0.00	250.00	\$250.00
xxx282140	6/29/16	JEFFERSON UNION HIGH SCHOOL DISTRICT	APRIL2016	Contracts/Service Agreements	14,804.91	0.00	14,804.91	\$27,398.64
			MARCH2016	Contracts/Service Agreements	12,593.73	0.00	12,593.73	
xxx282141	6/29/16	JOBTRAIN	MAY2016	DED Services/Training - Training	1,517.00	0.00	1,517.00	\$42,563.00
			MAY2016	Contracts/Service Agreements	41,046.00	0.00	41,046.00	
xxx282142	6/29/16	JONES & MADHAVAN	1843	Engineering Services	2,740.00	0.00	2,740.00	\$2,740.00
xxx282143	6/29/16	KAISER FOUNDATION HEALTH PLAN INC	320900248602	Pre-Employment Testing	85.00	0.00	85.00	\$150.00
			320900374280	Pre-Employment Testing	65.00	0.00	65.00	
xxx282144	6/29/16	KELLY PAPER CO	8003713	General Supplies	971.14	0.00	971.14	\$971.14
xxx282145	6/29/16	L N CURTIS & SONS INC	INV30023	Inventory Purchase	356.40	0.00	356.40	\$1,583.28
			INV35903	Inventory Purchase	1,226.88	0.00	1,226.88	
xxx282146	6/29/16	LESLIE MURDOCK	050216PRCHAS E	DED Services/Training - Books	15.99	0.00	15.99	\$52.77
			050216PUCHAS E	DED Services/Training - Books	20.79	0.00	20.79	
			050216PURCHASE	DED Services/Training - Books	15.99	0.00	15.99	
xxx282147	6/29/16	LESLIE ZELLERS	2016-027	Consultants	3,225.00	0.00	3,225.00	\$3,225.00
xxx282148	6/29/16	LOS ALTOS BUSINESS MACHINES	13550	Miscellaneous Services	140.00	0.00	140.00	\$140.00
xxx282149	6/29/16	LOZANO SUNNYVALE CAR WASH	025	Auto Maint & Repair - Labor	1,197.00	0.00	1,197.00	\$1,197.00
xxx282150	6/29/16	MSI FUEL MANAGEMENT INC	4005	Auto Maint & Repair - Labor	570.00	0.00	570.00	\$1,016.50
			4017	Parts, Vehicles & Motor Equip	446.50	0.00	446.50	
xxx282151	6/29/16	MACIAS GINI AND OCONNELL LLP	219979	Professional Services	1,365.00	0.00	1,365.00	\$1,365.00

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xxx282152	6/29/16	MANSFIELD OIL CO	414893	Inventory Purchase	17,166.96	0.00	17,166.96	\$57,113.52
			414997	Inventory Purchase	14,950.96	0.00	14,950.96	
			415041	Inventory Purchase	12,588.08	0.00	12,588.08	
			415157	Inventory Purchase	12,407.52	0.00	12,407.52	
xxx282153	6/29/16	MARTHA MEDINA	15-06-080	Liability Claims Paid	185.00	0.00	185.00	\$185.00
xxx282154	6/29/16	MUNICIPAL MAINTENANCE EQUIPMENT INC	0109318-IN	Parts, Vehicles & Motor Equip	50.87	0.00	50.87	\$111.62
			0109462-IN	Parts, Vehicles & Motor Equip	60.75	0.00	60.75	
xxx282155	6/29/16	NV5 INC	47088	Consultants	21,381.00	0.00	21,381.00	\$21,381.00
xxx282156	6/29/16	NEXTEL COMMUNICATIONS	223865314-175	Utilities - Mobile Phones - City Mobile Phones	151.96	0.00	151.96	\$151.96
xxx282157	6/29/16	OUTDOOR MOVIES	16-1741	Miscellaneous Equipment	13,395.00	0.00	13,395.00	\$13,395.00
xxx282159	6/29/16	PAPE MACHINERY	9985054	Parts, Vehicles & Motor Equip	32.04	0.00	32.04	\$32.04
xxx282160	6/29/16	PATSONS MEDIA GROUP	200844	Printing & Related Services	353.44	0.00	353.44	\$635.11
			200845	Printing & Related Services	96.79	0.00	96.79	
			200846	Printing & Related Services	184.88	0.00	184.88	
xxx282161	6/29/16	PINE CONE LUMBER CO INC	648583	Materials - Land Improve	54.19	0.00	54.19	\$54.19
xxx282162	6/29/16	PLAY-WELL TEKNOLOGIES	DB9684	Rec Instructors/Officials	4,875.00	0.00	4,875.00	\$8,875.00
			DB9845	Rec Instructors/Officials	4,000.00	0.00	4,000.00	
xxx282163	6/29/16	RASH CURTIS & ASSOC	662700000249	Financial Services	1,145.87	0.00	1,145.87	\$1,429.54
			662700000251	Financial Services	283.67	0.00	283.67	
xxx282164	6/29/16	REED & GRAHAM INC	863374	Materials - Land Improve	783.34	0.00	783.34	\$2,457.29
			863873	Materials - Land Improve	642.10	0.00	642.10	
			864008	Materials - Land Improve	515.47	0.00	515.47	
			864118	Materials - Land Improve	516.38	0.00	516.38	
xxx282165	6/29/16	ROYAL BRASS INC	797138-001	Parts, Vehicles & Motor Equip	72.57	0.00	72.57	\$140.65
			799502-001	Parts, Vehicles & Motor Equip	68.08	0.00	68.08	
xxx282166	6/29/16	SASE CO INC	INV162548	Parts, Vehicles & Motor Equip	90.51	0.00	90.51	\$90.51
xxx282167	6/29/16	SGS ACCUTEST INC	C4-39033	Water Lab Services	50.00	0.00	50.00	\$50.00
xxx282168	6/29/16	SAFETY KLEEN SYSTEMS INC	70285647	Auto Maint & Repair - Labor	65.00	0.00	65.00	\$1,290.86
			70405074	Auto Maint & Repair - Labor	1,096.64	0.00	1,096.64	
			70485115	Auto Maint & Repair - Labor	129.22	0.00	129.22	
xxx282169	6/29/16	SCHAAF & WHEELER						\$3,150.00

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			27043	Engineering Services	3,150.00	0.00	3,150.00	
xxx282170	6/29/16	SCIENSATIONAL WORKSHOPS FOR KIDS INC	12859	Rec Instructors/Officials	5,796.00	0.00	5,796.00	\$5,796.00
xxx282171	6/29/16	SIERRA PACIFIC TURF SUPPLY INC	0478820-IN	Materials - Land Improve	312.11	0.00	312.11	\$312.11
xxx282172	6/29/16	SIGN WIZ	11605	Special Events	435.00	0.00	435.00	\$435.00
xxx282173	6/29/16	SMART & FINAL INC	148258-061716	Food Products	133.92	0.00	133.92	\$138.92
			148258-061716	General Supplies	5.00	0.00	5.00	
xxx282174	6/29/16	ST FRANCIS ELECTRIC INC	1651001	Construction Services	28,178.00	0.00	28,178.00	\$28,178.00
xxx282175	6/29/16	STATE WATER RESOURCES CONTROL BOARD	OP#33756 D2	Membership Fees	130.00	0.00	130.00	\$130.00
xxx282176	6/29/16	STATE WATER RESOURCES CONTROL BOARD	OP#10148 D5	Membership Fees	105.00	0.00	105.00	\$105.00
xxx282177	6/29/16	STUDIO EM GRAPHIC DESIGN	16166	Special Events	870.00	0.00	870.00	\$1,005.94
			16172	Advertising Services	135.94	0.00	135.94	
xxx282179	6/29/16	SUPPLYWORKS	370611774	Inventory Purchase	2,699.18	26.99	2,672.19	\$2,672.19
xxx282180	6/29/16	SUZANNE LUFT	54	Rec Instructors/Officials	225.00	0.00	225.00	\$450.00
			55	Rec Instructors/Officials	225.00	0.00	225.00	
xxx282181	6/29/16	TAM COMMUNICATIONS INC	12790	Advertising Services	2,514.00	0.00	2,514.00	\$2,514.00
xxx282182	6/29/16	TARGET SPECIALTY PRODUCTS INC	PI0442371	General Supplies	206.01	0.00	206.01	\$206.01
xxx282183	6/29/16	THE PRINTING WORKS	INV-1542	Printing & Related Services	91.35	0.00	91.35	\$91.35
xxx282184	6/29/16	THOMSON REUTERS WEST	833894277	Books & Publications	95.52	0.00	95.52	\$3,195.41
			833894278	Books & Publications	1,338.30	0.00	1,338.30	
			834075645	Books & Publications	139.52	0.00	139.52	
			834075646	Books & Publications	1,338.30	0.00	1,338.30	
			834178580	Books & Publications	283.77	0.00	283.77	
xxx282185	6/29/16	TURF & INDUSTRIAL EQUIPMENT CO	UI15840	Vehicles & Motorized Equip	16,284.23	0.00	16,284.23	\$16,284.23
xxx282186	6/29/16	TURF STAR INC	6940477-00	Materials - Land Improve	1,240.67	0.00	1,240.67	\$1,376.49
			6941756-00	Parts, Vehicles & Motor Equip	63.35	0.00	63.35	
			6941880-00	Parts, Vehicles & Motor Equip	72.47	0.00	72.47	
xxx282187	6/29/16	US SECURITY ASSOC INC	1234013	Professional Services	600.00	0.00	600.00	\$200.00
			1298683	Professional Services	-600.00	0.00	-600.00	
			1298684	Professional Services	200.00	0.00	200.00	

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xxx282188	6/29/16	UNITED ROTARY BRUSH CORP	CI187436	Parts, Vehicles & Motor Equip	419.88	0.00	419.88	\$419.88
xxx282189	6/29/16	UNITED SITE SERVICES INC	114-3991014	Equipment Rental/Lease	282.28	0.00	282.28	\$282.28
xxx282191	6/29/16	VALLEY OIL CO	33840	Fuel, Oil & Lubricants	211.08	0.00	211.08	\$211.08
xxx282192	6/29/16	VERIZON WIRELESS	9766760975	Utilities - Mobile Phones - City Mobile Phones	175.78	0.00	175.78	\$175.78
xxx282193	6/29/16	WATER ONE	88595	Facilities Maint & Repair - Labor	1,200.00	0.00	1,200.00	\$1,200.00
xxx282194	6/29/16	WINSUPPLY OF SILICON VALLEY	660510 00	Bldg Maint Matls & Supplies	3.45	0.00	3.45	\$3.45
xxx282195	6/29/16	YAMAHA GOLF CARS OF CALIFORNIA INC	L21065	Parts, Vehicles & Motor Equip	317.95	0.00	317.95	\$317.95
xxx282196	6/29/16	YAMAHA MOTOR FINANCE CORP USA	580436	Facilities Rent	5,444.83	0.00	5,444.83	\$5,444.83
xxx282197	6/29/16	ZALCO LABORATORIES	1606117	Miscellaneous Services	345.00	0.00	345.00	\$345.00
xxx282198	6/29/16	DEPT OF FORESTRY & FIRE PROTECTION	134542	Training and Conferences	728.00	0.00	728.00	\$728.00
xxx282199	6/29/16	EXAM WORKS CLINICAL SOLUTIONS	ECS-JUN16-0957	Liability Claims Paid	2,500.00	0.00	2,500.00	\$2,500.00
xxx282200	6/29/16	G&K SERVICES	1083792009	Laundry & Cleaning Services	337.53	0.00	337.53	\$2,028.95
			1083792010	Laundry & Cleaning Services	223.10	0.00	223.10	
			1083793983	Laundry & Cleaning Services	315.73	0.00	315.73	
			1083793984	Laundry & Cleaning Services	159.73	0.00	159.73	
			1083795937	Laundry & Cleaning Services	329.68	0.00	329.68	
			1083795938	Laundry & Cleaning Services	166.75	0.00	166.75	
			1083797848	Laundry & Cleaning Services	329.68	0.00	329.68	
			1083797849	Laundry & Cleaning Services	166.75	0.00	166.75	
xxx282201	6/29/16	PACIFIC GAS & ELECTRIC CO	03142830050616	Utilities - Electric	26,021.25	0.00	26,021.25	\$129,571.33
			11059220090616	Utilities - Electric	5,610.39	0.00	5,610.39	
			11059220250616	Utilities - Gas	192.66	0.00	192.66	
			11059220400616	Utilities - Gas	-201.55	0.00	-201.55	
			11059220450616	Utilities - Gas	-607.58	0.00	-607.58	
			11059220500616	Utilities - Gas	-79.42	0.00	-79.42	
			11059220550616	Utilities - Electric	931.59	0.00	931.59	
			11059220600616	Utilities - Gas	761.81	0.00	761.81	
			11059220750616	Utilities - Gas	-1,453.01	0.00	-1,453.01	
			11059220810616	Utilities - Electric	418.64	0.00	418.64	
			11059220900616	Utilities - Gas	-135.51	0.00	-135.51	

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			11059221020616	Utilities - Electric	282.29	0.00	282.29	
			11059221050616	Utilities - Gas	-147.51	0.00	-147.51	
			11059221060616	Utilities - Electric	788.84	0.00	788.84	
			11059221080616	Utilities - Electric	895.93	0.00	895.93	
			11059221150616	Utilities - Gas	-68.68	0.00	-68.68	
			11059221180616	Utilities - Electric	12,483.12	0.00	12,483.12	
			11059221350616	Utilities - Gas	-127.20	0.00	-127.20	
			11059221400616	Utilities - Gas	-675.04	0.00	-675.04	
			11059221600616	Utilities - Gas	-56.69	0.00	-56.69	
			11059221700616	Utilities - Gas	-30.84	0.00	-30.84	
			11059221730616	Utilities - Electric	2,364.03	0.00	2,364.03	
			11059221850616	Utilities - Gas	8.86	0.00	8.86	
			11059221930616	Utilities - Electric	16,612.16	0.00	16,612.16	
			11059222630616	Utilities - Electric	1,568.35	0.00	1,568.35	
			11059222720616	Utilities - Electric	817.88	0.00	817.88	
			11059224060616	Utilities - Electric	17,346.06	0.00	17,346.06	
			11059224270616	Utilities - Electric	9.86	0.00	9.86	
			11059225290616	Utilities - Electric	744.72	0.00	744.72	
			11059225650616	Utilities - Gas	79.00	0.00	79.00	
			11059226380616	Utilities - Electric	9,747.63	0.00	9,747.63	
			11059227030616	Utilities - Electric	697.79	0.00	697.79	
			11059227230616	Utilities - Electric	7,936.00	0.00	7,936.00	
			11059227790616	Utilities - Electric	171.72	0.00	171.72	
			11059228050616	Utilities - Electric	10,958.42	0.00	10,958.42	
			11059228580616	Utilities - Electric	15,648.44	0.00	15,648.44	
			61266000050616	Utilities - Gas	56.92	0.00	56.92	
xxx282206	6/29/16	JONG LEE	315339	Refund Recreation Fees	75.00	0.00	75.00	\$75.00
xxx282207	6/29/16	JOVITA CONTRERAS	315752	Refund Recreation Fees	210.00	0.00	210.00	\$210.00
xxx282208	6/29/16	MICHAEL FOURKAS	2016-7478	Minor Permit Application Fees - Other	279.00	0.00	279.00	\$279.00
xxx282209	6/29/16	RAZIEH OGHABIAN	315644	Refund Recreation Fees	350.00	0.00	350.00	\$350.00
xxx282210	6/29/16	RISHI DHALL & RADHIKA KUMAR	145443-75074	Refund Utility Account Credit	58.33	0.00	58.33	\$58.33

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xxx282211	6/29/16	SANDHYA DUBEY	315546	Refund Recreation Fees	354.00	0.00	354.00	\$354.00
xxx282212	6/29/16	SAVALE GURE	315602	Refund Recreation Fees	350.00	0.00	350.00	\$350.00
xxx282213	6/29/16	TSUTOMU AKAMA	315330	Refund Recreation Fees	80.00	0.00	80.00	\$80.00
xxx282214	6/29/16	W LEE	62743-36664	Refund Utility Account Credit	179.92	0.00	179.92	\$179.92
xxx282215	6/29/16	ZONA FOWLER	316083	Refund Recreation Fees	110.00	0.00	110.00	\$110.00
xxx282218	7/1/16	STATE WATER RESOURCES CONTROL BOARD	OP#27770-D3	Training and Conferences	70.00	0.00	70.00	\$70.00
xxx002500	6/28/16	PUBLIC EMPLOYEES RETIREMENT SYSTEM	950002500	Retirement Benefits - Deferred Comp - City Portion	1,392.29	0.00	1,392.29	\$1,168,133.25
			950002500	Retirement Benefits - Misc Tier 1 & 2 Employer Required Cont.	448,754.39	0.00	448,754.39	
			950002500	Retirement Benefits - Misc Tier 1&2 Employer Paid Member Cont.	68,990.49	0.00	68,990.49	
			950002500	Retirement Benefits - Misc PEPRA Employer Required Cont.	88,091.13	0.00	88,091.13	
			950002500	Retirement Benefits - Safety Tier 1&2 Employer Required Cont.	431,526.87	0.00	431,526.87	
			950002500	Retirement Benefits - Safety Tier 1&2 Emplryr Paid Member Cont	96,261.63	0.00	96,261.63	
			950002500	Retirement Benefits - Safety PEPRA Employer Required Cont.	33,116.45	0.00	33,116.45	
Grand Total Payment Amount								<u>\$3,452,012.38</u>

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xxx282219	7/5/16	AAA SPEEDY SMOG TEST ONLY STATION	022226	Auto Maint & Repair - Labor	40.00	0.00	40.00	\$400.00
			022228	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022229	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022237	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022293	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022310	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022323	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022327	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022351	Auto Maint & Repair - Labor	40.00	0.00	40.00	
			022353	Auto Maint & Repair - Labor	40.00	0.00	40.00	
xxx282220	7/5/16	AT&T	0602045339	Utilities - Telephone	378.42	0.00	378.42	\$378.42
xxx282221	7/5/16	AT&T	000008193718	Utilities - Telephone	35.11	0.00	35.11	\$35.11
xxx282222	7/5/16	ABODE SERVICES	TBRA2015/16-3	Contracts/Service Agreements	6,655.29	0.00	6,655.29	\$106,102.51
			TBRA2015/16-3	Outside Group Funding	66,552.97	0.00	66,552.97	
			TBRA2015/16-4	Contracts/Service Agreements	6,626.75	0.00	6,626.75	
			TBRA2015/16-4	Outside Group Funding	26,267.50	0.00	26,267.50	
xxx282223	7/5/16	ACE FIRE EQUIPMENT & SERVICE CO INC	131784	Inventory Purchase	775.23	0.00	775.23	\$775.23
xxx282224	7/5/16	AIR COOLED ENGINES INC	78108	Auto Maint & Repair - Labor	1,121.00	0.00	1,121.00	\$1,453.69
			78108	Auto Maint & Repair - Materials	332.69	0.00	332.69	
xxx282225	7/5/16	ARNE SIGN & DECAL CO INC	16-9289	Parts, Vehicles & Motor Equip	361.59	0.00	361.59	\$2,673.07
			16-9341	Parts, Vehicles & Motor Equip	2,311.48	0.00	2,311.48	
xxx282226	7/5/16	B & A FRICTION MATERIALS INC	556965	Parts, Vehicles & Motor Equip	17.48	0.00	17.48	\$17.48
xxx282227	7/5/16	BADGER METER INC	1102703	Water Meters	8,612.56	0.00	8,612.56	\$8,612.56
xxx282228	7/5/16	BAKER & TAYLOR	4011632490	Library Acquisitions, Books	166.19	0.00	166.19	\$1,150.55
			4011632490	Library Materials Preprocessing	5.72	0.00	5.72	
			4011632550	Library Acquisitions, Books	937.29	0.00	937.29	
			4011632550	Library Materials Preprocessing	41.35	0.00	41.35	
xxx282229	7/5/16	BASCOM TRIM & UPHOLSTERY	2664	Auto Maint & Repair - Labor	261.25	0.00	261.25	\$326.50
			2664	Auto Maint & Repair - Materials	65.25	0.00	65.25	

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xxx282231	7/5/16	BRAD COX ARCHITECT INC	12668	Consultants	16,610.18	0.00	16,610.18	\$16,610.18
xxx282232	7/5/16	BUCHANAN AUTO ELECTRIC INC	C52421	Parts, Vehicles & Motor Equip	539.75	0.00	539.75	\$539.75
xxx282233	7/5/16	CSAC EXCESS INSURANCE AUTHORITY	17100178	Workers' Compensation - Insurance	632,077.00	0.00	632,077.00	\$632,077.00
xxx282234	7/5/16	CSG CONSULTANTS INC	7443	Consultants	7,032.50	0.00	7,032.50	\$26,497.50
			7587	Consultants	15,221.25	0.00	15,221.25	
			7601	Miscellaneous Services	4,243.75	0.00	4,243.75	
xxx282235	7/5/16	CALIFORNIA PRODUCT STEWARDSHIP COUNCIL	FY17-023-AF	Membership Fees	3,000.00	0.00	3,000.00	\$3,000.00
xxx282236	7/5/16	CALTEST ANALYTICAL LABORATORY	559620	Water Lab Services	416.10	0.00	416.10	\$416.10
xxx282237	7/5/16	CLAY PLANET	217007	General Supplies	216.71	0.00	216.71	\$216.71
xxx282238	7/5/16	COAST PERSONNEL SERVICES INC	243204	Contracts/Service Agreements	1,124.37	0.00	1,124.37	\$3,991.24
			243205	Contracts/Service Agreements	967.20	0.00	967.20	
			243206	Contracts/Service Agreements	835.75	0.00	835.75	
			243207	Contracts/Service Agreements	1,063.92	0.00	1,063.92	
xxx282240	7/5/16	COASTAL TRACTOR	IV89187	Parts, Vehicles & Motor Equip	154.34	0.00	154.34	\$154.34
xxx282241	7/5/16	COLETT CAR CO	61859042	Vehicles & Motorized Equip	15,636.08	0.00	15,636.08	\$15,636.08
xxx282242	7/5/16	CORIX WATER PRODUCTS (US) INC	17613015969	Water Meters	8,058.00	0.00	8,058.00	\$9,967.23
			17613016073	Construction Services	1,909.23	0.00	1,909.23	
xxx282243	7/5/16	CUBE SOLUTIONS	18911	Occupational Health and Safety Services	696.55	0.00	696.55	\$1,888.56
			18924	Occupational Health and Safety Services	171.25	0.00	171.25	
			18933	Occupational Health and Safety Services	756.63	0.00	756.63	
			18948	Occupational Health and Safety Services	65.25	0.00	65.25	
			18957	Occupational Health and Safety Services	198.88	0.00	198.88	
xxx282244	7/5/16	DHS-OCP	OP#44401-D3	Training and Conferences	70.00	0.00	70.00	\$70.00
xxx282245	7/5/16	DEL GAVIO GROUP	7824CM	Facilities Maint & Repair - Labor	-1,695.00	0.00	-1,695.00	\$792.50
			7825CM	Facilities Maint & Repair - Labor	-2,220.00	0.00	-2,220.00	
			7851	Furniture	4,317.50	0.00	4,317.50	
			7853	Facilities Maint & Repair - Labor	195.00	0.00	195.00	
			7853	Professional Services	195.00	0.00	195.00	
xxx282246	7/5/16	DELTA DENTAL INSURANCE CO	BE001690122	Insurances - Dental	1,662.66	0.00	1,662.66	\$1,662.66
xxx282247	7/5/16	DENNIS CAO	CMS-2015-16TR	Rec Instructors/Officials	1,000.00	0.00	1,000.00	\$1,000.00
xxx282248	7/5/16	DETAIL PLUS						\$40.00

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			32422	Auto Maint & Repair - Labor	40.00	0.00	40.00	
xxx282249	7/5/16	DOUGHERTY + DOUGHERTY ARCHITECTS LLP	2149611	Consultants	5,511.50	0.00	5,511.50	\$10,412.00
			2149612	Consultants	4,900.50	0.00	4,900.50	
xxx282250	7/5/16	EOA INC	SU56-0516	Professional Services	415.40	0.00	415.40	\$415.40
xxx282251	7/5/16	ENVIRONMENTAL RESOURCE ASSOC	796153	General Supplies	300.42	0.00	300.42	\$476.87
			796341	General Supplies	176.45	0.00	176.45	
xxx282252	7/5/16	ESPINOZA TREE SERVICE	025	Professional Services	700.00	0.00	700.00	\$700.00
xxx282253	7/5/16	FAMCON PIPE & SUPPLY INC	181797	Materials - Land Improve	7,853.14	0.00	7,853.14	\$7,853.14
xxx282254	7/5/16	FAMILY & CHILDREN SERVICES	1	Outside Group Funding	5,553.57	0.00	5,553.57	\$5,553.57
xxx282256	7/5/16	FERGUSON ENTERPRISES INC 1423	1181658	General Supplies	700.38	0.00	700.38	\$2,366.20
			1183264	Construction Services	1,665.82	0.00	1,665.82	
xxx282257	7/5/16	FISHER SCIENTIFIC CO LLC	4379436	General Supplies	82.48	0.00	82.48	\$447.57
			4379438	General Supplies	365.09	0.00	365.09	
xxx282258	7/5/16	FORENSIC RESOURCE SERVICES	16-2719	Investigation Expense	435.00	0.00	435.00	\$435.00
xxx282259	7/5/16	FRICKE PARKS PRESS INC	161554	Printing & Related Services	5,355.39	0.00	5,355.39	\$5,355.39
xxx282260	7/5/16	GCS ENVIRONMENTAL EQUIPMENT SERVICES INC	13687	Parts, Vehicles & Motor Equip	314.22	0.00	314.22	\$791.67
			13773	Parts, Vehicles & Motor Equip	477.45	0.00	477.45	
xxx282261	7/5/16	GARDENLAND POWER EQUIPMENT	388952	Auto Maint & Repair - Labor	126.75	0.00	126.75	\$2,918.33
			388952	Auto Maint & Repair - Materials	86.81	0.00	86.81	
			388963	Parts, Vehicles & Motor Equip	21.76	0.00	21.76	
			392531	Auto Maint & Repair - Labor	168.75	0.00	168.75	
			392531	Auto Maint & Repair - Materials	88.01	0.00	88.01	
			392620	Vehicles & Motorized Equip	2,426.25	0.00	2,426.25	
xxx282262	7/5/16	GHIRARDELLI ASSOCIATES INC	13100-2	Engineering Services	6,880.00	0.00	6,880.00	\$6,880.00
xxx282263	7/5/16	GLENMOUNT GLOBAL SOLUTIONS INC	AIS50120EV003	Engineering Services	2,060.25	0.00	2,060.25	\$2,060.25
xxx282264	7/5/16	GOLDER ASSOC INC	448162	Engineering Services	290.44	0.00	290.44	\$290.44
xxx282265	7/5/16	GOLDFARB LIPMAN ATTORNEYS	119897	Legal Services	1,760.98	0.00	1,760.98	\$7,737.95
			119899	Legal Services	4,346.97	0.00	4,346.97	
			119902	Legal Services	1,630.00	0.00	1,630.00	
xxx282266	7/5/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1091437	Inventory Purchase	405.88	0.00	405.88	\$2,329.16
			189-1091437	Parts, Vehicles & Motor Equip	303.65	0.00	303.65	

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			189-1091557	Parts, Vehicles & Motor Equip	363.72	0.00	363.72	
			189-1091667	Parts, Vehicles & Motor Equip	815.68	0.00	815.68	
			189-1091671	Auto Maint & Repair - Labor	82.54	0.00	82.54	
			189-1091671	Auto Maint & Repair - Materials	24.00	0.00	24.00	
			189-1091672	Auto Maint & Repair - Labor	247.62	0.00	247.62	
			189-1091672	Auto Maint & Repair - Materials	86.07	0.00	86.07	
xxx282267	7/5/16	GRAINGER	9134387662	General Supplies	93.79	0.00	93.79	\$93.79
xxx282268	7/5/16	GRANITEROCK CO	967655	Materials - Land Improve	17,690.90	0.00	17,690.90	\$23,430.65
			968295	Materials - Land Improve	5,739.75	0.00	5,739.75	
xxx282269	7/5/16	GREENESPORT ASSN	COL022316S	Rec Instructors/Officials	720.00	0.00	720.00	\$1,260.00
			COL022316V	Rec Instructors/Officials	540.00	0.00	540.00	
xxx282270	7/5/16	H F & H CONSULTANTS LLC	9714081	Professional Services	11,689.56	0.00	11,689.56	\$11,689.56
xxx282271	7/5/16	H K AVERY CONSTRUCTION	1144	Professional Services	350.00	0.00	350.00	\$350.00
xxx282272	7/5/16	HACH CO INC	9978777	General Supplies	472.80	0.00	472.80	\$472.80
xxx282273	7/5/16	HANSON ASSOC	1539	Consultants	4,200.00	0.00	4,200.00	\$5,450.00
			1540	Consultants	1,250.00	0.00	1,250.00	
xxx282274	7/5/16	HAO EXPRESSION	1013	Rec Instructors/Officials	1,436.50	0.00	1,436.50	\$1,436.50
xxx282276	7/5/16	HI TECH EMERGENCY VEHICLE SERVICE INC	154018	Auto Maint & Repair - Labor	4,061.00	0.00	4,061.00	\$5,190.96
			154018	Auto Maint & Repair - Materials	1,129.96	0.00	1,129.96	
xxx282277	7/5/16	HI-TECH OPTICAL INC	662297	Benefits and Incentives - Prescription Safety Glasses	199.50	0.00	199.50	\$365.50
			665043	Benefits and Incentives - Prescription Safety Glasses	166.00	0.00	166.00	
xxx282278	7/5/16	HYBRID COMMERCIAL PRINTING INC	25832	Printing & Related Services	168.56	0.00	168.56	\$2,744.86
			25833	Printing & Related Services	135.94	0.00	135.94	
			25850	Printing & Related Services	495.90	0.00	495.90	
			25851	Printing & Related Services	897.19	0.00	897.19	
			25854	Printing & Related Services	396.94	0.00	396.94	
			25855	Printing & Related Services	650.33	0.00	650.33	
xxx282279	7/5/16	IDEXX DISTRIBUTION GROUP	3003800203	General Supplies	674.21	0.00	674.21	\$2,413.73
			3003852087	General Supplies	1,739.52	0.00	1,739.52	
xxx282280	7/5/16	IMELDA MARAMBA	15-06-069	Liability Claims Paid	3,000.00	0.00	3,000.00	\$3,000.00

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xxx282281	7/5/16	INDEPENDENT ELECTRIC SUPPLY INC	S102832704.001	Electrical Parts & Supplies	550.26	0.00	550.26	\$550.26
xxx282282	7/5/16	INFRASTRUCTURE ENGINEERING CORP	9077	Engineering Services	1,424.50	0.00	1,424.50	\$1,424.50
xxx282283	7/5/16	INGRAM LIBRARY SERVICES INC	93299864	Library Acquisitions, Books	-19.36	0.00	-19.36	\$31,666.13
			93649167	Library Acquisitions, Books	520.49	0.00	520.49	
			93649168	Library Acquisitions, Books	8,807.21	0.00	8,807.21	
			93649168	Library Materials Preprocessing	574.55	0.00	574.55	
			93649169	Library Acquisitions, Books	5,609.32	0.00	5,609.32	
			93649169	Library Materials Preprocessing	525.46	0.00	525.46	
			93649170	Library Acquisitions, Books	5,794.97	0.00	5,794.97	
			93649170	Library Materials Preprocessing	616.98	0.00	616.98	
			93649171	Library Acquisitions, Books	8,300.42	0.00	8,300.42	
			93649171	Library Materials Preprocessing	936.09	0.00	936.09	
xxx282284	7/5/16	INTERIORS & TEXTILES CORP	160093S	Bldg Maint Matls & Supplies	822.05	0.00	822.05	\$822.05
xxx282285	7/5/16	ITERIS INC	66239	Electrical Parts & Supplies	49,546.51	0.00	49,546.51	\$49,546.51
xxx282286	7/5/16	JJR CONSTRUCTION INC	CRBSSDWLK16 #03	Construction Services	280,434.60	0.00	280,434.60	\$280,434.60
xxx282287	7/5/16	JACOBSEN WEST	90078598	Parts, Vehicles & Motor Equip	400.71	0.00	400.71	\$400.71
xxx282288	7/5/16	JAVELCO EQUIPMENT SERVICE INC	50871	Misc Equip Maint & Repair - Labor	190.00	0.00	190.00	\$304.20
			50871	Misc Equip Maint & Repair - Materials	114.20	0.00	114.20	
xxx282289	7/5/16	JUMBO SHRIMP VOLLEYBALL LLC	TV2016MAY	Rec Instructors/Officials	2,570.40	0.00	2,570.40	\$2,570.40
xxx282290	7/5/16	KIMLEY HORN & ASSOC INC	7881517R	Consultants	3,336.74	0.00	3,336.74	\$3,336.74
xxx282291	7/5/16	KOHLWEISS AUTO PARTS INC	01OV4198	Parts, Vehicles & Motor Equip	9.38	0.00	9.38	\$1,705.66
			01OV4214	Parts, Vehicles & Motor Equip	9.38	0.00	9.38	
			01OV6365	Parts, Vehicles & Motor Equip	63.10	0.00	63.10	
			01OV6368	Parts, Vehicles & Motor Equip	42.33	0.00	42.33	
			01OV6369	Parts, Vehicles & Motor Equip	6.05	0.00	6.05	
			01OV6900	Parts, Vehicles & Motor Equip	10.01	0.00	10.01	
			01OV7104	Parts, Vehicles & Motor Equip	33.86	0.00	33.86	
			01OV7247	Parts, Vehicles & Motor Equip	33.86	0.00	33.86	
			01OV7248	Parts, Vehicles & Motor Equip	42.68	0.00	42.68	
			01OV7383	Parts, Vehicles & Motor Equip	68.74	0.00	68.74	

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			01OV7635	Parts, Vehicles & Motor Equip	46.52	0.00	46.52	
			01OV7713	Parts, Vehicles & Motor Equip	46.33	0.00	46.33	
			01OV7715	Parts, Vehicles & Motor Equip	4.03	0.00	4.03	
			01OV8424	Parts, Vehicles & Motor Equip	43.07	0.00	43.07	
			01OV8607	Parts, Vehicles & Motor Equip	12.72	0.00	12.72	
			01OW0126	Parts, Vehicles & Motor Equip	90.94	0.00	90.94	
			01OW0244	Inventory Purchase	1,128.85	22.58	1,106.27	
			01OW0806	Parts, Vehicles & Motor Equip	11.19	0.00	11.19	
			01OW1213	Parts, Vehicles & Motor Equip	12.45	0.00	12.45	
			01OW1214	Parts, Vehicles & Motor Equip	12.75	0.00	12.75	
xxx282293	7/5/16	LIFETIME TENNIS INC	MANGUM0629	Refund Recreation Fees	36.00	0.00	36.00	\$36.00
			16					
xxx282294	7/5/16	MICHAEL OLEJNIK	ENERGY	Miscellaneous Services	3,479.50	0.00	3,479.50	\$3,479.50
			GRANT					
xxx282295	7/5/16	MIDWEST TAPE	94020480	Library Acquis, Audio/Visual	412.35	0.00	412.35	\$5,153.86
			94020909	Library Acquis, Audio/Visual	54.35	0.00	54.35	
			94020970	Library Acquis, Audio/Visual	657.78	0.00	657.78	
			94020972	Library Acquis, Audio/Visual	43.48	0.00	43.48	
			94042127	Library Acquis, Audio/Visual	300.80	0.00	300.80	
			94042530	Library Acquis, Audio/Visual	2,590.38	0.00	2,590.38	
			94042532	Library Acquis, Audio/Visual	1,094.72	0.00	1,094.72	
xxx282296	7/5/16	MISSION GLASS CO	11930	Bldg Maint Matls & Supplies	63.08	0.00	63.08	\$63.08
xxx282297	7/5/16	MOISES MARTIN	CMS-2015-16	Rec Instructors/Officials	1,000.00	0.00	1,000.00	\$1,000.00
xxx282298	7/5/16	MUSSON THEATRICAL INC	00407261	General Supplies	708.62	0.00	708.62	\$2,121.50
			00407461	General Supplies	1,412.88	0.00	1,412.88	
xxx282299	7/5/16	NAPA AUTO PARTS	243442	Parts, Vehicles & Motor Equip	33.13	0.00	33.13	\$251.06
			244007	Parts, Vehicles & Motor Equip	12.72	0.00	12.72	
			244085	Parts, Vehicles & Motor Equip	98.69	0.00	98.69	
			244938	Parts, Vehicles & Motor Equip	11.29	0.00	11.29	
			244957	Parts, Vehicles & Motor Equip	21.94	0.00	21.94	
			245050	Parts, Vehicles & Motor Equip	18.64	0.00	18.64	

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			245281	Parts, Vehicles & Motor Equip	6.23	0.00	6.23	
			245563	Parts, Vehicles & Motor Equip	20.66	0.00	20.66	
			245570	Parts, Vehicles & Motor Equip	20.66	0.00	20.66	
			245789	Parts, Vehicles & Motor Equip	7.10	0.00	7.10	
xxx282300	7/5/16	NIXON EGLI EQUIPMENT CO INC	C12469	Parts, Vehicles & Motor Equip	277.69	0.00	277.69	\$277.69
xxx282301	7/5/16	ON ASSIGNMENT LAB SUPPORT	LAB550205858	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	\$1,200.00
xxx282302	7/5/16	PACIFIC ECO-RISK	11497	Water Lab Services	2,250.00	0.00	2,250.00	\$8,387.37
			12213	Water Lab Services	3,010.00	0.00	3,010.00	
			12306	Water Lab Services	3,127.37	0.00	3,127.37	
xxx282303	7/5/16	PANKEYS RADIATOR SHOP INC	231248	Parts, Vehicles & Motor Equip	3,691.42	0.00	3,691.42	\$3,691.42
xxx282304	7/5/16	PEARSON BUICK GMC	278669	Parts, Vehicles & Motor Equip	338.36	0.00	338.36	\$545.03
			279329	Parts, Vehicles & Motor Equip	206.67	0.00	206.67	
xxx282305	7/5/16	PETERSON TRUCKS	25258P	Parts, Vehicles & Motor Equip	155.92	0.00	155.92	\$155.92
xxx282306	7/5/16	PINE CONE LUMBER CO INC	649463	Bldg Maint Matls & Supplies	52.80	0.00	52.80	\$70.53
			649638	Bldg Maint Matls & Supplies	17.73	0.00	17.73	
xxx282307	7/5/16	PRIORITY 1 PUBLIC SAFETY EQUIPMENT	5746	Vehicles & Motorized Equip	460.00	0.00	460.00	\$1,610.00
			5747	Vehicles & Motorized Equip	1,150.00	0.00	1,150.00	
xxx282308	7/5/16	REED & GRAHAM INC	864233	Materials - Land Improve	545.19	0.00	545.19	\$958.98
			864339	Materials - Land Improve	413.79	0.00	413.79	
xxx282309	7/5/16	SAFEWAY INC	430559-062016	Special Events	41.14	0.00	41.14	\$74.91
			434403-062816	Food Products	33.77	0.00	33.77	
xxx282310	7/5/16	SAN JOSE BMW	4255921	Parts, Vehicles & Motor Equip	292.02	0.00	292.02	\$292.02
xxx282311	7/5/16	SANTA CLARA VLY TRANSPORTATION AUTHORITY	1800020520	Engineering Services	413,026.71	0.00	413,026.71	\$413,026.71
xxx282312	7/5/16	SARAH GRAVES	SG2016MAY	Rec Instructors/Officials	1,292.76	0.00	1,292.76	\$1,292.76
xxx282313	7/5/16	SETCOM CORP	26821	Communication Equipment	50,553.65	0.00	50,553.65	\$50,553.65
xxx282314	7/5/16	SIERRA CHEMICAL CO	SLS10035057	Chemicals	4,230.04	0.00	4,230.04	\$4,230.04
xxx282315	7/5/16	SILICON VALLEY AUTOBODY INC	30071	Auto Maint & Repair - Labor	240.00	0.00	240.00	\$1,346.67
			30075	Auto Maint & Repair - Labor	498.00	0.00	498.00	
			30075	Auto Maint & Repair - Materials	608.67	0.00	608.67	
xxx282317	7/5/16	SILICON VALLEY SECURITY & PATROL INC	2027702	Miscellaneous Services	104.00	0.00	104.00	\$208.00

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			2027716	Miscellaneous Services	104.00	0.00	104.00	
xxx282318	7/5/16	SONSRAY MACHINERY LLC	P04094-12	Parts, Vehicles & Motor Equip	78.15	0.00	78.15	\$78.15
xxx282319	7/5/16	ST FRANCIS ELECTRIC INC	1651002	Electrical Parts & Supplies	15,723.00	0.00	15,723.00	\$15,723.00
xxx282320	7/5/16	STEVENS CREEK CHRYSLER JEEP DODGE	334016	Parts, Vehicles & Motor Equip	78.03	0.00	78.03	\$387.51
			334104	Parts, Vehicles & Motor Equip	43.41	0.00	43.41	
			334105	Parts, Vehicles & Motor Equip	43.52	0.00	43.52	
			334589	Parts, Vehicles & Motor Equip	81.00	0.00	81.00	
			334706	Parts, Vehicles & Motor Equip	60.55	0.00	60.55	
			334711	Parts, Vehicles & Motor Equip	81.00	0.00	81.00	
xxx282321	7/5/16	SUBURBAN PROPANE	2058715	Fuel, Oil & Lubricants	25.40	0.00	25.40	\$25.40
xxx282322	7/5/16	SUNNYVALE DOWNTOWN ASSN	SP EVENTS BAL	Miscellaneous Services	917.91	0.00	917.91	\$917.91
xxx282323	7/5/16	SUNNYVALE DOWNTOWN ASSN	062316 CK REQ	Miscellaneous Reimbursement	-528.74	0.00	-528.74	-\$528.74
xxx282324	7/5/16	SUPPLYWORKS	368349593	Inventory Purchase	-13.05	0.00	-13.05	\$97.71
			368349601	Inventory Purchase	13.05	0.00	13.05	
			370977522	Inventory Purchase	98.70	0.99	97.71	
xxx282325	7/5/16	THE HEALTH TRUST	1	Outside Group Funding	15,385.91	0.00	15,385.91	\$15,385.91
xxx282326	7/5/16	THE LIGHTHOUSE	0260310	Parts, Vehicles & Motor Equip	40.25	0.00	40.25	\$40.25
xxx282327	7/5/16	TURBO MACHINERY REPAIR INC	5124	Misc Equip Maint & Repair - Labor	7,770.00	0.00	7,770.00	\$12,860.59
			5124	Misc Equip Maint & Repair - Materials	5,090.59	0.00	5,090.59	
xxx282328	7/5/16	VERMEER PACIFIC	P60746	Parts, Vehicles & Motor Equip	519.17	0.00	519.17	\$952.22
			P61037	Parts, Vehicles & Motor Equip	433.05	0.00	433.05	
xxx282329	7/5/16	YWCA OF SILICON VALLEY	1516-827550#1	Outside Group Funding	5,251.87	0.00	5,251.87	\$13,942.53
			1516-827550#2	Outside Group Funding	3,622.82	0.00	3,622.82	
			1516-827550#3	Outside Group Funding	5,067.84	0.00	5,067.84	
xxx282330	7/5/16	CALIFORNIA TRAINING INSTITUTE	08/22-26/2016	Training and Conferences	482.00	0.00	482.00	\$482.00
xxx282331	7/5/16	DEPT OF FORESTRY & FIRE PROTECTION	134815	Training and Conferences	808.00	0.00	808.00	\$808.00
xxx282332	7/5/16	DEPT OF FORESTRY & FIRE PROTECTION	135491	Training and Conferences	1,528.00	0.00	1,528.00	\$1,528.00
xxx282333	7/5/16	DEPT OF FORESTRY & FIRE PROTECTION	135878	Training and Conferences	208.00	0.00	208.00	\$208.00
xxx282334	7/5/16	DUBLIN SAN RAMON SERVICES DISTRICT	1626	Miscellaneous Services	1,758.00	0.00	1,758.00	\$1,758.00
xxx282335	7/5/16	JOINT VENTURE SILICON VALLEY	407EDASVL	Membership Fees	5,500.00	0.00	5,500.00	\$5,500.00
xxx282336	7/5/16	RAMMOHAN BALASUBRAMANIAN						\$5,101.08

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			CLAIM#1516-06	Liability Claims Paid	5,101.08		0.00	5,101.08	
			1						
xxx282337	7/5/16	SANTA CLARA COUNTY POLICE CHIEFS ASSN	GRGURINA16-17	Membership Fees	350.00		0.00	350.00	\$350.00
xxx282338	7/5/16	WALTER ALFAO	CR13-9796	Return of Seized, Forfeiture or Found Funds	136.00		0.00	136.00	\$136.00
xxx282339	7/5/16	ELISA ITKOWITZ	155355-75104	Refund Utility Account Credit	90.14		0.00	90.14	\$90.14
xxx282340	7/5/16	NANCY C CHANG	412369	Lib - Lost & Damaged Circulation	14.99		0.00	14.99	\$37.98
			412372	Lib - Lost & Damaged Circulation	22.99		0.00	22.99	
xxx282341	7/5/16	PAUL PONCIANO	313960	Refund Recreation Fees	75.00		0.00	75.00	\$75.00
xxx282342	7/5/16	SHALESE HUANG	314053	Refund Recreation Fees	13.00		0.00	13.00	\$13.00
xxx282343	7/5/16	SHIRLEY FOSTER	409940	Lib - Lost & Damaged Circulation	7.99		0.00	7.99	\$7.99
xxx282344	7/5/16	SILICON VALLEY CHORUS	316748	Refund Recreation Fees	90.00		0.00	90.00	\$180.00
			316749	Refund Recreation Fees	90.00		0.00	90.00	
xxx282345	7/5/16	WALTER ENG	313941	Refund Recreation Fees	11.00		0.00	11.00	\$11.00
xxx282346	7/7/16	AMS.NET INC	0005991	Communication Equipment	2,602.95		0.00	2,602.95	\$2,602.95
xxx282347	7/7/16	B & A FRICTION MATERIALS INC	557536	Parts, Vehicles & Motor Equip	44.86		0.00	44.86	\$44.86
xxx282348	7/7/16	BAY AREA NEWS GROUP DIGITAL FIRST MEDIA	0005702735RE	Advertising Services	84.00		0.00	84.00	\$1,301.00
			0005705883RE	Advertising Services	358.00		0.00	358.00	
			0005706051RE	Advertising Services	252.00		0.00	252.00	
			0005713336RE	Advertising Services	66.00		0.00	66.00	
			0005720080RE	Advertising Services	86.00		0.00	86.00	
			0005720096	Advertising Services	86.00		0.00	86.00	
			0005720107	Advertising Services	91.00		0.00	91.00	
			0005720124	Advertising Services	82.00		0.00	82.00	
			0005720132	Advertising Services	82.00		0.00	82.00	
			0005731588RE	Advertising Services	114.00		0.00	114.00	
xxx282349	7/7/16	BRAD COX ARCHITECT INC	12681	Consultants	13,221.61		0.00	13,221.61	\$13,221.61
xxx282350	7/7/16	BUCKLES-SMITH ELECTRIC CO	1492501-00	Electrical Parts & Supplies	87.00		0.00	87.00	\$87.00
xxx282351	7/7/16	CSAC EXCESS INSURANCE AUTHORITY	17400049	Insurances - Employee Assistance Program	13,578.24		0.00	13,578.24	\$13,578.24
xxx282352	7/7/16	CSAC EXCESS INSURANCE AUTHORITY	JULY2016	Insurances - Life/AD&D Insurance	17,831.74		0.00	17,831.74	\$40,860.41
			JULY2017	Insurances - Long Term Disability	23,028.67		0.00	23,028.67	

List of All Claims and Bills Approved for Payment

For Payments Dated 7/3/2016 through 7/9/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
xxx282353	7/7/16	CALIFORNIA BUILDING STANDARDS COMMISSION	APR-JUN2016	Permit - Building - State Special Revolving Fund(Green Bldg)	4,793.00	0.00	4,793.00	\$4,793.00
xxx282354	7/7/16	CALIFORNIA SPORTS CENTER	6/24/16-LACEYS	Refund Recreation Fees	55.00	0.00	55.00	\$120.00
			6/24/16-LOLAS	Refund Recreation Fees	65.00	0.00	65.00	
xxx282355	7/7/16	CALLYO 2009 CORP	R6602	Investigation Expense	1,800.00	0.00	1,800.00	\$1,800.00
xxx282356	7/7/16	CHERRY CHASE NEIGHBORHOOD ASSN	06400005818661	Community Services Grant - Neighborhood Grants	21.23	0.00	21.23	\$898.95
			06400349175	Community Services Grant - Neighborhood Grants	104.12	0.00	104.12	
			06405955125	Community Services Grant - Neighborhood Grants	3.24	0.00	3.24	
			12833	Community Services Grant - Neighborhood Grants	195.36	0.00	195.36	
			53008.1.3	Community Services Grant - Neighborhood Grants	450.00	0.00	450.00	
			MAR/27/2016	Community Services Grant - Neighborhood Grants	125.00	0.00	125.00	
xxx282357	7/7/16	CONTRACTOR COMPLIANCE & MONITORING INC	7182	Consultants	2,000.00	0.00	2,000.00	\$2,000.00
xxx282358	7/7/16	CURTIS & TOMPKINS LTD	253279	Water Lab Services	1,218.80	0.00	1,218.80	\$1,218.80
xxx282359	7/7/16	DEPARTMENT OF CONSERVATION	APR-JUN2016	Permit - Building - State Strong Motion Implementation Fee	30,054.00	0.00	30,054.00	\$30,054.00
xxx282360	7/7/16	FERGUSON ENTERPRISES INC 1423	1183294	Construction Services	1,508.50	0.00	1,508.50	\$1,508.50
xxx282361	7/7/16	HATCH MOTT MACDONALD LLC	304781-33	Engineering Services	1,694.50	0.00	1,694.50	\$1,694.50
xxx282362	7/7/16	HDL SOFTWARE LLC	0010360-IN	Software Licensing & Support	11,473.31	0.00	11,473.31	\$11,473.31
xxx282363	7/7/16	HYDROSCIENCE ENGINEERS INC	262013017	Professional Services	4,042.50	0.00	4,042.50	\$4,042.50
xxx282364	7/7/16	INTERNATIONAL CODE COUNCIL INC	1000704820	Books & Publications	44.58	0.00	44.58	\$9,952.48
			1000705414	Books & Publications	9,907.90	0.00	9,907.90	
xxx282365	7/7/16	JAECO FIRE & SAFETY	19020	General Supplies	17,565.93	0.00	17,565.93	\$17,565.93
xxx282366	7/7/16	KOHLWEISS AUTO PARTS INC	01OW1346	Parts, Vehicles & Motor Equip	15.83	0.00	15.83	\$15.83
xxx282367	7/7/16	KUSTOM SIGNALS INC	529322	Miscellaneous Equipment	4,809.79	0.00	4,809.79	\$4,809.79
xxx282368	7/7/16	MSI FUEL MANAGEMENT INC	4009	Software Licensing & Support	4,725.00	0.00	4,725.00	\$4,725.00
xxx282369	7/7/16	NAPA AUTO PARTS	244815	Parts, Vehicles & Motor Equip	5.22	0.00	5.22	\$2,027.91
			245016	Parts, Vehicles & Motor Equip	-5.22	0.00	-5.22	

List of All Claims and Bills Approved for Payment

For Payments Dated 7/3/2016 through 7/9/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			245792	Parts, Vehicles & Motor Equip	78.51	0.00	78.51	
			246143	Parts, Vehicles & Motor Equip	51.69	0.00	51.69	
			246374	Parts, Vehicles & Motor Equip	110.60	0.00	110.60	
			246528	Parts, Vehicles & Motor Equip	11.29	0.00	11.29	
			246963	Parts, Vehicles & Motor Equip	80.84	0.00	80.84	
			246982	Parts, Vehicles & Motor Equip	-36.71	0.00	-36.71	
			247047	Parts, Vehicles & Motor Equip	3.41	0.00	3.41	
			247154	Parts, Vehicles & Motor Equip	14.87	0.00	14.87	
			247311	Parts, Vehicles & Motor Equip	17.43	0.00	17.43	
			247383	Parts, Vehicles & Motor Equip	51.32	0.00	51.32	
			247385	Parts, Vehicles & Motor Equip	93.16	0.00	93.16	
			247549	Parts, Vehicles & Motor Equip	6.00	0.00	6.00	
			247557	Parts, Vehicles & Motor Equip	55.82	0.00	55.82	
			247813	Parts, Vehicles & Motor Equip	17.02	0.00	17.02	
			248296	Parts, Vehicles & Motor Equip	118.00	0.00	118.00	
			248964	Parts, Vehicles & Motor Equip	101.87	0.00	101.87	
			249076	Parts, Vehicles & Motor Equip	16.96	0.00	16.96	
			249079	Parts, Vehicles & Motor Equip	19.76	0.00	19.76	
			249138	Parts, Vehicles & Motor Equip	71.74	0.00	71.74	
			249180	Parts, Vehicles & Motor Equip	-56.35	0.00	-56.35	
			249256	Parts, Vehicles & Motor Equip	129.43	0.00	129.43	
			249327	Parts, Vehicles & Motor Equip	27.36	0.00	27.36	
			249339	Parts, Vehicles & Motor Equip	107.81	0.00	107.81	
			249691	Parts, Vehicles & Motor Equip	88.68	0.00	88.68	
			249732	Parts, Vehicles & Motor Equip	34.87	0.00	34.87	
			249735	Parts, Vehicles & Motor Equip	48.61	0.00	48.61	
			249758	Parts, Vehicles & Motor Equip	22.07	0.00	22.07	
			249785	Parts, Vehicles & Motor Equip	55.76	0.00	55.76	
			249879	Parts, Vehicles & Motor Equip	136.62	0.00	136.62	
			249880	Parts, Vehicles & Motor Equip	53.29	0.00	53.29	
			249977	Parts, Vehicles & Motor Equip	112.74	0.00	112.74	

List of All Claims and Bills Approved for Payment

For Payments Dated 7/3/2016 through 7/9/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			250140	Parts, Vehicles & Motor Equip	169.70	0.00	169.70	
			250142	Parts, Vehicles & Motor Equip	268.12	0.00	268.12	
			251185	Parts, Vehicles & Motor Equip	-54.38	0.00	-54.38	
xxx282373	7/7/16	OROVILLE FORD	3744	Vehicles & Motorized Equip	54,915.73	0.00	54,915.73	\$77,041.39
			3789	Vehicles & Motorized Equip	22,125.66	0.00	22,125.66	
xxx282374	7/7/16	PLANET TECHNOLOGIES INC	1000467	Software As a Service	9,600.00	0.00	9,600.00	\$9,600.00
xxx282375	7/7/16	REDGWICK CONSTRUCTION CO	FAIROAKSPRK #R	Construction Project Contract Retainage	39,405.56	0.00	39,405.56	\$39,405.56
xxx282376	7/7/16	ROYAL BRASS INC	800617-001	Parts, Vehicles & Motor Equip	577.38	0.00	577.38	\$816.14
			800617-002	Parts, Vehicles & Motor Equip	39.63	0.00	39.63	
			800652-001	Parts, Vehicles & Motor Equip	199.13	0.00	199.13	
xxx282377	7/7/16	SCS FIELD SERVICES INC	0280524	Services Maintain Land Improv	4,500.00	0.00	4,500.00	\$4,500.00
xxx282378	7/7/16	SANTA CLARA VALLEY WATER DISTRICT	GM013243	Taxes & Licenses - Misc	14,438.10	0.00	14,438.10	\$14,438.10
xxx282379	7/7/16	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DENTAL0716	Insurances - Dental	29,093.85	0.00	29,093.85	\$29,093.85
xxx282380	7/7/16	SUNNYVALE PUBLIC SAFETY OFFICERS ASSN	DISABILITY071 6	Insurances - Long Term Disability	3,686.00	0.00	3,686.00	\$3,686.00
xxx282381	7/7/16	THE LIGHTHOUSE	0260310	Parts, Vehicles & Motor Equip	0.03	0.00	0.03	\$0.03
xxx282382	7/7/16	TURF & INDUSTRIAL EQUIPMENT CO	IV16253	Parts, Vehicles & Motor Equip	310.22	0.00	310.22	\$1,154.30
			IV16466	Parts, Vehicles & Motor Equip	238.55	0.00	238.55	
			IV16514	Parts, Vehicles & Motor Equip	296.06	0.00	296.06	
			IV16570A	Parts, Vehicles & Motor Equip	87.00	0.00	87.00	
			IV16595	Parts, Vehicles & Motor Equip	154.97	0.00	154.97	
			IV16601	Parts, Vehicles & Motor Equip	-1,096.68	0.00	-1,096.68	
			IV16689	Parts, Vehicles & Motor Equip	-131.72	0.00	-131.72	
			IV16809	Parts, Vehicles & Motor Equip	61.27	0.00	61.27	
			IV16810	Parts, Vehicles & Motor Equip	92.63	0.00	92.63	
			IV16811	Parts, Vehicles & Motor Equip	83.36	0.00	83.36	
			IV16840	Parts, Vehicles & Motor Equip	106.11	0.00	106.11	
			IV16840A	Parts, Vehicles & Motor Equip	23.88	0.00	23.88	
			IV16935	Parts, Vehicles & Motor Equip	4.35	0.00	4.35	
			IV16952	Parts, Vehicles & Motor Equip	76.94	0.00	76.94	

List of All Claims and Bills Approved for Payment

For Payments Dated 7/3/2016 through 7/9/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			IV16957	Parts, Vehicles & Motor Equip	74.62	0.00	74.62	
			IV16964	Parts, Vehicles & Motor Equip	24.00	0.00	24.00	
			IV17041	Parts, Vehicles & Motor Equip	126.17	0.00	126.17	
			IV17168	Parts, Vehicles & Motor Equip	542.51	0.00	542.51	
			IV17173	Parts, Vehicles & Motor Equip	80.06	0.00	80.06	
xxx282384	7/7/16	CHUTNEY MARYS	JULY/9/2016	Special Events	2,000.00	0.00	2,000.00	\$2,000.00
xxx282386	7/7/16	GOLD RUSH EATERY	449	Special Events	1,750.00	0.00	1,750.00	\$1,750.00
xxx282387	7/7/16	JACK VAN BREEN	JULY/09/2016	Special Events	500.00	0.00	500.00	\$500.00
xxx282389	7/7/16	LOS JAROSCHOS GRILL LLC	INV0003	Special Events	800.00	0.00	800.00	\$800.00
xxx282391	7/7/16	PACIFIC GAS & ELECTRIC CO	00328522410616	Utilities - Electric	9.72	0.00	9.72	\$9,901.69
			00697062300616	Utilities - Electric	9.72	0.00	9.72	
			03958470700616	Utilities - Electric	3,888.16	0.00	3,888.16	
			65170651530616	Utilities - Electric	1,326.14	0.00	1,326.14	
			89805160050616	Utilities - Electric	11.48	0.00	11.48	
			91290311060616	Utilities - Electric	77.08	0.00	77.08	
			96226804090616	Utilities - Electric	363.26	0.00	363.26	
			97322830180616	Utilities - Electric	148.59	0.00	148.59	
			97322834740616	Utilities - Electric	12.29	0.00	12.29	
			SVVT1362020516	Utilities - Electric	4,055.25	0.00	4,055.25	
xxx282392	7/7/16	SANTA CLARA COUNTY CLERK-RECORDER	TOWN CENTER	Permit Fees	50.00	0.00	50.00	\$50.00
xxx282393	7/7/16	SANTA CLARA COUNTY PLANNING OFFICE	PPSP1	Project Contingencies	3,500.00	0.00	3,500.00	\$3,500.00
xxx282394	7/7/16	CUPERTINO ELECTRIC	2015-5962	Construction Tax	243.00	0.00	243.00	\$510.50
			2015-5962	Permit - Electrical	200.00	0.00	200.00	
			2015-5962	Plan Maintenance Fees - General Plan Maintenance	67.50	0.00	67.50	
xxx282395	7/7/16	GABRIELA GALEANA	371416	Refund Recreation Fees	438.00	0.00	438.00	\$438.00
xxx282396	7/7/16	LAURIE LIN	SV16-022658	Animal Control Fees	41.00	0.00	41.00	\$41.00
xxx282397	7/7/16	MARIA JEREZ	317137	Refund Recreation Fees	350.00	0.00	350.00	\$350.00
xxx906065	7/6/16	OLD REPUBLIC TITLE CO		Customer Loans Disbursed	5,000,000.00	0.00	5,000,000.00	\$5,000,000.00

7/11/2016

City of Sunnyvale

LIST # 824

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List of All Claims and Bills Approved for Payment

For Payments Dated 7/3/2016 through 7/9/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
Grand Total Payment Amount								\$7,270,336.48



City of Sunnyvale

Agenda Item

16-0564

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Appoint a City Representative to the Valley Transportation Authority Bicycle and Pedestrian Advisory Committee

BACKGROUND AND DISCUSSION

The Santa Clara Valley Transportation Authority (VTA) requests that cities appoint members to its Bicycle and Pedestrian Advisory Committee (BPAC). The VTA BPAC was formed in 1998 and is a 17-member committee that advises VTA's Board of Directors on planning and funding issues for bicycle and pedestrian projects in the county. Typical duties involve review of regional plans related to bicycling and walking, review of funding proposals for projects, and consideration of specialized issues of regional or cross-jurisdictional significance.

Sunnyvale has been asked to make an appointment to the VTA BPAC. The appointee will serve a two-year term, beginning July 1, 2016 and ending June 30, 2018, although members may remain seated until the local jurisdiction makes a new appointment. Members must live and/or work in Santa Clara County during their term and may be re-appointed to multiple and consecutive terms. The VTA has asked that the appointee not be a staff member of either VTA or the Member Agency they represent, and that the appointee preferably be a representative of the City BPAC.

Mr. David Simons is Sunnyvale's current representative, having served in this capacity since October 1998, and is a member in good standing. Mr. Simons has communicated that he would like to continue to serve as the City's representative.

At its June 16, 2016 meeting, the Sunnyvale BPAC recommended David Simons for re-appointment to the VTA BPAC (Attachment 1 - Excerpt from Draft BPAC Meeting Minutes).

EXISTING POLICY

General Plan - Chapter 3 *Land Use and Transportation*

LT-1.3a Participate in intergovernmental activities related to regional and sub-regional land use and transportation planning in order to advance the City's interests.

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.

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.

RECOMMENDATION

Appoint David Simons to the Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee for a two-year term, ending June 30, 2018.

Prepared by: Carol Shariat, Principal Transportation Engineer/Planner

Reviewed by: Manuel Pineda, Director, Public Works

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. Excerpt of Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of June 16, 2016

Commissioner Rausch stated that the Stevens Creek Trail Project going to Cupertino City Council on June 21st.

CONSENT CALENDAR

- 1.A** [16-0625](#) Draft Minutes of the Bicycle and Pedestrian Advisory
Commission Meeting of May 19, 2016

Commissioner Cordes moved and Commissioner Kolber seconded the motion to approve the consent calendar with modifications. 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

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [16-0640](#) Appoint a Member to the Valley Transportation Authority
(VTA) Bicycle and Pedestrian Advisory Commission (BPAC)

Carol Shariat, Principal Transportation Engineer/Planner, stated that Sunnyvale's seat on the VTA BPAC expires on June 30th. BPAC would need to elect a representative to be appointed to VTA BPAC for a two-year term that starts July 1st.

Commissioner Welch moved and Commissioner Kolber seconded the motion to recommend Planning Commissioner, Dave Simons, as Sunnyvale VTA BPAC representative. 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



City of Sunnyvale

Agenda Item

16-0642

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Authorize the City Manager to Execute an Agreement with the Peninsula Corridor Joint Powers Board for the Caltrain Peninsula Corridor Electrification Project

BACKGROUND

The Caltrain Modernization program envisions a series of capital improvement projects to upgrade the performance, operating efficiency, capacity, safety and reliability of Caltrain's commuter rail service. These projects include: (1) implementation of an advanced signal system, which is currently being installed and tested; (2) electrification of the existing Caltrain corridor between San Francisco and San Jose; and, (3) replacement of Caltrain's diesel trains with high-performance electric trains.

The Peninsula Corridor Electrification Project (PCEP) will electrify the Caltrain corridor by installing overhead power lines to run the new electric trains ("overhead contact system" (OCS)). The OCS electrical poles to be installed along the 51-mile Caltrain-owned corridor, will typically be spaced 180-200 feet apart, and are approximately 25 to 30 feet in height. After the poles are installed, electrical wire will be strung along these poles to provide power to the new electric trains. Since this is a design-build project (meaning the final design will be completed by the selected contractor), the exact locations of these poles will be determined upon completion of the final design documents. However, approximately 250 poles will be installed within Sunnyvale. In addition to the OCS the PCEP also includes a traction power facility (TPF) within the Sunnyvale Caltrain station parking lot. This facility is needed to provide power to the OCS.

Once completed, this project would provide increased service and offer several advantages in comparison to existing diesel power use, including:

- Improved train performance, increased ridership capacity and increased service
- Increased revenue and reduced fuel costs
- Reduced engine noise emanating from trains
- Improved regional air quality and reduced greenhouse gas emissions.
- Provide High Speed Rail (HSR) compatible electrical infrastructure

The project is scheduled to be operational by 2021.

EXISTING POLICY

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

- LT-5.1e - Promote the reduction of single occupant vehicle (SOV) trips and encourage an increase in the share of trips taken by all other forms of travel.
- LT-5.5 - Support a variety of transportation modes

ENVIRONMENTAL REVIEW

On January 8, 2015, Caltrain Board of Directors approved and certified the PCEP Final Environmental Impact Report (FEIR) for the proposed electrification of the Caltrain corridor between San Jose and San Francisco pursuant to Resolution No. 2015-03.

DISCUSSION

Most of the work for electrification will occur within Peninsula Corridor Joint Powers Board (JPB) rights-of-way (ROW), however a portion of the work is located within the City ROW, and also traffic control and street closures will be required during construction. The following project elements will be located within the City limits:

- OCS poles - Installation of foundations, poles and appurtenances.
- Stringing wire for OCS - This will require temporary street closures or lane reductions when work occurs at an existing at-grade crossing.
- Installing four overhead bridge barriers, which are required to prevent falling objects from coming into contact with the OCS.
- Construction of TPF located within the Sunnyvale Station parking lot.

JPB staff approached the City to enter into a cooperative agreement (Attachment 1) to establish roles and responsibilities as part of the project. The agreement provides direction for construction within Sunnyvale and specifics regarding plan review, fees, outreach, street closures and other elements related to the project. Some of the key highlights include:

- JPB is responsible for the design and all review and inspection fees associated with the project and will obtain encroachment permits for work within City ROW or property.
- JPB will provide a point of contact during construction.
- JPB will provide 60-day notice for construction within the City and seven-day notice on road and driveway closures. All closures will be posted 72 hours prior to closure.
- All closures that affect downtown will require advance coordination with the Downtown Association.
- JPB will comply with any City tree replacement requirements and permits, for tree trimming or removal involving public or private property outside of JPB property.
- JPB will coordinate with the City on design selection of overbridge protection barriers and fencing that would be viewed from highly used public spaces and historical train stations. The JPB will provide the City three alternative designs for selection.

FISCAL IMPACT

The JPB will pay City fees for all encroachment permits, which are required to work in City ROW.

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 City Manager to Execute an Agreement with the Peninsula Corridor Joint Powers Board for the Caltrain Peninsula Corridor Electrification Project.

Prepared by: Manuel Pineda, Director of Public Works

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement

**COMPREHENSIVE AGREEMENT
BETWEEN
THE PENINSULA CORRIDOR JOINT POWERS BOARD
AND THE CITY OF SUNNYVALE
RELATING TO THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT**

This Comprehensive Agreement (“**Agreement**”) between the City of Sunnyvale, a municipal corporation city of the State of California (“**City**”) and the Peninsula Corridor Joint Powers Board, a joint exercise of powers agency (“**JPB**”) (collectively, the “**Parties**”) is entered into as of this ____ day of _____ 201__ (the “**Effective Date**”), each of which is referred to herein individually as “**Party**” and jointly as “**Parties**.”

RECITALS

- A. City is a duly established municipal corporation organized and existing under the laws of the State of California.
- B. JPB is a joint exercise of powers agency organized and existing under the laws of the State of California.
- C. JPB is the owner of the Peninsula Corridor Railroad right-of-way and specifically certain real property and fixtures located in the City of Sunnyvale between milepost (MP) 37.5 and 41.5, (the “**Right-of-Way**”), and includes two vehicular at-grade crossings and two pedestrian at-grade crossings (at the Sunnyvale Station) and four overhead crossings.
- D. The Peninsula Corridor Electrification Project (“**Project**”) consists of converting Caltrain from diesel-hauled to electrically-powered trains for service between the 4th and King Street Station in San Francisco and the Tamien Station in San Jose.
- E. In 2009, the JPB completed a Final Environmental Assessment/Environmental Impact Report (EA/EIR) for the Project. Based upon that document, the Federal Transit Administration issued a Finding of No Significant Impact (FONSI) in 2009, which completed the federal environmental review for the Project in accordance with the National Environmental Policy Act (NEPA).
- F. On January 31, 2013, the JPB issued a Notice of Preparation of an Environmental Impact Report and, in February, 2014, issued a Draft Environmental Impact Report for a 60-day comment period ending on April 29, 2014. A Final Environmental Impact Report was issued in December 2014.
- G. On January 8, 2015, pursuant to Resolution No. 2015-03, the JPB certified conformance with the California Environmental Quality Act (CEQA) to the extent that it is applicable to the Project, and certified the Final Environmental Impact Report (FEIR) for the Project.
- H. On January 8, 2015, pursuant to Resolution No. 2015-04, the JPB adopted CEQA findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting plan.
- I. On February 5, 2015, pursuant to Resolution No. 2015-08 the JPB authorized the issuance of the PCEP Project Design Build Request for Proposals to engage a Design-Build Contractor to construct the Project.

- J. The City desires to cooperate with the JPB to facilitate the design and construction of the Project. The JPB and the City desire to memorialize the interagency cooperation and consultation between the Parties in this Agreement.
- K. The Parties acknowledge that the Project is funded in part with funds made available by the Federal Transit Administration. Accordingly, this Agreement and the obligations imposed on the Parties hereby shall be interpreted in a manner consistent with both Federal and State laws and regulations.
- L. The locations of certain elements of the Project may require the use of certain City streets for hauling operations and staging of construction during construction of the Project.
- M. The JPB and the City acknowledge that it will be necessary to develop procedures to ensure careful and continued cooperation between the Parties, including the following:
 - (1) procedures to promote cooperation during the design and construction process;
 - (2) procedures to avoid all unnecessary delays to either the contracting, design or construction process; and
 - (3) procedures for inspecting the construction, relocation, and replacement, as necessary, of City Improvements.
- N. The Parties recognize and agree that this Agreement may not reasonably anticipate all aspects of the Project and changes thereto which may occur due to unforeseen circumstances. Accordingly, the Parties acknowledge their respective obligations to act reasonably and in good faith and to modify the terms hereof when necessary to accomplish their mutual goals.

SECTION 1: AFFIRMATION OF RECITALS AND OPERATIVE DATE

The JPB and the City affirm that the above recitals are true and correct.

SECTION 2: DEFINITIONS

The following definitions relate to such terms found in the entire Agreement, including, without limitation, all Exhibits hereto.

- A. **“City”** means City of Sunnyvale, its officers, employees, agents, consultants and contractors.
- B. **“City Improvements”** means City streets (including curbs, gutters and sidewalks), traffic control devices, storm drains, sanitary sewers, water lines, hydrants, electroliers, landscaping, irrigation systems, and all other public facilities and appurtenances.
- C. **“Contract Documents”** means the executed Design-Build Contract, Contract Change Orders and additional documents incorporated by express reference into the Contract.
- D. **“JPB”** means the Peninsula Corridor Joint Powers Board, its employees, agents, consultants, and contractors.

- E. **"Project Improvements"** means all structures, features and fixtures constructed or installed for the Project, including all necessary changes to signal, fiber optic facilities and appurtenances, relocation of all utilities and pipelines of any kind within the Right-of-Way, grading, drainage, access roadways to the Right-of-Way, preliminary and construction engineering, and any and/or all other work of every kind and character necessary to build the Project.
- F. **"Project"** means the Peninsula Corridor Electrification Project described in the FEIR, consisting of converting Caltrain from diesel-hauled to electrically-powered trains for service between the 4th and King Street Station in San Francisco and the Tamien Station in San Jose.

SECTION 3: PURPOSE OF THE AGREEMENT

The purpose of this Agreement is to memorialize the Parties' consultation and cooperation, designate their respective rights and obligations, and ensure cooperation between the JPB and the City in connection with the design and construction of the Project.

SECTION 4: PROJECT FEATURES

The Project features set forth below are not intended to constitute a comprehensive list of Project features, but are described in this Agreement to provide a general description of the elements of the Project. A comprehensive list of Project features associated with the Project is set forth in the FEIR.

- A. The Project will install facility improvements, including overhead catenary wires, support poles, traction power facilities, and other appurtenances necessary to convert service from the existing diesel-locomotive driven trains to Electric Multiple Units (EMUs). EMUs are self-propelled electric trains that do not have a separate locomotive. EMUs can accelerate and decelerate at faster rates than diesel-powered trains, even with longer trains. With EMUs, Caltrain can run longer trains without degrading speeds, thus increasing peak-period capacity. This will support operations of up to 6 Caltrain trains per peak hour per direction (an increase from 5 trains per peak hour per direction at present). Electrification of the rail line is scheduled to be operational by 2020/2021. The Project includes operating 114 trains per day between San Jose and San Francisco and six trains per day between Gilroy and San Jose.
- B. The Project will include the installation of 130 to 140 single-track miles of Overhead Contact System (OCS) for the distribution of electrical power to the new electric rolling stock. The OCS would be powered from a 25 kilovolt (kV), 60 Hertz (Hz), single-phase, alternating current (AC) traction power system consisting of the following Traction Power Facilities (TPF): two Traction Power Substations, one Switching Station and seven Paralleling Stations. The OCS poles are typically about 180 to 200 feet apart. On curved sections, the span lengths between supports must be reduced. The OCS poles are placed approximately 9 – 11 feet from the centerline of the tracks. Associated with the

OCS, an electric safety zone to adjacent vegetation is needed. This electric safety zone distance is approximately 10 feet from the face of the OCS pole.

- C. Specific to the City , and based on preliminary design, the Project elements anticipated within the City include:
- (1) OCS poles. Installation of foundations, poles and appurtenances.
 - (2) Stringing wire for OCS. Which will require temporary street closures or lane reductions when work occurs at an existing at-grade crossing. Specificity about the closures will be included in the Traffic Control Plan.
 - (3) Installing four overhead bridge barriers, which are required to prevent falling objects from coming into contact with the OCS. The JPB will coordinate with the City, regarding the design and construction of the overhead bridge barrier.
 - (4) Construction of TPF located within the Right-of-Way (ROW) within the Sunnyvale Station parking lot. The location of this TPF is shown in Exhibit A as "Paralleling Station 6 (PS-6)."

SECTION 5: GENERAL COMMITMENTS

- A. The JPB will avoid affecting any City Improvements to the extent feasible. In the event a City Improvement requires modification and/or relocation, JPB shall be responsible for all costs associated with the design and construction of the City Improvement. A comprehensive list of affected City Improvements will be prepared by the JPB, and will be provided to the City for review. At final approval the City agrees to cooperate with the JPB to identify all City Improvements affected by the Project. Any replacement City Improvements will be equal or better and capacity to the existing facilities per existing City standards. If City desires to increase or upgrade a City Improvement beyond its existing City standards, it shall be responsible for any additional costs for that change. The Parties will agree to a protocol for the review of plans and the inspection of affected City Improvements.
- B. In order to minimize disruption to the Caltrain passenger service during project construction as well as maximize protection of people and property, most of the Project work will be performed outside of the weekday peak commute hours defined as by the City's Temporary Traffic Control Guidelines. City of Sunnyvale also has other work hours limitation on certain roadway segments and within the downtown. All closures that affect downtown access will require advance coordination with the Downtown Association.
- C. The JPB will provide the City with plan(s) addressing haul routes along city streets and roadways, and any staging areas or property owned or controlled by the City for City review and approval, which approval shall not be unreasonably withheld. JPB will also collaborate with the City to document existing conditions by video and photographic record of the proposed and accepted haul routes for comparison at the end of the project

(the JPB will complete all video and photographic material). The JPB shall be responsible for damages to City roadways

- D. The JPB and the City will cooperate to reduce impacts of the Project on local police, fire, and emergency services. The JPB will be required to get approval from the Department of Public Safety prior to any roadway closure including alternate routes. The contractor will be required to provide a minimum of 14 days notice prior to any closure.
- E. During construction of the Project, the JPB shall provide the City with a list of JPB and Contractor personnel to be contacted in the event of an emergency on the Project construction site within the City.
- F. During construction of the Project, the JPB will take responsibility for maintaining the security of the JPB construction areas within the City in consultation with the City's Public Safety Department, as necessary.
- G. For the duration of Project construction, the JPB shall assign a lead representative to handle Project-related complaints from City residents, City officials, and/or staff. The JPB shall provide written notice to the City and shall publicize the telephone number, and E-mail address of the lead representative. The JPB shall make an initial response to all complaints within a reasonable period of time not to exceed 72 hours. For urgent matters, the JPB will make initial contact immediately. Follow-up of complaints will be completed within a reasonable time following initial contact with the complainant. The JPB shall take all reasonable actions to ensure that its lead representative is authorized to and does, in fact, ensure that corrective actions are implemented within a reasonable period of time following the determination that corrective actions are appropriate.
- H. Construction Noticing. The JPB will provide weekly construction updates via social media, the Caltrain website and by email. The JPB will provide a 60-day advance notice for construction within the City. The JPB will provide an initial notice of road and driveway closures 7 days in advance of the closure and the message boards for closures will be posted 72 hours in advance.
- I. Tree Trimming and Tree Removal. JPB will comply with any City tree replacement requirements and permits, for tree trimming or removal involving public or private property outside of JPB property.
- J. Encroachment Permits. JPB will obtain City encroachment permits required for construction of the Project. The City shall not unreasonably withhold approval of the issuance of any such permit.

SECTION 6: MITIGATION MEASURES

The JPB will require the Design/Build Contractor to perform the work to implement the mitigation measures outlined in the Mitigation, Monitoring and Reporting Plan adopted by the JPB on January 8, 2015, to include the following:

- A. Mitigation Measure Aesthetics-2b: Aesthetic treatments for OCS poles, TPFs in sensitive visual locations and Overbridge Protection Barriers.
- (1) The JPB shall coordinate with the City to obtain their input into OCS pole design relative to station aesthetics.
 - (2) Vegetative screening will be provided to visually buffer view of the traction power facility in the City (PS-6 Option 2 in the PCEP FEIR). Acceptable screening that may be used includes: tree planting, fencing with creeping vines, landscape buffer planting or vegetative wall fence. The JPB will maintain the Right-of-Way screening on an on-going basis.
 - (3) The JPB will coordinate with the City on design selection of overbridge protection barriers and fencing that would be viewed from highly used public spaces and historical train stations. The JPB will provide the City three alternative designs for selection. JPB acknowledges that the any barriers on Fair Oaks bridge will need to be coordinated with the upcoming bridge widening project.
- B. Mitigation Measure Aesthetics-4a: Minimize spillover light during nighttime construction adjacent to residential neighborhoods. The JPB will direct any artificial lighting onto the worksite and away from adjacent residential areas at all times.
- C. Mitigation Measure Biology-5: A Tree Avoidance, Minimization, and Replacement Plan will be developed in consultation with a certified arborist and in consultation with cities, counties, and affected property owners along the Project. A complete field survey of the entire Project area will be completed to support the plan development by preparing a tree inventory for all affected areas.

SECTION 7: CITY IMPROVEMENTS

- A. Construction Standards: The JPB is designing and constructing the Project. The design and construction of the Project shall conform with JPB's adopted standards, specifically JPB Standards Dated September 30th, 2011 and the Design/Build Contract Documents. Any work required to repair or replace City Improvements damaged or affected by the Project shall conform with the City's adopted standards . If no City standards exist for such work, it shall be designed to applicable Caltrans standards, or if no Caltrans standards apply, it shall be designed by JPB for City approval. The JPB can propose to make changes to the design of work related to the City Improvements during construction, subject to the terms of this agreement. All proposed changes will be reviewed and approved by the City.
- B. Design Review: The JPB will do a page-turn design review, or detailed walkthrough of the Project elements within the City limits at the 65% and Issued for Construction design levels prior to official submittal of Issued For Construction plans for final approval and permitting. All comments received will be addressed to the City's satisfaction prior to

official submittal of Issued for Construction plans. Design review for Project elements within the JPB Right-of-Way is for informational purposes only and is not for City approval. The City shall review and provide comment of any required work that alters or replaces City Improvements within 21 days of receipt of the official submittal of Issued For Construction plans. JPB will respond to all comments within 14 calendar days of receipt.

- C. Permits: Following approval of official submittal of Issued For Construction Plans, the City will issue all necessary permits for work to be performed in the City in accordance with the City's Municipal Code. The JPB will pay the City for its staff time and/or consultant costs spent on review of design documents, permits or inspections of City Improvements. The JPB shall pay all applicable City permit or other fees with regard to the Project. The JPB shall make an initial deposit of \$34,000 to the City for design review and inspection costs. The JPB will pay the City per the City's standard permit and processing fees structures, as applicable to the Project and no invoicing will be required from the City by the JPB. The method of payment is described below in Section 8. The City will cooperate with the JPB in identifying all City permits necessary for work to be performed under this Agreement. With the approved official submittal of Issued For Construction plans, the City shall issue the permits no later than fourteen (14) calendar days following the City's receipt of such permit submission.
- D. Coordination: During construction of the Project, the City shall provide the JPB with a list of City personnel to be contacted in the event of an emergency on the Project construction site within the City.
- E. Obligations: The Parties shall agree in writing with regard to any new or replacement City Improvements that will be the obligation of JPB to construct. JPB will be required to replace to current City standard , however unless specifically authorized in writing, JPB shall not be required to replace any City Improvement with facilities of greater capacity, durability or efficiency than the one replaced, unless such replacement is required by the Project. Upon acceptance of any Project work related to City Improvements, City will have the responsibility for any maintenance, repairs, alterations or future upgrades or replacements.

SECTION 8: COSTS AND METHOD OF PAYMENT TO THE CITY

- A. The JPB shall make an initial deposit of \$34,000 to the City for costs incurred by the City for design review and inspection costs for the Project as described in Section 7 above. The deposit will be paid to the City at first plan submittal. The JPB will pay the City per the City's standard permit and processing fees structure, as applicable to the Project and no invoicing will be required from the City by the JPB. The City shall notify the JPB when 75% of the initial deposit has been spent, at which time the JPB and the City shall review the spent and remaining budget to determine any additional needs beyond the initial deposit. Any change to the deposit amount shall be agreed upon by the JPB and the City.

SECTION 9: REAL PROPERTY INTERESTS

In order to construct and safely maintain the Project, the JPB will utilize portions of the City's streets and roadways pursuant to Public Utilities Code Section 103282. The locations are detailed in Exhibit B.

SECTION 10: TRAFFIC MAINTENANCE AND DETOURS

The JPB will assume full responsibility for maintaining in service, or causing to be maintained in service, all traffic detours during JPB construction of the Project in a manner reasonably satisfactory to the City, subject to and consistent with all applicable City of Sunnyvale and MUTCD requirements. All traffic control, lane closure, and detour plans shall be submitted to the City for approval prior to commencement of any phase of construction requiring either traffic control or detour(s), which approval shall not be unreasonably withheld. The traffic control, lane closure, and detour plans shall specify the length of time that portions of City streets will likely be closed.

- A. Although certain City streets will, of necessity, be partially closed for some period during construction of the Project, the JPB will, to the greatest extent practicable, maintain in service, or cause to be maintained in service, all City streets and related City Improvements within the limits of the Project area in a manner reasonably satisfactory to the City. At a minimum, two-way service will be maintained on all City streets affected by the Project, unless otherwise agreed to by the JPB and the City. The JPB will be required to get approval from the Department of Public Safety prior to any roadway closure including alternate routes.
- B. In its Contract Documents, the JPB will require its contractor(s) to submit traffic plans showing haul routes, temporary closures, and the method of traffic maintenance and staging to the City for approval, which approval shall not be unreasonably withheld. The City shall approve or disapprove the plans no later than twenty-one(21) calendar days following the City's receipt of such plans.
- C. In its Contract Documents, the JPB will, prior to the temporary closure to traffic of all or part of any street, sidewalk, or other public access, require that its contractor(s) provide at least fourteen (14) calendar days' notice of such closure to the City and receive approval from the Department of Public Safety. Deviation from this fourteen (14) calendar day requirement may be permitted in bona fide emergency situations as determined by the JPB and the City.
- D. At least seventy two (72) hours prior to the temporary closure to traffic of all or part of any street, sidewalk, or other public access, the JPB will post notice of such closure. Such notice of any road closure shall include, at minimum, use of an electronic sign. The JPB will also provide closure-information fliers to residents, schools, and businesses within a one hundred (100) foot radius of any such closure.

SECTION 11: EROSION CONTROL PLAN

The JPB shall provide an erosion control plan to retain sediments on site in accordance with the JPB's Storm Water Pollution Prevention Program and Contract Documents. All stockpiled earthwork shall be protected from wind and water erosion. Dust control shall be undertaken in accordance with the JPB Contract Documents and shall provide for dust, erosion and pollution control seven days a week, 24 hours a day for the duration of construction activities.

SECTION 12: DESIGNATED AGENT OF THE PARTIES

The City contact person for all matters related to this Agreement will be the City Manager or his or her designee. The JPB's contact person for all matters related to this Agreement will be the Lin Guan (650-508-7976; guanz@samtrans.com) or his designee.

SECTION 13: INDEMNIFICATION

A. City's Indemnity.

- (1) City shall fully release, indemnify, hold harmless and defend the JPB, as well as the San Mateo County Transit District, the Santa Clara Valley Transportation Authority, the City and County of San Francisco, Transit America Services, Inc. or any successor Operator of the Service, the Union Pacific Railroad Company, and/or their respective officers, directors, employees, contractors and agents (collectively, "JPB Indemnitees") from and against all liability, claims, suits, sanctions, costs or expenses for injuries to or death of any person (including, but not limited to, the passengers, employees and contractors of City and JPB), and damage to or loss of property arising out of or resulting from any act or omission by City, its agents, employees, contractors or subcontractors in the performance of its obligations under this Agreement.
- (2) City's obligation to defend shall include the payment of all reasonable attorney's fees and all other costs and expenses of suit, and if any judgment is rendered against any JPB Indemnatee, City shall, at its expense, satisfy and discharge the same, so long as said claim has been timely tendered to the City to undertake a defense of said claim.

B. JPB's Indemnity.

- (1) JPB shall fully release, indemnify, hold harmless and defend the City and its respective officers, directors, employees, contractors and agents (collectively, "City Indemnitees") from and against all liability, claims, suits, sanctions, costs or expenses for injuries to or death of any person (including, but not limited to, passengers, employees and contractors of City and JPB) and damage to or loss of property arising out of or resulting from any act or omission by the JPB, its

agents, employees, contractors or subcontractors in performance of its obligations under this Agreement.

- (2) JPB's obligation to defend shall include the payment of all reasonable attorney's fees and all other costs and expenses of suit, and if any judgment is rendered against City Indemnitee's or any one of them, JPB shall, at its expense, satisfy and discharge the same, so long as said claim has been timely tendered to the JPB to undertake a defense of said claim.

- C. **Severability.** It is the intention of the Parties that should any term of this indemnity provision be found to be void or unenforceable; the remainder of the provision shall remain in full force and effect.
- D. **Survival.** This indemnification shall survive termination or expiration of this Agreement.

SECTION 14: INSURANCE

The JPB shall include in its Contract Documents a requirement that the City be named an additional insured on all policies of insurance required of its contractors.

SECTION 15: RESOLUTION OF DISPUTES

- A. The Parties shall make a reasonable effort to resolve any disputes arising out of this Agreement at the staff level prior formally submitting the matters to a neutral mediator. All efforts shall include the Director of Public Works for the City and the said JPB Contact Person.
- B. Prior to commencement of any formal litigation arising out of this Agreement, the Parties shall submit the matters in controversy to a neutral mediator jointly selected by the Parties. The costs of said mediator shall be borne evenly by the Parties involved in said dispute. To the extent the disputes remain outstanding following completion of mediation, any claim, controversy, action or proceeding arising out of or relating to this Agreement or to any document, instrument or exhibit executed pursuant to this Agreement shall be tried by a judge pro tem. Said judge is to be selected by counsel for the Parties from a list of retired judges furnished by the presiding judge of the County of San Mateo. If counsel are unable to select a judge pro tem said judge will be selected by the presiding judge from the list provided.
- C. Each Party shall pay its pro rata share of the fee for the judge pro tem. Each Party shall bear its own fees and expenses in such proceedings and the prevailing Party shall not be entitled to reimbursement from the losing Party for any such fees or expenses.
- D. The judge pro tem shall have the authority to try and decide any or all of the issues in the claim, controversy, action or proceeding, whether of fact or of law, and to report a statement of decision thereon. In any proceedings before the judge pro tem, the issues are to be determined under the statutory and decisional law of the State of California. All local and California Rules of Court shall be applicable to any proceeding before the judge

pro tem. All proceedings shall be conducted on consecutive dates without postponement or adjournments.

SECTION 16: NOTICES

All notices required hereunder may be given by personal delivery, US Mail, or courier service (e.g. federal express) transmission. Notices shall be effective upon receipt at the following addresses.

PCJPB: Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070
Attn: Executive Director

City: City of Sunnyvale
456 W. Olive Avenue
Sunnyvale, CA 94086
Attn: City Manager

SECTION 17: PARTIES NOT CO-VENTURERS

Nothing in this Agreement is intended to nor does it establish the Parties as partners, co-ventures or principal and agent with one another.

SECTION 18: FURTHER ASSURANCES, TIME PERIODS AND RECORDS

- A. Each Party shall execute and deliver to the other all such additional instruments or documents as may be necessary to carry out this Agreement or to assure and secure to the other Party the full and complete enjoyment of its rights and privileges under this Agreement, subject to appropriate approvals of each Party's governing body.
- B. Should unforeseen circumstances occur, the JPB and the City shall negotiate in good faith to reach agreement on any amendment(s) that may be necessary to fully effectuate the Parties' respective intentions in entering into this Agreement.
- C. Pursuant to California Government Code Section 8546.7, the Parties shall be subject to the examination and audit of the State Auditor, at the request of the JPB or as part of any audit of the JPB by the State Auditor, for a period of three (3) years after final payment under this Agreement. The examination and audit shall be confined to those matters connected with the performance of this Agreement including, but not limited to, the cost of administering the Agreement.

SECTION 19: NON-LIABILITY OF OFFICIALS, EMPLOYEES AND AGENTS

No director, member, official, employee or agent of the City or the JPB shall be personally liable to any Party to this Agreement or any successor in interest in the event of any default or breach of this Agreement or for any amount which may become due on any obligation under the terms of this Agreement.

SECTION 20: HEADING AND TITLES

Any titles of the Sections of this Agreement are inserted for convenience of reference only, and shall be disregarded in construing or interpreting any part of its provisions.

SECTION 21: APPLICABLE LAW

This Agreement shall be interpreted under and pursuant to the laws of the State of California. The Parties agree that the jurisdiction and venue of any dispute between the Parties to this Agreement shall be the Superior Court of Santa Clara County.

SECTION 22: SEVERABILITY

If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the Parties have been materially altered or abridged by such invalidation, voiding or unenforceability.

SECTION 23: BINDING UPON SUCCESSORS

This Agreement shall be binding upon and inure to the benefit of the transferees, successors and assigns of each of the Parties to it, except that there shall be no transfer of any interest by any of the Parties to this Agreement except pursuant to the terms of the Agreement.

SECTION 24: REMEDIES NOT EXCLUSIVE

No right or remedy conferred upon or reserved to the JPB or the City under this Agreement is intended to be exclusive of any other right or remedy, except as expressly stated in this Agreement, and each and every right and remedy shall be cumulative and in addition to any other right or remedy given under this Agreement or now or hereafter existing at law or in equity or by statute, except such rights or remedies as are expressly limited in this Agreement.

SECTION 25: FORCE MAJEURE

In addition to specific provisions of this Agreement, performance by either Party shall not be deemed to be in default where delays or defaults are due to war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, quarantine restrictions, casualties, acts of God, acts of the public enemy, epidemic, government restrictions on priorities, freight embargoes, shortage of labor or materials, unusually inclement weather, lack of transportation, court order, or any other similar causes beyond the control or without the fault of the Party claiming an extension of time to perform. An extension of time for any cause will be deemed granted if notice by the Party claiming such extension is sent to the other Party within thirty (30) days from the commencement of the cause and such extension is not rejected in writing by the other Party within thirty (30) days of receipt of the notice. Time of performance under this Agreement may also be extended by mutual written agreement, signed by both Parties.

SECTION 26: INTEGRATION

This Agreement represents the full, complete and entire agreement of the Parties with respect to the subject matter hereof, and supersedes any and all other communications, representations, proposals, understandings or agreements, whether written or oral, between the Parties hereto with respect to such subject matter. This Agreement may not be modified or amended, in whole or in part, except by a writing signed by an authorized officer or representative of each of the Parties hereto.

SECTION 27: COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute a single Agreement.

SECTION 28: AMENDMENTS

This Agreement may be amended only in a writing that is executed by the Parties hereto.

SECTION 29: THIRD PARTY RIGHTS

Nothing herein shall be considered as creating any rights and/or obligations by any of the Parties to this Agreement to any third parties. Specifically, none of the duties to inspect or maintain shall in any way be construed as creating or expanding any additional obligations to any third Party beyond those required and established under the applicable statutes, regulations, ordinances or law.

SECTION 30: BONDING

JPB will require the design/build contractor for this Project to provide performance and payment bonds in the full amount of the contract and will require a two-year warranty period. The bond shall be maintained in full force and effect during the entire period that work is performed by the contractor until such work is accepted by JPB. With respect to work related to City Improvements, the JPB shall not accept the work related to such facilities for purposes of this section until it has reviewed the matter with the City.

This Agreement is made and entered into as of the date set forth above.

PENINSULA CORRIDOR JOINT POWERS BOARD CITY OF SUNNYVALE

By: _____

Jim Hartnett
General Manager

Deanna J. Santana
City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

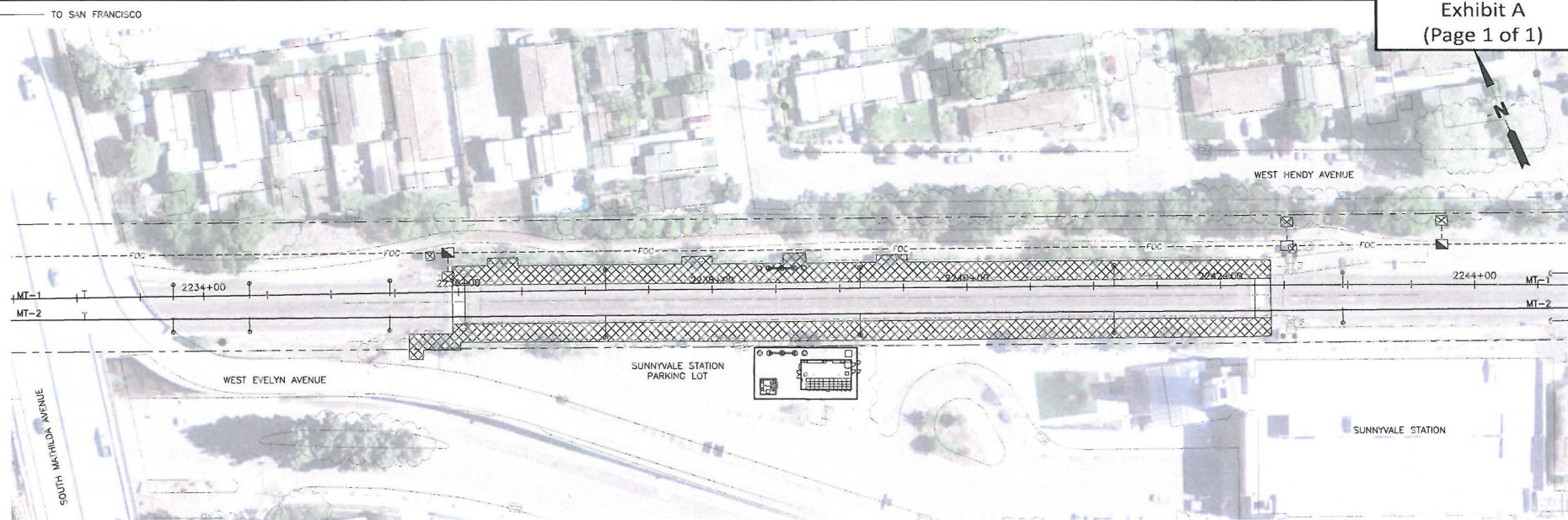
JPB Attorney

Sunnyvale City Attorney

By: _____

By: _____

EXHIBIT A



SITE PLAN — PS-6
SUNNYVALE
40' 0 40' 80'
GRAPHIC SCALE

NOTES:
1. SEE DRAWING C7101 FOR NOTES.

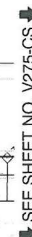
NOT FOR CONSTRUCTION

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EXHIBIT B

Exhibit B
(Page 1 of 2)



DESIGNED
DRAWN C. SOMERA
CHECKED D. SCOTT
IN CHARGE R. ABBOTT
DATE 060515

RD	CADD FILE NO TESV274-CS	CADD DATE 062515
SCALE 1" = 40'		
CONTRACT NO -		MILEPOST 39.1
DWG NO V274-CS	REV A	PAGE NO 274



City of Sunnyvale

Agenda Item

16-0644

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Allow the Withdrawal of a Bid in Conformance with State Law and Reject a Bid Received for the Wolfe-Evelyn Water Plant Reconstruction Project (PW16-20)

REPORT IN BRIEF

Approval is requested to reject a bid in the amount of \$3,525,606 received from Mountain Cascade Inc. of Livermore for the Wolfe-Evelyn Water Plant Reconstruction Project. A lower bid in the amount of \$3,285,792 was also received from Blocka Construction of Fremont, but the contractor requested to withdraw the bid in conformance with State law due to a material math error in the approximate amount of \$150,000. Staff recommends allowing the Blocka bid to be withdrawn as explained below. The withdrawal of this bid will make Mountain Cascade the sole bidder for this Project. Both bids are well above the engineer's estimate.

EXISTING POLICY

Sunnyvale Municipal Code Section 2.09.140(b) enables the awarding authority, which in this case is the City Council, to reject bids greater than \$100,000 received in response to competitive bid solicitations. Furthermore, this Code section provides that "if all bids are rejected, the City has the discretion to readvertise." Sunnyvale Municipal Code Section 2.09.100(c) establishes that a bidder alleging a mistake in a bid may be permitted to withdraw its bid in conformance with State law, which requires the awarding authority to consent to the withdrawal (Section 5101(a) of the California Public Contract Code).

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.

BACKGROUND AND DISCUSSION

The Wolfe/Evelyn Water Plant is one of the major facilities within the City's potable water distribution system. The facility, located at 753 Ajax Drive in a residential neighborhood, includes one 5-million gallon water storage tank and a pump station. The mechanical and electrical systems associated with the Plant were built in 1959 and are now past their life expectancy. The associated site improvements, including paving and access to the structures housing the mechanical and electrical components, are not compliant with current standards, and are in need of replacement.

An Invitation for Bids to rehabilitate the facility was advertised on May 6, 2016, with two bids being received on June 1. Although seven potential bidders attended the mandatory pre-bid meeting, several of them declined to submit bids citing current workload. The apparent low bidder, Blocka

Construction, submitted a bid in the amount of \$3,435,642 but a math error in adding the bid line items was discovered by staff which decreased their bid to \$3,285,792. Blocka requested that the City either pay the higher bid price or allow withdrawal of their bid in conformance with State law. Pursuant to Section 5100 et. seq. of the California Public Contract Code, a bidder alleging a mistake in a bid may be allowed to withdraw their bid within five working days by consent of the awarding authority without forfeiting their bid bond. Blocka submitted their request to withdraw within the required timeframe and was informed by staff that their bid appeared to meet the statutory requirements for withdrawal. However, the consent to allow a bid withdrawal must be given by the awarding authority, which in this case is the City Council.

The engineer's estimate on the project is \$2,513,000, and the construction budget is currently underfunded at approximately \$1,660,000. As has been seen with similar projects such as the Baylands Stormwater Pump Station No. 2 Rehab (awarded June 28, RTC No. 16-0572), due to the high demand for electrical/mechanical work, costs have regularly been coming in higher than anticipated because of the labor shortages for these types of specialty subcontractors. Other local municipalities have mentioned to staff that they have experienced this with similar projects in recent months as well.

Staff recommends consenting to the bid withdrawal request by Blocka and rejecting the sole bid received from Mountain Cascade so the specifications can be re-evaluated and the project re-bid. Should the project be re-bid without substantial changes to the specifications, then Blocka will be precluded from submitting a new bid pursuant to Section 5105 of the California Public Contract Code.

FISCAL IMPACT

No fiscal impact results from rejecting the bid.

Funding Source

This project is funded by the Water Supply and Distribution Fund.

PUBLIC CONTACT

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

RECOMMENDATION

1) Allow Blocka Construction to withdraw its bid in conformance with State law; and 2) Reject the bid received from Mountain Cascade Inc.

Prepared by: Pete Gonda, Purchasing Officer

Reviewed by: Timothy J. Kirby, Director of Finance

Reviewed by: John Stufflebean, Director of Environmental Services

Reviewed by: Manuel Pineda, Director of Public Works

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager



City of Sunnyvale

Agenda Item

16-0659

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Modify an Existing Construction Contract for the Traffic Signal Project at Mathilda/Olive Avenues and Approval of Budget Modification No. 3 in the Amount of \$71,873 (PW16-05-1)

REPORT IN BRIEF

Approval is requested to modify an existing construction contract with Tennyson Electric through the approval of a change order in an amount not to exceed \$71,873. The change order will facilitate current and future expansion of fiber optic traffic signal communications, as explained below. Approval is also requested for Budget Modification No. 3 in the amount of \$71,873 to provide additional funding.

EXISTING POLICY

Pursuant to Section 2.09.150(b) of the Sunnyvale Municipal Code, a contract change in excess of the amount previously approved by the awarding authority must be approved by the awarding authority. In this instance, Council approved the initial contract in the amount of \$547,532, plus a 10% contingency. The Code requires that increases in contract amounts, beyond the existing Council approved contract limits, require Council approval.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) determination for this project is a Class 1 categorical exemption pursuant to CEQA Guidelines Section 15301 for alterations to existing facilities involving negligible or no expansion of existing use beyond that which presently exists.

BACKGROUND AND DISCUSSION

On October 27, 2015, a construction contract for the Traffic Signal Reconstruction at Mathilda/Olive Avenues in the amount of \$547,532 was awarded to Tennyson Electric, Inc. (RTC No. 15-0925). The scope of the project includes: traffic signal reconstruction utilizing the downtown specification of decorative poles, upgrade intersection corners for ADA and pedestrian walkability, installation of fiber optics traffic signal communication, slurry seal and striping.

Subsequent to the completion of design of the project, the standards for some of the traffic signal equipment and fiber optics communication have been revised. Specifically, new traffic signals will now have pedestrian video detection, which alleviates the need for a pedestrian crossing the intersection to push a button. In addition, the fiber optics communication minimum number of strands is now 144 instead of 96, which allows for future expansion of the traffic signal communications network. The fiber optics communication will also terminate at Remington Drive instead of El Camino Real, which will allow the future traffic signal modification at Sunnyvale/Saratoga - Talisman (currently under design, federally grant funded) to connect to the fiber optic network. Staff has worked with Tennyson Electric to receive pricing on these two items. The fiber optics

communication upgrade from 96 to 144 strands, increasing the length of the communication line to Remington Drive and upgrade of intermediary pull boxes along the route is \$28,685. The procurement of the pedestrian video detection system and installation of the system will cost \$36,654. This price is in line with similar quotes that the City has received independently for the pedestrian video detection system.

The aggregate fiber optics communication and pedestrian video detection system cost is \$65,339. With the addition of a standard 10% contingency the total requested increase is \$71,873.

FISCAL IMPACT

Budget Modification No. 3 has been prepared to appropriate funding for this construction contract in the amount of \$71,873, to add to the FY 2016/17 budget.

Budget Modification No. 3 FY 2016/17

	<u>Current</u>	<u>Increase/ (Decrease)</u>	<u>Revised</u>
Infrastructure Fund			
<u>Capital Project 820190</u>			
Traffic Signal Hardware & Wiring	\$706,643	\$71,873	\$778,516
Capital Projects Fund			
<u>Capital Project 816000</u>			
Future Traffic Signal Construction/Modification	\$228,073	(\$71,873)	\$156,200

Funding Source

Funding is from Capital Project 816000, Future Traffic Signal Construction/Modification, which utilizes carry-over Traffic Mitigation Fees for this need.

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) Authorize the City Manager to execute a change order to an existing construction contract with Tennyson Electric in an amount not-to-exceed \$71,873; and 2) Approve Budget Modification No. 3 in the amount of \$71,873 to provide additional funding for the project.

Prepared by: Pete Gonda, Purchasing Officer
 Reviewed by: Timothy J. Kirby, Director of Finance
 Reviewed by: Manuel Pineda, Director of Public Works
 Reviewed by: Kent Steffens, Assistant City Manager
 Approved by: Deanna J. Santana, City Manager



City of Sunnyvale

Agenda Item

16-0468

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Authorize the Issuance of a Purchase Order for Street Tree Maintenance Services (F16-90) and Finding a CEQA Categorical Exemption

REPORT IN BRIEF

Council approval is requested to authorize the issuance of a Purchase Order for Street Tree Maintenance Services in an amount not-to-exceed \$1,498,460 to West Coast Arborists Inc. of Anaheim for a two-year period, with an option to renew for three additional one-year periods.

EXISTING POLICY

Pursuant to Chapter 2.08 of the Municipal Code, Council approval is required to approve bids greater than \$100,000.

ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301(h) 6 for the maintenance of existing landscape.

BACKGROUND AND DISCUSSION

The City has approximately 37,000 street trees. The street trees are pruned on an average seven-year cycle, established in FY 2012/13. Following a competitive bid process, Council awarded a 30-month contract in the amount of \$1,221,175 to West Coast Arborists (WCA) in January 2013 for street tree pruning and for the as-needed work at City parks and golf courses (RTC No. 13-011). The WCA contract was increased to \$1,695,175 in January 2015 to allow for accelerated preventative maintenance pruning of over 12,000 street trees (RTC No. 14-1136).

As the June 30, 2015 end date of the 2013 contract approached, a new bid was issued which clarified specifications for park and golf course work and added pest control. An Invitation for Bids (IFB) was issued on August 25, 2015, with two bids received from WCA and The Professional Tree Care Company (PTC). The bid from WCA, in the amount of \$2,031,910, was deemed to be non-responsive because the contractor did not acknowledge an addendum which changed the bid quantities and consequently submitted their bid pricing based on incorrect amounts. The bid received from PTC, in the amount of \$6,340,520, was significantly more than the budgeted funding available. Therefore, based on staff's recommendation Council rejected the bid received from PTC (RTC No. 15-0967).

A subsequent IFB was issued on March 31, 2016, with a due date of April 27. This IFB did not include specifications to remove the pest control requirement and tree work at parks and golf courses and focused on only providing street tree pruning. Six bids were received. The lowest bidder and

the third lowest bidder, Bright View Tree Care and Professional Tree Care Company, submitted non-responsive bids in the amounts of \$1,360,000 and \$1,954,000, respectively. The Bright View bid was non-responsive because the firm did not identify the appropriate number of references with work of similar size and scope. The PTC bid was non-responsive because they did not acknowledge an addendum which clarified the percentage of medium, large and very large trees scheduled for structural pruning, potentially impacting bid pricing.

The second low bid received from WCA, is responsive, but at \$1,820,960 is substantially higher than the available two-year budget. The higher pricing is a combination of two factors. First, the proposed unit pricing for block grid pruning is much more than anticipated (double the unit pricing from 2013). This is likely due to the current economic climate and the impact of prevailing wages. The FY 2016/17 budget did not account for such a large increase in pricing. Second, staff inadvertently overestimated the number of trees to be pruned on the block grid cycle; a quantity of 12,500 was used, which was the previous number used for a 2 ½ year contract. The current bid should have used an estimate of 10,000 units, or 5,000 trees per year, which corresponds to the current service level.

WCA has agreed to hold their pricing for the lower number of units, which reduces the not-to-exceed value of the contract from \$1,820,960 to \$1,498,460 for two years or approximately \$750,000 per contract year. It should be noted that the quantities used in the bid are estimates only and the City does not guarantee that the actual work will correspond exactly to the specifications (the quantities can be increased or decreased based on need). Staff recommends awarding the contract because rejecting the bids and rebidding the project will delay tree work for several months and may not produce a more favorable result.

FISCAL IMPACT

The Street Tree Maintenance Program has a total budget of \$2,016,784, of which \$557,333 is for contract tree pruning services. This amount should be sufficient for Fiscal Year 2016/17. As part of the Fiscal Year 2017/18 budget process, staff will evaluate funding needs. It should be noted that WCA submitted price increases of 4% per year for the three annual (optional) renewal periods following the initial contract. Should market conditions change that could be favorable to the City, staff may elect not to renew the contract beyond the second year in order to re-bid the services.

Funding Source

Tree maintenance work is funded by the General Fund.

PUBLIC CONTACT

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

RECOMMENDATION

1) Make a finding of a CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 (h) 6 for the maintenance of existing landscape; 2) Authorize the issuance of a two-year Purchase Order in the amount not-to-exceed \$1,498,460 to West Coast Arborists, Inc. in substantially the same form as Attachment 2 of the report; and 3) Delegate authority to the City Manager to renew the Purchase Order for three additional one-year periods, providing pricing and service remain acceptable to the City.

Prepared by: Pete Gonda, Purchasing Officer
Reviewed by: Timothy J. Kirby, Director of 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. Bid Summary
2. Draft Purchase Order

<div>City of Sunnyvale, California</div> <div>Invitation for Bids No. F16-90</div> <div>Street Tree Maintenance Services</div> <div>Bid Summary</div> <div>ATTACHMENT 1</div>											
Bidder				WCA		New Image Landscape Co.		Arborwell Inc		S.P. McClenahan Co	
Address				2200 E. Via Burton		3250 Darby Common		2337 American Ave		Arastradero Road	
				Anaheim, CA 92806		Fremont, CA 94539		Hayward, CA		Portola Valley, CA 94028	
Phone				714-991-1900		510-226-9191		888-969-8733		650-326-8781	
Contact				Victor Gonzalez		Guillermo Ruvalcaba		Brad Carson		Chris Regan	
Bid Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Street Tree Block/Grid Pruning - Tree Structurally Pruned	12,500	EA	\$129.00	\$1,612,500.00	\$180.00	\$2,250,000.00	\$270.00	\$3,375,000.00	\$339.18	\$4,239,750.00
2	Street Tree Single Tree Pruning - Medium Size Tree Structurally Pruned	30	EA	\$149.00	\$4,470.00	\$570.00	\$17,100.00	\$450.00	\$13,500.00	\$418.00	\$12,540.00
3	Street Tree Single Tree Pruning - Large Size Structurally Pruned	30	EA	\$249.00	\$7,470.00	\$855.00	\$25,650.00	\$720.00	\$21,600.00	\$627.00	\$18,810.00
4	Street Tree Single Tree Pruning – Very Large Size Structurally Pruned	15	EA	\$349.00	\$5,235.00	\$1,425.00	\$21,375.00	\$990.00	\$14,850.00	\$836.00	\$12,540.00
5	Street Tree Removal - Medium Size Tree Removed	75	EA	\$324.00	\$24,300.00	\$570.00	\$42,750.00	\$675.00	\$50,625.00	\$522.00	\$39,150.00
6	Street Tree Removal - Large Size Tree Removed	50	EA	\$1,119.00	\$55,950.00	\$1,140.00	\$57,000.00	\$1,080.00	\$54,000.00	\$1,311.00	\$65,550.00
7	Street Tree Removal - Very Large Size Tree Removed	25	EA	\$1,969.00	\$49,225.00	\$1,710.00	\$42,750.00	\$1,485.00	\$37,125.00	\$2,622.00	\$65,550.00
8	Street Tree Stump Removal - Medium Size Stump Removed	75	EA	\$74.00	\$5,550.00	\$450.00	\$33,750.00	\$180.00	\$13,500.00	\$125.00	\$9,375.00
9	Street Tree Stump Removal - Large Size Stump Removed	25	EA	\$369.00	\$9,225.00	\$950.00	\$23,750.00	\$250.00	\$6,250.00	\$155.00	\$3,875.00
10	Street Tree Stump Removal - Very Large Size Stump Removed	25	EA	\$469.00	\$11,725.00	\$1,250.00	\$31,250.00	\$735.00	\$18,375.00	\$375.00	\$9,375.00
11	Street Tree Planted - 15 gallon size (tree furnished by City)	150	EA	\$149.00	\$22,350.00	\$380.00	\$57,000.00	\$350.00	\$52,500.00	\$135.00	\$20,250.00
12	Street Tree Planted - 15 gallon size (tree furnished by Contractor)	20	EA	\$249.00	\$4,980.00	\$570.00	\$11,400.00	\$390.00	\$7,800.00	\$275.00	\$5,500.00
13	Street Tree Planted - 24 inch box size (tree furnished by City)	10	EA	\$349.00	\$3,490.00	\$475.00	\$4,750.00	\$560.00	\$5,600.00	\$285.00	\$2,850.00
14	Street Tree Planted - 24 inch box size (tree furnished by Contractor)	10	EA	\$449.00	\$4,490.00	\$665.00	\$6,650.00	\$712.50	\$7,125.00	\$500.00	\$5,000.00
	GRAND TOTAL				\$1,820,960.00		\$2,625,175.00		\$3,677,850.00		\$4,510,115.00

	Emergency Call Out Work - Time and Material -Two man crew per hour		HR	\$238.00		\$360.00		\$360.00		\$257.00	
					ATTACHMENT 1						
	First Option to Renew % Increase			4%		2%		2%		0%	
	Second Option to Renew % Increase			4%		3%		2%		4%	
	Third Option to Renew % Increase			4%		4%		2%		8%	
Notes: Bids in the amount of \$1,360,000 and \$1,954,000 were received from Brightview Tree Care and the Professional Tree Care Company, but the bids were determined to be non-responsive.											



ORDERED FROM 12231 - 001 (800) 521-3714 West Coast Arborists Inc 2200 E Via Burton St Anaheim, CA 92806	ORDER DATE	BILL TO: City of Sunnyvale Finance Department Accounts Payable PO Box 3707 Sunnyvale, CA 94088-3707
	EFFECTIVE DATE 7/27/2016	
	EXPIRATION DATE 6/30/2018	
	CONTRACT AMOUNT \$1,498,460.00	
REQUISITIONING DEPARTMENT (9030) DPW/Trees	FOB	FREIGHT CHARGES
	PAYMENT TERMS N/30	BID NO

ITEM	DESCRIPTION	UNIT	UNIT COST
1	Blanket purchase order to provide street tree maintenance services for the City of Sunnyvale Department of Public Works in accordance with Invitation For Bids F16-90 specifications, terms and conditions and contractors bid, which are incorporated herein by this reference. This contract is for a two-year period with an option to renew for three additional one-year periods provided pricing and services remain acceptable to the City. Awarded by City Council _____, RTC _____ Requisition Number: RQ015741	DLR	\$1.0000

AUTHORIZED DEPARTMENT(S)		
NO	DEPT NAME	RELEASE AMT
9030	DPW/Trees	\$1,498,460.00

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



BUYER:

Pizano, Michael

PHONE (408) 730-7612

FAX (408) 730-7710



City of Sunnyvale

Agenda Item

16-0746

Agenda Date: 7/26/2016

SUBJECT

Adopt Ordinance No. 3089-16 Awarding Nonexclusive Franchise for Taxicab Service to My Ekadea, Inc. dba California Cab Company

RECOMMENDATION

Adopt Ordinance No. 3089-16.

ATTACHMENT

1. Ordinance No. 3089-16

ORDINANCE NO. 3089-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE AWARDING NONEXCLUSIVE FRANCHISE
FOR TAXICAB SERVICE TO MY EKADEA, INC. DBA
CALIFORNIA CAB COMPANY**

WHEREAS, Chapter 5.36 of the Sunnyvale Municipal Code establishes a procedure for the consideration and award of nonexclusive taxi franchises by the City of Sunnyvale; and

WHEREAS, My Ekadea, Inc. doing business as California Cab Company has applied for a nonexclusive taxicab franchise; and

WHEREAS, public notice in accordance with Sunnyvale Municipal Code Section 5.36.070 has been given that the City Council of the City of Sunnyvale would hold a public hearing for the purpose of determining whether to award the franchise; and

WHEREAS, the City Council finds that it would be in the best interest of the City of Sunnyvale to award a nonexclusive franchise for taxicab service to the My Ekadea, Inc. dba California Cab Company.

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

SECTION 1. FRANCHISE GRANTED. The City of Sunnyvale hereby grants to My Ekadea, Inc. dba California Cab Company (hereinafter "Franchisee"), a nonexclusive Franchise for taxicab service within the corporate boundaries of the City of Sunnyvale as such boundaries presently exist or as they may be changed during the term of this Franchise. The Franchisee shall conduct its operations under the Franchise in strict compliance with Sunnyvale City Charter and Chapter 5.36 of the Sunnyvale Municipal Code, and any amendments thereto, together with all applicable laws and regulations of the State of California, the United States or any regulatory agency having jurisdiction.

SECTION 2. TERM. The initial term for which this Franchise is granted shall be two years commencing July 27, 2016, and ending at 12:00 midnight on July 26, 2018. Pursuant to Sunnyvale Municipal Code section 5.38.120, the City's Director of Public Safety may approve up to two, two-year extensions, provided Franchisee remains in good standing. The total term, including any approved extensions, may not exceed six years and shall terminate no later than July 26, 2022.

SECTION 3. CONSIDERATION. The Franchisee shall pay to the City as consideration for the granting of this Franchise the amounts per vehicle as set forth in the City's Master Fee Schedule, which is incorporated by reference herein.

SECTION 4. USE OF CITY STREETS. The Franchisee hereby is given permission to use City streets for the purpose of providing taxicab service in accordance with the terms of this ordinance and the franchise agreement.

SECTION 5. GENERAL CONDITIONS. This Franchise is granted subject to the terms and conditions set forth in Exhibit A, "Taxicab Franchise and Agreement" attached and incorporated herein.

SECTION 6. ACCEPTANCE OF FRANCHISE TERMS AND CONDITIONS. This Franchise shall not become effective until the Franchisee accepts the Franchise by executing the Taxicab Franchise Agreement within ten (10) days after adoption of this ordinance.

SECTION 7. APPROVAL OF FRANCHISE AGREEMENT—EXECUTING AND ATTESTING. The Taxicab Franchise Agreement is hereby approved, and the City Manager is authorized to execute it on behalf of the City.

SECTION 8. 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 9. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project that has the potential for causing a significant effect on the environment.

SECTION 10. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 11. 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 July 12, 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

Mayor

Date of Attestation:

(SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

CITY OF SUNNYVALE TAXICAB FRANCHISE AND AGREEMENT

THIS FRANCHISE AND AGREEMENT, dated _____, is between the CITY OF SUNNYVALE, a municipal corporation of the State of California (herein "City"), and MY EKADEA, INC., a California corporation doing business as CALIFORNIA CAB COMPANY (herein "Franchisee").

RECITALS

WHEREAS, Franchisee has filed a verified application of a nonexclusive Franchise to operate a taxicab service pursuant to Chapter 5.36 of the Sunnyvale Municipal Code; and

WHEREAS, on July 26, 2016, the City Council passed and adopted Ordinance No. 3089-16, after Notice and Public Hearing, approving the award of such Franchise;

NOW, THEREFORE, in consideration of the award of a nonexclusive Franchise and of the mutual covenants and conditions as set forth herein, it is agreed as follows:

1. Grant of Non-Exclusive Franchise. City grants to Franchisee a nonexclusive Franchise to use the public streets, ways, alleys and places, as the same now or may hereafter exist, within the corporate limits of the City of Sunnyvale as they presently exist or as they may be changed during the term of this Franchise by annexations or detachments, in connection with furnishing the City of Sunnyvale and its inhabitants with taxicab service.

2. Term of Non-Exclusive Franchise. This Franchise shall be in effect for an initial term of two (2) years, beginning July 27, 2016, and ending at midnight on July 26, 2018. Pursuant to Sunnyvale Municipal Code section 5.38.120, the City's Director of Public Safety may approve up to two, two-year extensions, provided Franchisee remains in good standing. The total term, including any approved extensions, may not exceed six years and shall terminate no later than July 26, 2022.

3. Payment of Franchise Fees. The Franchisee during the term of this Franchise shall pay to the City the consideration based on the number of vehicles in service under the Franchise, as set forth in the City's Master Fee Schedule, as may be amended from time to time and which is incorporated by reference herein.

4. Franchisee Obligations.

The Franchisee shall:

A. Appear and defend all actions against the City arising out of the exercise of the Franchise and shall indemnify and save City, its officers, employees and agents harmless of and from all claims, demands, actions or causes of action of every kind and description resulting directly or indirectly, arising out of, or in any way connected with, the exercise of the Franchise.

B. Obtain and keep in force during the term of the Franchise insurance in compliance with the requirements of Sunnyvale Municipal Code Section 5.36.300.

C. Comply with all other requirements of Sunnyvale Municipal Code Chapter 5.36 and any amendments thereto, and with all applicable laws and regulations of the State of California, and all applicable laws and regulations of the United States, or any regulatory agency having jurisdiction. Franchisee shall establish a controlled substance and alcohol certification program. The program shall be included in a written company policy. Each driver must sign for receipt of said policy, and the receipt shall be retained by Franchisee. A copy shall be provided to Department of Public Safety upon request. Every driver shall test negative for controlled substances as specified in 40 CFR Part 40 and 49 CFR Part 382.

5. Assignment of Franchise and Insolvency. The Franchise granted hereunder shall not be assignable, either voluntarily or by operation of law, without the prior approval of the City Council, by resolution. At least forty-five (45) days prior to the date for the formal transfer of such interest or ownership, the Franchisee shall so notify City in writing. If the Franchisee at any time during the term of this Franchise becomes insolvent, or if any proceeding in bankruptcy shall be instituted by or against the Franchisee, or if the Franchisee shall be adjudged bankrupt or insolvent by any court, or if a receiver or trustee in bankruptcy, or receiver of any property of the Franchisee shall be appointed in any suit or proceeding brought by or against the Franchisee, or if the Franchisee shall make an assignment for the benefit of creditors, then and in each and every such case this Franchise and the rights and privileges granted thereby shall immediately cease, and be forfeited and cancelled, without notice and without suit or other proceeding.

6. Transfer of Ownership Interest. If the Franchisee at any time during the term of this Franchise shall sell, exchange or otherwise transfer more than one-half of the equity interest in or ownership of the taxicab service business, whether with or without the property, equipment or other assets in connection therewith, permitted to be operated by the Franchise granted hereunder, the City Council shall have the right to cancel and revoke the Franchise following a hearing held after then (10) days' written notice thereof to the Franchisee. The right to cancel and revoke the Franchise shall not be triggered by any mortgage or deed of trust made in good faith by the Franchisee.

7. Amendments. This Franchise and Agreement may be amended by the City during its term with the consent of the Franchisee.

8. Compliance. The Franchise is granted to and is accepted by the Franchisee upon the express condition that the public streets, ways, alleys and places shall be used and taxicab service furnished in strict compliance with the terms of this Franchise Agreement, the Sunnyvale City Charter, and all applicable provisions of the Sunnyvale Municipal Code.

IN WITNESS WHEREOF, the parties have executed this Agreement.

"FRANCHISEE"

MY EKADEA, INC., a California corporation
dba CALIFORNIA CAB COMPANY

By _____
JASRAJ BHATIA
Owner

"CITY"

CITY OF SUNNYVALE, a municipal corporation

By _____
DEANNA J. SANTANA
City Manager

ATTEST:

KATHLEEN FRANCO-SIMMONS
City Clerk

APPROVED AS TO FORM:

By _____
MELISSA C. TRONQUET
Assistant City Attorney



City of Sunnyvale

Agenda Item

16-0467

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Old Mountain View-Alviso Road Bridge Replacement at Calabazas Creek Project, and Approve Proceeding with the Project.

BACKGROUND

The Old Mountain View-Alviso Road Bridge (Caltrans Bridge No. 37C-0254) is located on Old Mountain View Road between Patrick Henry Drive and Reamwood Avenue. It crosses over Calabazas Creek and is jointly shared between the City of Sunnyvale to the west and the City of Santa Clara to the east (Attachment 1 - Location Map). There is also a recreational trail that runs along the creek's east side, under the bridge. The bridge was constructed in the mid-1960s, widened in 1974, and seismically retrofitted in 1991 and 1997. It is a narrow, five span structure that is approximately 32 feet in total width and 113 feet in length, with four sets of piers in the creek channel. It has two 14-foot wide traffic lanes, no sidewalks and four-foot high barriers/floodwalls along each edge. The barriers/floodwalls on the bridge tie directly into the existing floodwall system along Calabazas Creek.

A bridge inspection performed by California Department of Transportation (Caltrans) in April 2012 listed the bridge as "structurally deficient" with a bridge sufficiency rating of 49.7. Elements that influenced this rating include moderate to severe deck cracking and spalling, delaminated concrete, speckled rust and flaking on steel members, inadequate bicycle and pedestrian access, and being within the 100-year floodplain. Due to these deficiencies, the bridge is on the Federal Highway Administration (FHWA) Eligible Bridge List (EBL) and is therefore eligible for Caltrans-administered Federal Highway Bridge Program (HBP) funding for the design, right-of-way, and construction activities related to the project. When construction is completed, the bridge will be removed from the EBL.

A contract for design of this project was awarded to Biggs Cardosa Associates, Inc. (BCA), of San Jose in the amount of \$1,167,077 for engineering, design and environmental services on March 18, 2014 (RTC 14-0204). The scope of work is to provide design services for the demolition of the existing structure, which will be replaced with a wider two-lane structure that meets the Santa Clara Valley Water District (District) requirements for design flood clearance in Calabazas Creek. The new bridge also provides sidewalks and bicycle lanes on both sides.

EXISTING POLICY

General Plan, Chapter 3, Policy LT-5.4 - Maintain Roadways and traffic control devices in good operating condition and;

General Plan, Chapter 3, Policy LT-5.8 - Provide a safe and comfortable system of pedestrian and bicycle pathways.

ENVIRONMENTAL REVIEW

The project requires both federal and state environmental reviews. The federal review was completed as of March 8, 2016. Completion of the state review is an action before the Council this evening.

National Environmental Policy Act (NEPA): The City is receiving federal funding for the bridge rehabilitation work through the FHWA HBP. The use of federal money required performing environmental analysis under the NEPA. To fulfill NEPA requirements, the City coordinated with the Caltrans Office of Local Assistance (OLA) to which FHWA has delegated its authority to prepare and certify NEPA documentation for certain qualifying projects. Caltrans OLA effectively served as lead agency for the NEPA review of the project; the City was a responsible agency.

On March 8, 2016, Caltrans OLA signed a Categorical Exemption/Categorical Exclusion (CE) for the project, effectively completing the NEPA documentation process. The CE for the project includes several environmental commitments that are similar to mitigation measures included in the Initial Study/Draft Mitigated Negative Declaration as discussed below.

California Environmental Quality Act (CEQA): The City is the lead agency for the CEQA review of the project. In March 2016, the environmental sub-consultant for the project, David J. Powers & Associates, prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the subject project. The IS/MND determined that the proposed project could potentially have a significant effect on the environment. However, revisions to the project were made or agreed to by the City that mitigates all identified impacts, thus resulting in no significant impact.

A Draft IS/MND (available on the City website at:

<http://sunnyvale.ca.gov/Departments/PublicWorks/PublicWorksDivisions/Engineering.aspx>) for the project was prepared and circulated for public review from April 1, 2016 to May 2, 2016. The Final Mitigated Negative Declaration (MND), included as Attachment 2; and the Mitigation Monitoring and Reporting Program (MMRP), included as Attachment 3, are presented today for Council adoption.

DISCUSSION

The project scope is to construct a new bridge on Old Mountain View-Alviso Road over Calabazas Creek. The replacement bridge will be constructed on the same alignment as the existing bridge and consists of a three span bridge approximately 125 feet in length and 52 feet in width. The bridge includes two 12-foot wide traffic lanes, two 8-foot shoulders-bike lanes, two 5-foot sidewalks and two 1-foot barriers. Temporary construction work within the creek for the replacement bridge is limited to approximately 50 feet on each side of the new bridge. One tree within the riparian corridor adjacent to the southwest corner of the existing bridge is being removed as a result of the new bridge construction.

The IS/MND for this project has been prepared to conform to CEQA and the regulations and policies of the cities of Sunnyvale and Santa Clara. The purpose of this IS/MND is to provide objective information regarding the environmental consequences of the proposed project to the public, as well as to the decision-makers who will be reviewing and considering the project. It also provides an analysis of environmental impacts under a number of subject areas including air quality, cultural resources, transportation and traffic, etc. Each subject area includes a checklist and the

environmental impacts along with corresponding mitigation measures.

The mitigation measures outlined for the Calabazas Creek bridge project are related to minimizing impacts to fish, avoiding impacts on avian nesting, dewatering of the channel during construction, and preventing sediment or construction materials from entering the channel. The City will also require all construction related hazardous materials and hazardous wastes be stored, handled and used in accordance with applicable laws, and that measures will be implemented by the contractor for minimizing and controlling construction runoff to protect water quality. All of the potentially significant impacts were reduced to a less than significant level with mitigation measures proposed in the document. A MMRP has been prepared to ensure that all required mitigation measures are implemented (Attachment 3).

During the public comment period, staff received a total of eight written comments on the Draft IS/MND - all from the District. None of the comments identified any new or substantially more adverse environmental effects than had been noted in the MND. Staff prepared responses to the written comments and are included as Attachment 4.

Design work is nearing completion and the process of obtaining permits from regulatory agencies will commence soon. Permits include: Section 404 Permit from the U.S. Army Corps of Engineers, Section 401 Water Quality Certification from the Regional Water Quality Control Board, Section 1600 Streambed Alteration Agreement from the California Department of Fish and Wildlife, and Encroachment Permit from the Santa Clara Valley Water District for construction. The permitting agencies typically prefer to have the project CEQA document adopted by the lead agency before they will issue their respective permits.

Four temporary construction easements will be needed from adjacent private property owners, and are in progress. Construction is expected to take place in summer 2017.

FISCAL IMPACT

Capital Project 826850 (Calabazas Creek Bridge at Old Mt. View-Alviso Rd) is primarily funded through a HBP grant, which covers 88.53% of the project cost, with local matching funds providing the remaining 11.47%. The Sunnyvale local share of this project is funded by the Gas Tax Fund. As the bridge is jointly owned by Sunnyvale and Santa Clara, the two jurisdictions share local costs through a cooperative agreement. The total cost to replace the structure, including the proposed engineering, design and environmental services is estimated at approximately \$9.9 million.

There is no fiscal impact with the adoption of the Mitigated Negative Declaration. A construction contract will be brought to council for consideration at a later date.

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.

A notice was advertised in the local newspaper that the IS/MND was available for public review and posted at the Santa Clara County Recorder's office, mailed to the County of Santa Clara, and sent to

the California State Clearinghouse. Notices were also mailed to four adjacent landowners to the project site.

Responses to comments on the IS/MND have been sent directly to the District.

ALTERNATIVES

1. Make the Findings Required by CEQA (Attachment 5), Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Old Mountain View-Alviso Road Bridge Replacement at Calabazas Creek Project, and approve proceeding with the Project.
2. Do not adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Old Mountain View-Alviso Road Bridge Replacement at Calabazas Creek Project. Without adopting the Mitigated Negative Declaration the project cannot proceed.

RECOMMENDATION

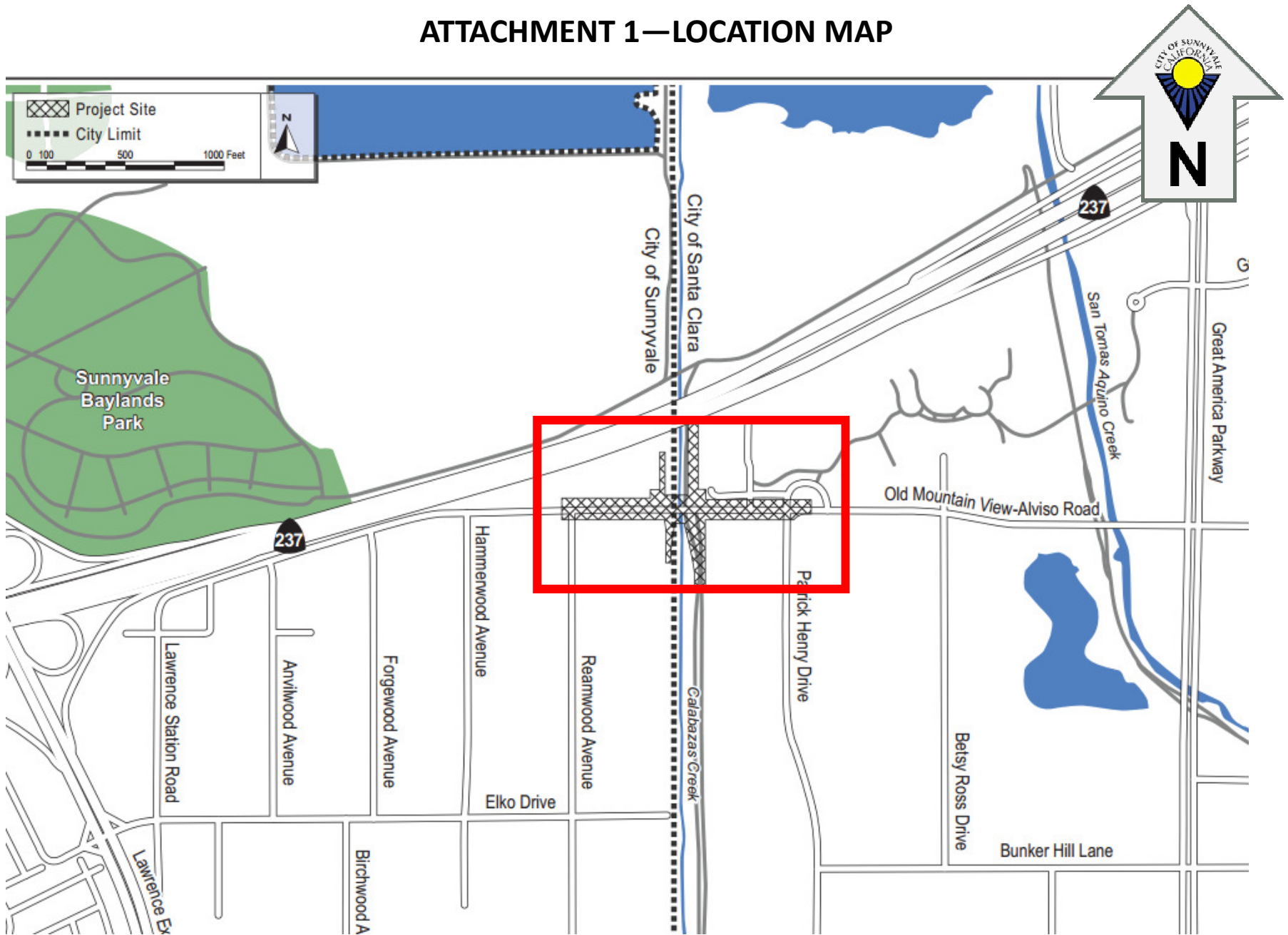
Alternative 1: Make the Findings Required by CEQA (Attachment 5 in the staff report), Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Old Mountain View-Alviso Road Bridge Replacement at Calabazas Creek Project, and approve proceeding with the Project.

Prepared by: Humza Javed, Senior Engineer
Reviewed by: Manuel Pineda, Director of Public Works
Reviewed by: Timothy J. Kirby, Director of Finance
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Location Map
2. Mitigated Negative Declaration
3. Mitigation Monitoring and Reporting Program
4. Responses to Comments on the Initial Study/Mitigated Negative Declaration
5. Findings for Adoption of Mitigated Negative Declaration

ATTACHMENT 1—LOCATION MAP



Attachment 2

Mitigated Negative Declaration

OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT AT CALABAZAS CREEK PROJECT (Federal Aid No. BHLS-5213 (040))

Pursuant to: Division 13, Public Resources Code

Project Description

The City of Sunnyvale Public Works Department (the “City”) is proposing to replace the existing five-span Old Mountain View – Alviso Road Bridge over Calabazas Creek in the Cities of Sunnyvale and Santa Clara, California. The existing bridge is located on Old Mountain View-Alviso Road between Reamwood Avenue in the City of Sunnyvale on the west and Patrick Henry Drive in the City of Santa Clara on the east.

Determination

This draft Mitigated Negative Declaration (MND) is included with an Initial Study to give notice to interested agencies and the public that it is the City’s intent to adopt a MND for this project. This does not mean that the City’s decision regarding the project is final. This MND is subject to modification based on comments received by interested agencies and the public.

The City has prepared an Initial Study for this project and, pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons:

- The proposed project would have no effect on agricultural lands, mineral resources, population and housing, and public services.
- The proposed project would not have significant effects associated with aesthetics, air quality, cultural resources, geology and soils, greenhouse gas emissions, land use, recreation, transportation, utilities, and cumulative impacts.
- The proposed project would not have significant adverse effects related to biological resources, hazardous materials, water quality, or noise because the following mitigation measures would reduce potential effects to less than significant levels (additional details

regarding these mitigation measures can be found in the Initial Study prepared for the project):

Biological Resources

- MM BIO-1.1:** Dewatering or diversion and any other work requiring access within the low-flow channel shall occur during the dry season only (15 June to 15 October, with the potential for extensions beyond this period, in consultation with the California Department of Fish & Wildlife [CDFW] and the National Marine Fisheries Service [NMFS], if dry weather permits). During this time, creek flows are expected to be at annual lows and steelhead, salmon, sturgeon, and smelt are not expected to be present within the site.
- MM BIO-1.2:** If activities in a flowing stream are unavoidable, the work area shall be dewatered (e.g., using coffer dams), and any stream flow shall be diverted around the work area by a barrier, temporary culvert, or a new channel capable of permitting upstream and downstream fish movement. Construction of the barrier or the new channel shall begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. This will occur at low tide, when water depth and volume within the diversion area will be minimal and the number of fish that may occur within the area to be dewatered will be very low (if any).
- MM BIO-1.3:** A qualified biologist shall be present during construction of the creek diversion and dewatering of the channel to ensure that impacts to fish are minimized.
- MM BIO-1.4:** During demolition and construction activities, netting and other structures shall be installed under the bridge to prevent debris from entering the channel, as such debris could degrade water quality and potentially injure fish.
- MM BIO-1.5:** To avoid and minimize impacts to fish resulting from pressure waves created during pile driving, the following measures will be implemented:
- Pile driving work shall be limited to the period 15 June to 15 October as described above.

- All pile driving within tidal aquatic or wetland habitat within the creek channel shall be done within a dewatered work area to reduce the acoustic impact area.
- At the start of pile driving activity each day, the contractor shall perform a “soft start” where a pile is initially struck softly several times, then gradually struck with greater force, to allow any fish in close proximity to the pile driving location to move far enough away that they will not be injured by pressure waves.

MM BIO-2.1: Permanent impacts to aquatic and coastal brackish marsh wetland habitat shall be compensated at a 3:1 ratio by entering into a purchase agreement for mitigation bank credits at the San Francisco Bay Wetland Mitigation Bank. The project has already been approved for inclusion in the service area of the bank.

MM BIO-2.2: Construction equipment shall not be operated in the live stream channel.

MM BIO-2.3: Standard erosion control and slope stabilization measures shall be required for work performed in any area where erosion could lead to sedimentation of a waterbody.

MM BIO-2.4: Silt fencing shall be installed between any activities conducted within the banks of the creek, or just above the edge of top-of-bank, to prevent dirt or other materials from entering the channel.

MM BIO-2.5: No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the U.S. and State.

MM BIO-2.6: Machinery shall be refueled at least 60 feet from any aquatic or wetland habitat, and a spill prevention and response plan shall be implemented.

MM BIO-2.7: Water from dewatering of the work areas shall not be pumped or allowed to flow into the creek until the water is clear. The method shall be the responsibility of the contractor but shall be a standard practice such as using sediment basins outside of the channel or portable settling bins, and must successfully filter the water until clear.

MM BIO-2.8: Post-construction Best Management Practices (BMPs) shall be implemented as necessary to prevent a long-term increase in runoff, as well as to prevent hydrological modification of Calabazas Creek as

required by the regulatory permits obtained by the project applicant. All post-construction BMPs shall be implemented and functioning prior to completion of the proposed project. The type and design of all BMPs shall conform to Provision C.3 of the Municipal Regional Stormwater Permit (Order No. R2-2009-0074) for the San Francisco Bay Area.

MM BIO-3.1: If feasible, proposed project activities shall be scheduled to avoid the avian nesting season. If such activities are scheduled to take place outside the nesting season, all impacts on nesting birds, including raptors, protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, would be avoided. The nesting season for most birds in Santa Clara County typically extends from 1 February through 31 August, although in most years a majority of birds have finished nesting by 1 August.

MM BIO-3.2: If proposed project activities will not be initiated until after the start of the nesting season, potential nesting substrate (e.g., bushes, trees, grasses, and other vegetation) that is scheduled to be removed by the proposed project, if any, may be removed prior to the start of the nesting season (e.g., prior to 1 February) to reduce the potential for initiation of nests. If it is not feasible to schedule vegetation removal during the nonbreeding season, or where vegetation cannot be removed (e.g., in areas immediately adjacent to the site), then pre-construction surveys for nesting birds shall be conducted as described below. It is not recommended to remove sensitive and/or regulated wetland vegetation prior to construction, because of the potential water quality impacts such activities could enact.

MM BIO-3.3: If it is not possible to schedule proposed project activities between 1 September and 1 February, then pre-construction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests will be disturbed during proposed project implementation. These surveys shall be conducted no more than 48 hours prior to the initiation of proposed project activities. During this survey, a qualified biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, grasslands, and structures) within 300 feet of impact areas for raptor nests and within 100 feet of impact areas for nests of non-raptors.

MM BIO-3.4: If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in consultation with CDFW, shall determine the extent of a disturbance-free buffer zone to be

established around the nest (typically 300 feet for raptors and 50-100 feet for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during proposed project implementation. Because the majority of the site is already subject to disturbance by vehicles and pedestrians, activities that will be prohibited from occurring within the buffer zone around a nest will be determined on a case-by-case basis. In general, activities prohibited within such a buffer while a nest is active will be limited to new construction-related activities (i.e., activities that were not ongoing when the nest was constructed) involving significantly greater noise, human presence, or vibrations than were present prior to nest initiation.

MM BIO-3.5: If necessary to avoid impacts to active nests (i.e., nests containing eggs or young), nest starts may be removed on a regular basis (e.g., every second or third day), starting in late January or early February, or measures such as exclusion netting or slippery panels may be placed over nesting sites on the existing bridges to prevent active nests from becoming established. Any netting installed for nest deterrence shall be installed appropriately by an experienced deterrence technician, under the supervision of a qualified biologist, and shall be inspected and maintained regularly to avoid the entrapment or entanglement of birds.

Hazards and Hazardous Materials

MM HAZ-1.1: Prior to construction, a soil investigation shall be conducted by a qualified professional to assess the potential presence and extent of agricultural pesticides in the site's shallow soils. Testing shall be completed to provide adequate vertical and lateral characterization, and shall conform to State and local guidelines and regulations. Results of the soil investigation shall be submitted to the Public Works Departments of the Cities of Sunnyvale and Santa Clara. If lead, pesticide, herbicide, and/or arsenic concentrations are below regulatory screening levels for commercial/industrial development and for construction worker health, then no further action would be needed.

MM HAZ-1.2: If contaminant concentrations are identified above commercial/industrial and construction worker screening levels, then a soil management plan (SMP) shall be developed that identifies management practices for characterizing the impacted soil that may be encountered during site development activities. The SMP shall be reviewed and approved by the Cities of Sunnyvale and Santa Clara prior to construction, and included in

the construction bid package to ensure implementation by the contractor. The SMP shall include the following elements:

- Procedures for transporting and disposing the waste material generated during removal activities.
- Procedures for stockpiling soil on-site.
- Provisions for collecting additional soil samples in previously inaccessible areas to confirm the extent of soil contamination, following demolition activities.
- Confirmation soil sampling to verify achievement of remediation goals.
- Procedures to ensure that fill and cap materials are verified as clean.
- Truck routes, and/or staging and loading procedures and record keeping requirements.

MM HAZ-1.3:

In addition, if contaminant concentrations are identified above commercial/industrial and construction worker screening levels, a health and safety plan (HSP) shall be prepared to provide general health and safety guidance such that construction activities can be conducted in a safe manner. The HSP shall be reviewed and approved by both Cities prior to construction, and included in the construction bid package to ensure implementation by the contractor. The construction contractor shall be responsible for the health and safety of their employees during construction activities, and this HSP shall be kept on-site during all construction activities. The contractors must verify that all on-site personnel are qualified, trained, and prepared to implement the HSP and safely perform the planned site work. Field personnel will be required to indicate in writing that they have read and understand the provisions of the HSP.

A project-specific training program shall also be instituted prior to site work. Attendees at meetings shall be documented by signature. The project-specific training shall include a discussion of the following:

- The health effects (acute and chronic) of the chemical and physical hazards that may be encountered at the project.
- Proper control measures for the chemical and physical hazards that may be encountered.
- The importance of dust control at the site.
- Proper personal hygiene procedures.

- Dust removal on equipment and personnel.
- Emergency procedures.
- Proper management of impacted soil.

MM HAZ-2.1: To determine the presence of asbestos-containing materials, a visual inspection/pre-demolition survey and, if needed, sampling, shall be conducted by a State Certified Asbestos Contractor prior to the demolition of the existing bridge.

MM HAZ-2.2: If asbestos is detected, then the following measures shall be implemented:

- All potentially friable asbestos-containing materials shall be removed in accordance with local, state, and federal guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8 of the CCR, Section 1529, to protect workers from exposure to asbestos.
- A registered asbestos abatement contractor shall be retained to remove and dispose of asbestos-containing materials identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one (1) percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one (1) percent asbestos shall be completed in accordance with BAAQMD requirements.

Hydrology and Water Quality

MM HYD-1.1: Implementation of the following measures shall be required of the contractor and incorporated into the construction bid package:

- Construction equipment shall not be operated in the live stream channel;
- Standard erosion control and slope stabilization measures shall be required for work performed in any area where erosion could lead to sedimentation of a waterbody;
- Silt fencing shall be installed between any activities conducted within the banks of the creek, or just above the edge of top-of-

bank, to prevent dirt or other materials from entering the channel;

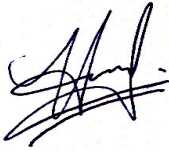
- Debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material shall not be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the U.S. and State;
- Machinery shall be refueled at least 60 feet from any aquatic or wetland habitat, and a spill prevention and response plan shall be implemented;
- Water from dewatering of the work areas shall not be pumped or allowed to flow into the creek until the water is clear. The method would be the responsibility of the contractor but would be a standard practice such as using sediment basins outside of the channel or portable settling bins. The method must successfully filter the water until clear; and,
- Post-construction Best Management Practices (BMPs) shall be implemented as necessary to prevent a long term increase in runoff, as well as to prevent hydrological modification of Calabazas Creek as required by the regulatory permits obtained by the project applicant. All post-construction BMPs shall be implemented and functioning prior to completion of the proposed project. The type and design of all BMPs shall conform to Provision C.3 of the Municipal Regional Stormwater Permit (Order No. R2-2009-0074) for the San Francisco Bay Area.

Noise

- MM NOI-1.1:** Limit construction activities to 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 5:00 PM on Saturdays. Construction shall not be allowed on Sundays or federal holidays.
- MM NOI-1.2:** Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- MM NOI-1.3:** Prepare a construction schedule identifying the major noise-generating construction activities. The project specifications shall include a procedure for contractors to notify adjacent affected properties prior to the major noise-generating construction activities.

MM NOI-1.4:

Designate a "disturbance coordinator" working for the contractor who will be responsible for responding to any complaints about construction noise or vibration. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.



Humza Javed, P.E.
City of Sunnyvale

06/07/16

Date

ATTACHMENT 3

MITIGATION MONITORING AND REPORTING PROGRAM

**Old Mountain View-Alviso Road
Bridge Replacement at Calabazas Creek**

CITY OF SUNNYVALE

June 2016

P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

The project proposes the replacement of the existing five-span at Old Mountain View-Alviso Road Bridge over Calabazas Creek in the City of Sunnyvale. The Initial Study (IS) concluded that implementation of the project could result in significant effects on the environment. Mitigation measures were incorporated into the proposed project or are required as a condition of project approval to reduce these effects to a less than significant level. This Mitigation Monitoring and Reporting Program addresses the mitigation measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the IS concluded that the impacts from implementation of the project would be less than significant.

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
BIOLOGICAL RESOURCES				
Construction of the proposed bridge could cause significant impacts to fish and other special-status species that occupy aquatic and/or wetland habitats. (Significant Impact)	MM BIO-1.1: Dewatering or diversion and any other work requiring access within the low-flow channel shall occur during the dry season only (15 June to 15 October, with the potential for extensions beyond this period, in consultation with the California Department of Fish & Wildlife [CDFW] and the National Marine Fisheries Service [NMFS], if dry weather permits). During this time, creek flows are expected to be at annual lows and steelhead, salmon, sturgeon, and smelt are not expected to be present within the site.	Prior to project construction	Qualified biologist	Department of Public Works
	MM BIO-1.2: If activities in a flowing stream are unavoidable, the work area shall be dewatered (e.g., using coffer dams), and any stream flow shall be diverted around the work area by a barrier, temporary culvert, or a new channel capable of permitting upstream and downstream fish movement. Construction of the barrier or the new channel shall begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. This will occur at low tide, when water depth and volume within the diversion area will be minimal and the number of fish that may occur within the area to be dewatered will be very low (if any).	Prior to and during all phases of construction	Project Applicant	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM BIO-1.3: A qualified biologist shall be present during construction of the creek diversion and dewatering of the channel to ensure that impacts to fish are minimized	During construction of creek diversion and dewatering	Project Applicant	Department of Public Works
	MM BIO-1.4: During demolition and construction activities, netting and other structures shall be installed under the bridge to prevent debris from entering the channel, as such debris could degrade water quality and potentially injure fish.	Prior to and during all phases of construction	Project Applicant and contractor	Department of Public Works
	<p>MM BIO-1.5: To avoid and minimize impacts to fish resulting from pressure waves created during pile driving, the following measures will be implemented:</p> <ul style="list-style-type: none"> • Pile driving work shall be limited to the period 15 June to 15 October as described above. • All pile driving within tidal aquatic or wetland habitat within the creek channel shall be done within a dewatered work area to reduce the acoustic impact area. • At the start of pile driving activity each day, the contractor shall perform a “soft start” where a pile is initially struck softly several times, then gradually struck with greater force, to allow any fish in close proximity to the pile driving location to move far enough away that they will not be injured by pressure waves. 	Prior to and during all phases of construction	Project Applicant	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Replacement of existing bridge would result in permanent and temporary impacts to coastal brackish marsh wetland and tidal aquatic habitat. Construction also has potential to impact water quality within Calabazas Creek. (Significant Impact)	MM BIO-2.1: Permanent impacts to aquatic and coastal brackish marsh wetland habitat shall be compensated at a 3:1 ratio by entering into a purchase agreement for mitigation bank credits at the San Francisco Bay Wetland Mitigation Bank. The project has already been approved for inclusion in the service area of the bank.	Prior to project approval	Project Applicant	Department of Public Works
	MM BIO-2.2: Construction equipment shall not be operated in the live stream channel.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM BIO-2.3: Standard erosion control and slope stabilization measures shall be required for work performed in any area where erosion could lead to sedimentation of a waterbody.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM BIO-2.4: Silt fencing shall be installed between any activities conducted within the banks of the creek, or just above the edge of top-of-bank, to prevent dirt or other materials from entering the channel.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM BIO-2.5: No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the U.S. and State.	During all phases of construction	Project Applicant and Contractor	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	MM BIO-2.6: Machinery shall be refueled at least 60 feet from any aquatic or wetland habitat, and a spill prevention and response plan shall be implemented.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM BIO-2.7: Water from dewatering of the work areas shall not be pumped or allowed to flow into the creek until the water is clear. The method shall be the responsibility of the contractor but shall be a standard practice such as using sediment basins outside of the channel or portable settling bins, and must successfully filter the water until clear.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM BIO-2.8: Post-construction Best Management Practices (BMPs) shall be implemented as necessary to prevent a long-term increase in runoff, as well as to prevent hydrological modification of Calabazas Creek as required by the regulatory permits obtained by the project applicant. All post-construction BMPs shall be implemented and functioning prior to completion of the proposed project. The type and design of all BMPs shall conform to Provision C.3 of the Municipal Regional Stormwater Permit (Order No. R2-2009-0074) for the San Francisco Bay Area.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
Demolition of the existing bridge and construction of the new bridge could impact migratory and nesting birds, resulting in violations of the Migratory Bird Treaty Act	MM BIO-3.1: If feasible, proposed project activities shall be scheduled to avoid the avian nesting season. If such activities are scheduled to take place outside the nesting season, all impacts on nesting birds, including raptors, protected under the Migratory Bird Treaty Act	Prior to start of construction	Project Applicant	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
and/or the California Fish and Game Code (Significant Impact)	(MBTA) and California Fish and Game Code, would be avoided. The nesting season for most birds in Santa Clara County typically extends from 1 February through 31 August, although in most years a majority of birds have finished nesting by 1 August.			
	MM BIO-3.2: If proposed project activities will not be initiated until after the start of the nesting season, potential nesting substrate (e.g., bushes, trees, grasses, and other vegetation) that is scheduled to be removed by the proposed project, if any, may be removed prior to the start of the nesting season (e.g., prior to 1 February) to reduce the potential for initiation of nests. If it is not feasible to schedule vegetation removal during the nonbreeding season, or where vegetation cannot be removed (e.g., in areas immediately adjacent to the site), then pre-construction surveys for nesting birds shall be conducted as described below. It is not recommended to remove sensitive and/or regulated wetland vegetation prior to construction, because of the potential water quality impacts such activities could enact.	Prior to the start of nesting season	Project Applicant and Contractor	Department of Public Works
	MM BIO-3.3: If it is not possible to schedule proposed project activities between 1 September and 1 February, then pre-construction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests will be disturbed during proposed project implementation. These surveys shall be conducted no	48 hours prior to initiation of project activities	Project Applicant and qualified biologist	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	more than 48 hours prior to the initiation of proposed project activities. During this survey, a qualified biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, grasslands, and structures) within 300 feet of impact areas for raptor nests and within 100 feet of impact areas for nests of non-raptors.			
	MM BIO-3.4: If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in consultation with CDFW, shall determine the extent of a disturbance-free buffer zone to be established around the nest (typically 300 feet for raptors and 50-100 feet for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during proposed project implementation. Because the majority of the site is already subject to disturbance by vehicles and pedestrians, activities that will be prohibited from occurring within the buffer zone around a nest will be determined on a case-by-case basis. In general, activities prohibited within such a buffer while a nest is active will be limited to new construction-related activities (i.e., activities that were not ongoing when the nest was constructed) involving significantly greater noise, human presence, or vibrations than were present prior to nest initiation.	Prior to project construction	Qualified biologist, California Department of Fish & Wildlife	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
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Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>MM BIO-3.5: If necessary to avoid impacts to active nests (i.e., nests containing eggs or young), nest starts may be removed on a regular basis (e.g., every second or third day), starting in late January or early February, or measures such as exclusion netting or slippery panels may be placed over nesting sites on the existing bridges to prevent active nests from becoming established. Any netting installed for nest deterrence shall be installed appropriately by an experienced deterrence technician, under the supervision of a qualified biologist, and shall be inspected and maintained regularly to avoid the entrapment or entanglement of birds.</p> <p>(Less Than Significant Impact With Mitigation)</p>	Prior to the start of nesting season	Qualified Biologist	Department of Public Works

HAZARDS AND HAZARDOUS MATERIALS

Construction of the proposed bridge could result in the accidental release of contaminants in soils surrounding the bridge, including lead, pesticides, herbicides, and arsenic. If present in high enough concentrations, these contaminants could pose significant health risks to	<p>MM HAZ-1.1: Prior to construction, a soil investigation shall be conducted by a qualified professional to assess the potential presence and extent of agricultural pesticides in the site's shallow soils. Testing shall be completed to provide adequate vertical and lateral characterization, and shall conform to State and local guidelines and regulations. Results of the soil investigation shall be submitted to the Public Works Departments of the Cities of Sunnyvale and Santa Clara. If lead, pesticide, herbicide, and/or arsenic concentrations are below regulatory screening levels for</p>	Prior the start of construction activities	Contractor	Department of Public Works
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**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
construction workers. (Significant Impact)	commercial/industrial development and for construction worker health, then no further action would be needed.			
	<p>MM HAZ-1.2: If contaminant concentrations are identified above commercial/industrial and construction worker screening levels, then a soil management plan (SMP) shall be developed that identifies management practices for characterizing the impacted soil that may be encountered during site development activities. The SMP shall be reviewed and approved by the Cities of Sunnyvale and Santa Clara prior to construction, and included in the construction bid package to ensure implementation by the contractor. The SMP shall include the following elements:</p> <ul style="list-style-type: none"> • Procedures for transporting and disposing the waste material generated during removal activities. • Procedures for stockpiling soil on-site. • Provisions for collecting additional soil samples in previously inaccessible areas to confirm the extent of soil contamination, following demolition activities. • Confirmation soil sampling to verify achievement of remediation goals. • Procedures to ensure that fill and cap materials are verified as clean. • Truck routes, and/or staging and loading procedures and record keeping requirements. 	Prior to the start of construction activities	Project Applicant and Contractor	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>MM HAZ-1.3: In addition, if contaminant concentrations are identified above commercial/industrial and construction worker screening levels, a health and safety plan (HSP) shall be prepared to provide general health and safety guidance such that construction activities can be conducted in a safe manner. The HSP shall be reviewed and approved by both Cities prior to construction, and included in the construction bid package to ensure implementation by the contractor. The construction contractor shall be responsible for the health and safety of their employees during construction activities, and this HSP shall be kept on-site during all construction activities. The contractors must verify that all on-site personnel are qualified, trained, and prepared to implement the HSP and safely perform the planned site work. Field personnel will be required to indicate in writing that they have read and understand the provisions of the HSP.</p> <p>A project-specific training program shall also be instituted prior to site work. Attendees at meetings shall be documented by signature. The project-specific training shall include a discussion of the following:</p> <ul style="list-style-type: none"> • The health effects (acute and chronic) of the chemical and physical hazards that may be encountered at the 	Prior to the start of construction activities	Project Applicant and Contractor	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>project.</p> <ul style="list-style-type: none"> • Proper control measures for the chemical and physical hazards that may be encountered. • The importance of dust control at the site. • Proper personal hygiene procedures. • Dust removal on equipment and personnel. • Emergency procedures. • Proper management of impacted soil. 			
The bridge building pads may contain asbestos which, if disturbed, could pose a health risk to construction workers. (Significant Impact)	MM HAZ-2.1: To determine the presence of asbestos-containing materials, a visual inspection/pre-demolition survey and, if needed, sampling, shall be conducted by a State Certified Asbestos Contractor prior to the demolition of the existing bridge.	Prior to demolition activities	State Certified Asbestos Contractor	Department of Public Works
	<p>MM HAZ-2.2: If asbestos is detected, then the following measures shall be implemented:</p> <ul style="list-style-type: none"> • All potentially friable asbestos-containing materials shall be removed in accordance with local, state, and federal guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8 of the CCR, Section 1529, to protect workers from exposure to asbestos. • A registered asbestos abatement contractor shall be 	Prior to bridge demolition or renovation	Project Applicant and Contractor	Department of Public Works

**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>retained to remove and dispose of asbestos-containing materials identified in the asbestos survey performed for the site in accordance with the standards stated above.</p> <p>Materials containing more than one (1) percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.</p> <p>Removal of materials containing more than one (1) percent asbestos shall be completed in accordance with BAAQMD requirements.</p>			

HYDROLOGY AND WATER QUALITY

Erosion and runoff during construction could impact the water quality of Calabazas Creek. (Significant Impact)	<p>MM HYDRO-1.1: Implementation of the following measures shall be required of the contractor and incorporated into the construction bid package:</p> <ul style="list-style-type: none"> • Construction equipment shall not be operated in the live stream channel; • Standard erosion control and slope stabilization measures shall be required for work performed in any area where erosion could lead to sedimentation of a waterbody; • Silt fencing shall be installed between any activities conducted within the banks of the creek, or just above the edge of top-of-bank, to prevent dirt or other materials from entering the channel; • Debris, soil, silt, sand, bark, slash, sawdust, cement, 	During all phases of construction	Contractor	Department of Public Works
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**MITIGATION MONITORING OR REPORTING PROGRAM
OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT**

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	<p>concrete, washings, petroleum products or other organic or earthen material shall not be allowed to enter into or be placed where it may be washed by rainfall or runoff into Waters of the U.S. and State;</p> <ul style="list-style-type: none"> • Machinery shall be refueled at least 60 feet from any aquatic or wetland habitat, and a spill prevention and response plan shall be implemented; • Water from dewatering of the work areas shall not be pumped or allowed to flow into the creek until the water is clear. The method would be the responsibility of the contractor but would be a standard practice such as using sediment basins outside of the channel or portable settling bins. The method must successfully filter the water until clear; and, • Post-construction Best Management Practices (BMPs) shall be implemented as necessary to prevent a long term increase in runoff, as well as to prevent hydrological modification of Calabazas Creek as required by the regulatory permits obtained by the project applicant. All post-construction BMPs shall be implemented and functioning prior to completion of the proposed project. The type and design of all BMPs shall conform to Provision C.3 of the Municipal Regional Stormwater Permit (Order No. R2-2009-0074) for the San Francisco Bay Area. 			
NOISE				

MITIGATION MONITORING OR REPORTING PROGRAM OLD MOUNTAIN VIEW-ALVISO ROAD BRIDGE REPLACEMENT PROJECT				
Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Construction of the proposed project could result in significant levels of temporary noise, such that it would disturb nearby commercial office uses. (Significant Impact)	MM NOI-1.1: Limit construction activities to 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 5:00 PM on Saturdays. Construction shall not be allowed on Sundays or federal holidays.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM NOI-1.2: Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM NOI-1.3: Prepare a construction schedule identifying the major noise-generating construction activities. The project specifications shall include a procedure for contractors to notify adjacent affected properties prior to the major noise-generating construction activities.	During all phases of construction	Project Applicant and Contractor	Department of Public Works
	MM NOI-1.4: Designate a "disturbance coordinator" working for the contractor who will be responsible for responding to any complaints about construction noise or vibration. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.	During all phases of construction	Project Applicant and Contractor	None

SOURCE: City of Sunnyvale. *Old Mountain View-Alviso Road Bridge Initial Study*. March 2016.

ATTACHMENT 4

RESPONSES TO COMMENTS ON THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

All comments received from the Santa Clara Valley Water District.

Comment #1: MM BIO-1.2: Any stream diversion plan with a pumped system should use screened intakes and a baffled diffuser at the discharge site downstream. The screened intakes will minimize impacts to aquatic animals and fish. The diffuser will reduce any potential erosion.

Response #1: *The City concurs with this suggestion.*

Comment #2: MM BIO-2.7: It is recommended that a creek water quality monitoring program be utilized on site during certain construction activities such as the installation and removal of the coffer dams as well as the dewatering of the construction site. The water quality monitoring data is a standard requirement for working in live streams.

Response #2: *MM BIO-2.7 specifies that the water must be clear if dewatering/diversion occurs. The City believes that this standard is sufficient to prevent degradation of water quality. Nonetheless, if the RWQCB requires a water quality monitoring program as a condition of the Section 401 Water Quality Certification, that program will be implemented.*

Comment #3: MM HAZ-1.2: No construction spoils or earth material shall be stored within Calabazas Creek channel for the duration of the project without prior written approval of the District.

Response #3: *The City concurs with this comment.*

Comment #4: MM HYD-1.1: You may reference or include the language identified above for MM BIO-1.2: and BIO 2.7 as appropriate.

Response #4: *Please see the responses above.*

Comment #5: Section 2.3.3 Improvement to the Surrounding Trail/Maintenance Paths (Page 8): Please identify the grading that was recommended by the District: A lowering of the maintenance roadway to allow for a vertical clearance of 12-feet under the bridge.

Response #5: *The City respectfully declines to implement re-grading and lowering of the existing Calabaza Creek Trail/SCVWD Maintenance Road for the following reasons:*

- *Since the project is raising the bottom of the bridge slightly to better pass the 100-year design storm event, the project is providing a modest increase in the existing vertical clearance from roughly 8.17 feet to roughly 8.75 feet.*
- *Further raising the bridge is not practical due to roadway and right-of-way constraints at the site.*
- *The project is federally funded and is limited to replacement of the existing deteriorated bridge structure. The proposed Calabazas Creek Trail/SCVWD Maintenance Road improvements are beyond the approved scope of services for the bridge replacement project.*
- *The project has been environmentally cleared under NEPA which does not include the general re-grading of the site nor does the City want to subject the Calabazas Creek Trail to increased occurrences of flooding, due to the proposed lower profile, which would pose additional inconvenience to the public and potential public safety issues.*
- *Likewise, the CEQA document does not include provisions for general re-grading of the site which would be required to lower the Calabazas Creek Trail/ SCVWD Maintenance Road.*

Comment #6: Fish Passage (Page 23): Please clarify that the proposed project will replace, modify, and/or expand the existing concrete lining under the bridge. This was identified as part of the hydraulic analysis recently submitted and reviewed by the District for the bridge project.

Response #6: *Channel lining spot removal and reconstruction is shown on Sheet S25 "Channel Lining Reconstruction Details. In general, per previous discussions with the SCVWD, the existing channel lining is to remain and be modified as follows:*

- *At locations where existing piers are being removed, piers will be removed below the top of channel lining and new channel lining will be installed to patch the void left by the removed pier wall.*
- *At locations where new pier walls will be constructed, the existing channel lining will be saw cut and removed, the new pier wall constructed and new channel lining will be installed to conform the existing lining to the new pier wall.*

Comment #7: Construction Impacts (Page 23, 24): Please identify what measures will be employed to remove fish that may be in the channel during a coffer dam installation. Standard practices consist of electro fishing and nets at the site to remove and relocate fish prior to beginning constructing the dams.

Response #7: *As stated in the Initial Study, dewatering or diversion and any other work requiring access within the low-flow channel will occur during the dry season only (15*

June to 15 October). During this time, creek flows are expected to be at annual lows and steelhead, salmon, sturgeon, and smelt are not expected to be present on the site. Further, a biologist will be present during dewatering to ensure that any fish, in the unlikely event they are present, are not harmed. The recommendations of the on-site biologist will be followed should fish be present and subject to potential harm.

Comment #8: As was stated in the document, an encroachment and construction permit from the District is required prior to beginning work in the channel. Thank you for the opportunity to review and comment on the subject document. If you have any questions please feel free to call me at your convenience.

Response #8: *The City concurs. An encroachment and construction permit will be obtained from the SCVWD.*

ATTACHMENT 5

FINDINGS FOR ADOPTION OF MITIGATED NEGATIVE DECLARATION

In order to adopt the Mitigated Negative Declaration, the City Council must make the following findings.

1. The Mitigated Negative Declaration was prepared and circulated for public review in accordance with the requirements of the California Environmental Quality Act.
2. The City Council has read and considered the Mitigated Negative Declaration and finds on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the proposed Project will have a significant effect on the environment.
3. The Mitigated Negative Declaration reflects the City Council's independent judgment and analysis.
4. The mitigation measures listed in the Mitigated Negative Declaration have been incorporated as conditions of approval of the Project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects.
5. The Department of Public Works is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Ave., Sunnyvale, CA 94086.



City of Sunnyvale

Agenda Item

16-0491

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy Annual Assessment for The Downtown Parking Maintenance District Assessment for Fiscal Year 2016/17

BACKGROUND

The operation and maintenance expense of certain downtown parking areas are supported by the Downtown Parking Maintenance District assessment. On July 28, 2009, in response to property owners ballot approval, the City Council adopted Resolution #398-09 (RTC09-196) to levy assessments for Fiscal Year (FY) 2009/10 and for each fiscal year thereafter by adjusting the annual assessment rate based upon the previous year's change in the Consumer Price Index.

On June 14, 2016, the City Council adopted a resolution declaring its intention to levy and collect an assessment for the Downtown Parking Maintenance District for FY 2016/17, approving the preliminary Engineer's Report, and setting July 26, 2016 at 7:00 pm as the date and time for public hearing on the levy of the proposed assessment.

EXISTING POLICY

Council Resolution 6643, dated September 1, 1964 authorized the City to levy an annual assessment on all lands and improvements within the Parking District to pay debt service, operations, maintenance, and improvement costs.

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.

DISCUSSION

Francisco & Associates, Inc. (the Assessment Engineer) prepared the final Engineer's report (Attachment 1) for the FY 2016/17 assessment. The assessment rates are proposed to increase +3.0168% based on the Consumer Price Index change between February 2015 and February 2016 (all Urban Consumers for the San Francisco-Oakland-San Jose area) as shown in the Table below.

FY 2016/17 Assessment Rates per Benefit Zone					
Benefit Zone No.	Assessment Rate Per Deficit Parking Space	Total Deficit Parking Space	Total Assessment	Less County Administration (1%)	Net Assessment Revenue
1	\$0.00	56.80	\$0.00	\$0.00	\$0.00
2	\$161.72	172.38	\$27,877.28	(\$278.77)	\$27,598.51
3	\$70.22	2,145.27	\$150,640.72	(\$1,506.41)	\$149,134.31
4	\$21.15	379.36	\$8,023.42	(\$80.23)	\$7,943.19
Total		2,753.81	\$186,541.42	(\$1,865.41)	\$184,676.01

Pursuant to California Streets and Highways Code Section 22631, Council adoption of the Resolution (Attachment 2) to approve or modify the final Engineer's report constitutes the levy of the assessment for FY 2016/17.

FISCAL IMPACT

The planned maintenance and administration costs of the parking lots for FY 2016/17 totals \$177,454, which includes annual operating costs and a capital project for major work elements such as the installation of concrete gutters and pavement rehabilitation. Approval of the recommended FY 2016/17 assessment will generate revenue of approximately \$186,541. The City receives the net assessment revenue of \$184,676 after County administrative fees (1% of the assessment) are subtracted.

The expected gross revenue from the final Engineer's report for FY 2016/17 (\$186,541) is slightly lower than the amount projected in the FY 2016/17 Recommended Budget (\$187,865). At the time of budget development, the number of deficit parking spaces within zones 3 and 4 were not confirmed. The Parking District Fund reserve is projected to be \$393,883 at the end of FY 2016/17 and will be used to fund future periodic capital improvements as well as to supplement annual operating and maintenance costs.

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.

During the week of March 21, 2016, informational letters were mailed to each property owner explaining the proposed assessment methodology and assessment rate per deficit parking space. Specific information pertaining to the assessment methodology, the demand for on-site private parking, the number of on-site private parking spaces, and any respective deficit was provided for each parcel within the Downtown Parking Maintenance District.

Public contact was also made on June 14, 2016, when City Council adopted the Resolution of Intention to Levy and Collect Assessment for the Downtown Parking Maintenance District for FY 2016/17, and set the date and time for public hearing for July 26, 2016 (RTC 16-0490). The preliminary Engineer's report is on file in the office of the City Clerk for public review. On July 15,

2016, the Notice of Public Hearing was published in the *Sunnyvale Sun*.

ALTERNATIVES

1. Adopt the resolution to approve the final Engineer's report, to confirm the assessment, and levy annual assessment for the Downtown Parking Maintenance District assessment for FY 2016/17.
2. Modify the final Engineer's report, adopt the resolution to approve the modified final Engineer's report and to confirm the assessment and levy annual assessment for the Downtown Parking Maintenance District assessment for FY 2016/17.
3. Do not take action to give the City the necessary authority to levy and collect the assessment for FY 2016/17.

STAFF RECOMMENDATION

Alternative 1: Adopt the resolution to approve the final Engineer's report, to confirm the assessment, and levy annual assessment for the Downtown Parking Maintenance District assessment for FY 2016/17.

This alternative will allow the City to continue levying the assessment for FY 2016/17.

Prepared by: Jennifer Ng, Assistant City Engineer
Reviewed by: Manuel Pineda, Director, Public Works
Reviewed by: Timothy J. Kirby, Director, Finance
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Fiscal Year 2016/17 Final Engineer's Report
2. Resolution to Levy Annual Assessment



CITY OF SUNNYVALE DOWNTOWN PARKING MAINTENANCE DISTRICT



Fiscal Year 2016-17
Final Engineer's Report

July 12, 2016

Prepared by:
Francisco & Associates, Inc.
130 Market Place, Suite 160
San Ramon, CA 94583
(925) 867-3400



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COUNCIL MEMBERS

Glenn Hendricks
Mayor

Gustav Larsson
Vice Mayor

Jim Davis
Councilmember

Jim Griffith
Councilmember

Tara Martin-Milius
Councilmember

Pat Meyering
Councilmember

Vacant Council Seat
Councilmember

CITY STAFF

Deanna J. Santana
City Manager

John Nagel
City Attorney

Manuel Pineda
Director of Public Works

Tim Kirby
Director of Finance

Craig Mobeck
Assistant Director of Public Works

Jennifer Ng
Assistant City Engineer

ENGINEERS

Francisco & Associates, Inc.
Assessment Engineer

The undersigned, acting on behalf of Francisco & Associates, Inc., respectfully submits the enclosed Engineer's Report as directed by City Council of the City of Sunnyvale pursuant to the provisions of the City of Sunnyvale Municipal Code (Chapter 14.26). The undersigned certifies that he is a Professional Engineer, registered in the State of California.



Dated: June 15, 2016

By: Joseph A. Francisco, P.E.
R.C.E. No. 40688

I HEREBY CERTIFY that the enclosed Engineer's Report, including the Assessment Roll and Maintenance District Diagram, thereto attached, was filed with me on the ____ day of _____, 2016.

Kathleen Franco Simmons
City Clerk
City of Sunnyvale
Sunnyvale, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and the Maintenance District Diagram, thereto attached, was approved and confirmed by the City Council of the City of Sunnyvale, on the ____ day of _____, 2016.

Kathleen Franco Simmons
City Clerk
City of Sunnyvale
Sunnyvale, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, including the Assessment Roll and the Maintenance District Diagram, thereto attached, was filed with the County Auditor of the County of Santa Clara on the ____ day of _____, 2016.

Joseph A. Francisco
Francisco & Associates, Inc.

By: _____

SECTION I

INTRODUCTION

ENGINEER'S REPORT

SUNNYVALE DOWNTOWN PARKING MAINTENANCE DISTRICT

FISCAL YEAR 2016-17

HISTORY

On September 1, 1964 the City Council adopted Resolution No. 6643, which authorized the City of Sunnyvale to levy an ad-valorem assessment on all taxable properties within the boundaries of the Sunnyvale Downtown Parking Maintenance District. This ad-valorem assessment was used to pay for the operation and maintenance of existing public parking facilities and the debt service payments associated with the acquisition and construction of various public parking facilities within the boundaries of the Sunnyvale Downtown Parking Maintenance District ("District").

IMPACTS OF PROPOSITION 218

Proposition 218 requires that all affected property owners be given the opportunity to vote either in favor or against their proposed assessment. Therefore, in order to comply with the requirements of Proposition 218 and the levy of assessments commencing in FY 1997-98 and each fiscal year thereafter, the City implemented the following procedures:

- 1) Every property owner subject to the proposed assessment was mailed a ballot allowing the property owner to vote either in favor or against the proposed formation of the Sunnyvale Downtown Parking Maintenance District and the levying of assessments within the proposed District. The ballots were accompanied by a public notice describing the total assessment, the individual property owner's assessment, the duration of the assessment, the reason for the assessment and the basis upon which the assessment was calculated.
- 2) The ballots returned to the City Clerk before the close of the public input portion of the public hearing were tabulated to determine whether a majority protest against the assessment levy existed. A majority protest existed if over 50% of the ballots received, weighted by assessment amount, oppose the levy of assessment.
- 3) The levy of assessments each year thereafter is modified by adjusting the annual assessment based upon the prior year's change in the Consumer Price Index (All Urban Consumers, for the San Francisco-Oakland-San Jose area as determined by the U.S. Department of Labor).

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF THE CITY OF SUNNYVALE MUNICIPAL CODE (CHAPTER 14.26)

FISCAL YEAR 2016-17

Pursuant to City of Sunnyvale Municipal Code (Chapter 14.26), I, Joseph A. Francisco, the duly appointed Engineer of Work and acting for Francisco & Associates, Inc., Assessment and Administration Engineer for the District, submit the following Report, consisting of Section I (Introduction) above, which is largely based on information provided by the City of Sunnyvale and this Section II, which consists of five (5) parts, as follows:

PART I

DESCRIPTION OF IMPROVEMENTS

Parking Facilities:

The parking facility improvements that can be operated, maintained and serviced by the Maintenance District for Fiscal Year 2016-17 consist of the public parking facilities shown in Appendix "A" of this report.

PART II

ESTIMATE OF COST

The City of Sunnyvale Municipal Code (Chapter 14.26) provides that the total cost of operation, maintenance and servicing of public parking facilities can be recovered by the levying of assessments.

Operation, maintenance and servicing costs include, but are not limited to; the repair and replacement of existing parking facilities, personnel, electrical energy, utilities such as water, materials, contractual services and other items necessary or appropriate for the parking facilities. Incidental expenses include the administration of the Maintenance District, engineering fees, legal fees, printing, posting and mailing of notices. Insurance and all other costs associated with the annual collection process are also included.

The operation, maintenance and servicing costs for Fiscal Year 2016-17 are summarized below in Table 1. These cost estimates were provided by the City of Sunnyvale.

TABLE 1 City of Sunnyvale Downtown Parking Maintenance District Budget FY 2016-17	
	FY 2016-17 Amounts
<u>Revenues:</u>	
Assessment Revenue	<u>\$186,541.42</u>
Total Revenues	\$186,541.42
<u>Expenses:</u>	
Parking Lot Maintenance	\$177,454.53
County Administration	\$1,865.41
Reserve Fund ¹	<u>\$7,221.48</u>
Total Expenses	\$186,541.42

¹ The projected reserve fund balance for June 30, 2016 is \$396,909.

The City of Sunnyvale Municipal Code (Chapter 14.26) requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by assessments shall be used only for the purpose as stated herein. The City of Sunnyvale or, subject to the discretionary approval of the City of Sunnyvale City Council, any other person may contribute to the District to reduce assessments. Any balance remaining on July 1 must be carried over to the next fiscal year unless the funds are being accumulated for future capital improvements or operating reserves.

PART III

MAINTENANCE DISTRICT DIAGRAM

The boundaries of the Maintenance District are within the boundaries of the City of Sunnyvale. A diagram (the "Downtown Parking Maintenance District Diagram") of the District showing the exterior boundaries of the District has been prepared by the Engineer of Work and is on file in the Office of the Clerk of the City of Sunnyvale and a copy of the Assessment Diagram is shown in Appendix "A" of this Report. For a detailed description of the lines and dimensions of each lot or parcel within the Downtown Parking Maintenance District are those lines and dimensions shown on the maps of the Assessor of the County of Santa Clara for Fiscal Year 2016-17. The Assessor's parcel maps for the lots and parcels within the Downtown Parking Maintenance District are incorporated by reference herein and made part of this Report.

PART IV

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

The City of Sunnyvale Municipal Code (Chapter 14.26) permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the operation, maintenance and servicing of public parking facilities.

The City of Sunnyvale Municipal Code (Chapter 14.26) requires that the assessments must be levied according to benefit rather than according to assessed value. In addition, Article XIIID, Section 4(a) of the California Constitution, limits the amount of any assessment to the proportional special benefit conferred on the property.

Because assessments are levied on the basis of benefit, they are not considered to be a tax governed by Article XIII A of the California Constitution.

The City of Sunnyvale Municipal Code (Chapter 14.26) permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location and extent of the improvements, the various areas will receive different degrees of benefit from the improvement".

Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial and institutional activities.

PUBLIC PARKING BENEFIT ANALYSIS

Property owners within the Downtown Parking Maintenance District receive a special and direct benefit from the District parking facilities because this allows property owners to develop or redevelop their properties without providing needed on-site parking to support their development. This Parking District allows property owners to maximize their parcel's development capabilities (i.e. by only requiring property owners who construct additional building square footage on their parcel to provide additional on-site parking for that additional building square footage constructed). The ability to maximize a parcel's development capabilities increases the value of these properties within the boundaries of the District.

BENEFIT ASSESSMENT METHODOLOGY

The total cost to operate, maintain and service the parking facilities are apportioned to each parcel within the boundaries of the Maintenance District in accordance with a methodology that is consistent with standard assessment engineering practices. The method for spreading the costs to each parcel is based on each parcel's pro-rata share of deficit parking spaces. The number of deficit parking spaces for each parcel is equal to the number of parking spaces needed per the City's Parking Demand Guidelines (see Table 2 below) less the number of existing parking spaces located on their parcel.

TABLE 2 City of Sunnyvale Downtown Parking Maintenance District Parking Demand Guidelines	
Current Type of Use	One Parking Space Per
Apartments (1 Bedroom)	0.66667 Units
Apartments (2-3 Bedrooms)	0.57143 Units
Churches	3 Seats
Condos	0.50 Units
Financial Institutions	180 sq. ft.
General Offices (Free Standing)	250 sq. ft.
General Offices (In Center)	250 sq. ft.
Hotels	Rooms + Employees
Industrial Warehouses	2,500 sq. ft.
Medical/Dental	180 sq. ft.
Nightclubs and Bars	50 sq. ft.
Other Uses ¹	180 sq. ft.
Repair Garages	180 sq. ft.
Research & Development	500 sq. ft.
Rest Homes	2.25 Units
Restaurants w/ Bars	75 sq. ft.
Restaurants w/o Bars	110 sq. ft.
Retail	250 sq. ft.
Senior Citizen Apartments	2.0 Units + Employees
Shopping Centers	225 sq. ft.

¹ Each year in May all parcels within the boundaries of the Maintenance District are analyzed to determine their current use. If a parcel is vacant and the proposed use is not available it will be classified as "Other Uses". Other Uses has been used for Vacant parcels because it is the average of all land uses within the Maintenance District.

Because of the varying size and location of parking facilities located within the Maintenance District, special benefit zones have been established to accurately track the operation and maintenance costs and assess only those properties that benefit from the improvements located within their respective benefit zone. All parcels within the boundaries of the District are located within either Benefit Zone No. 1, 2, 3 or 4. Properties located within each benefit zone will only be required to pay for the operation and maintenance of the parking facilities located within their respective benefit zone. The total cost to operate and maintain the parking

**SUNNYVALE DOWNTOWN PARKING
MAINTENANCE DISTRICT - FY 2016-17**

facilities within each benefit zone will be spread to each parcel within that benefit zone based upon their proportionate number of deficit parking spaces.

Parcels will be assessed based upon their pro-rata share of the number of parking spaces they are in deficit of based upon the City of Sunnyvale Parking Demand Guidelines. If the parcel has fewer parking spaces than that which is required under the City of Sunnyvale Parking Demand Guidelines, then they are considered in deficit.

For example, if an office building has 25,000 square feet of office space, the City of Sunnyvale would require one (1) parking space for every 250 square feet of office space. Therefore, in this case, the office building would require 100 parking spaces (25,000 sq. ft./ 1 parking space per 250 sq. ft.). If the property owner for the office building had 100 or more parking spaces then the property owner would not be placing a demand for additional parking and therefore would not be assessed. However, if the property owner only had 70 on-site parking spaces then there would be a parking deficit of 30 parking spaces for that particular parcel.

Based upon the annual budget needed to operate and maintain the existing public parking facilities for Fiscal Year 2016-17, the assessment rates per deficit parking space for each benefit zone are summarized below in Tables No. 3.

TABLE 3 FY 2016-17 - Assessment Rates per Benefit Zone						
Benefit Zone No.	Total No. of Deficit Parking Spaces ¹	FY 2016-17 Budgeted Maintenance	FY 2016-17 County Administration	FY 2016-17 Transfer to Reserves	FY 2016-17 Total Assessment Revenue ²	FY 2016-17 Assessment Rate Per Deficit Parking Space
1	56.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2	172.38	\$25,953.68	\$278.77	\$1,644.83	\$27,877.28	\$161.72
3	2,145.27	\$144,286.28	\$1,506.41	\$4,848.03	\$150,640.72	\$70.22
4	379.36	\$7,214.57	\$80.23	\$728.62	\$8,023.42	\$21.15
Total	2,753.81	\$177,454.53	\$1,865.41	\$7,221.48	\$186,541.42	

¹ The Total Number of Deficit Parking Spaces for Benefit Zone No. 3 decreased by 61.86 spaces from the prior fiscal year. The decrease was due to the conversion of the 12,152 sq. ft. of restaurant w/o bar to office space located at 100 S. Sunnyvale Avenue. The Total Number of Deficit Parking Spaces for Benefit Zone No. 4 increased by 12.96 from the prior year due to slight adjustments in use located at 141 Altair Way.

² The County Tax Collector requires all individual assessments to be levied in even pennies so that the property tax bills can be split evenly into two payments. Therefore, in some Benefit Zones the Total Deficit Parking Demand multiplied by the FY 2016-17 Assessment per Deficit Space does not equal the FY 2016-17 Assessment Revenue and is off by pennies.

Maximum Annual Assessment Rate Increases

The FY 2016-17 assessment rates per deficit parking space shown above for each Benefit Zone are the maximum annual assessment rates that can be levied in FY 2016-17. Each subsequent fiscal year the maximum annual assessment rates shown above will be increased based upon the

change in the Consumer Price Index (All Urban Consumers) for the San Francisco-Oakland-San Jose Area as determined by the U. S. Department of Labor. The base CPI index used to calculate last year's maximum assessment rates was 254.910 (April 2015). For FY 2016-17 City staff will use the February 2016 CPI Index which is 262.600. Therefore, the CPI increase is +3.0168% for FY 2016-17 (262.600/254.910).

Exempt Parcels. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial and institutional activities. A variance may be granted by the District for any parcel, which is determined not to benefit from the assessment.

PART V

PROPERTY OWNER LIST & ASSESSMENT ROLL

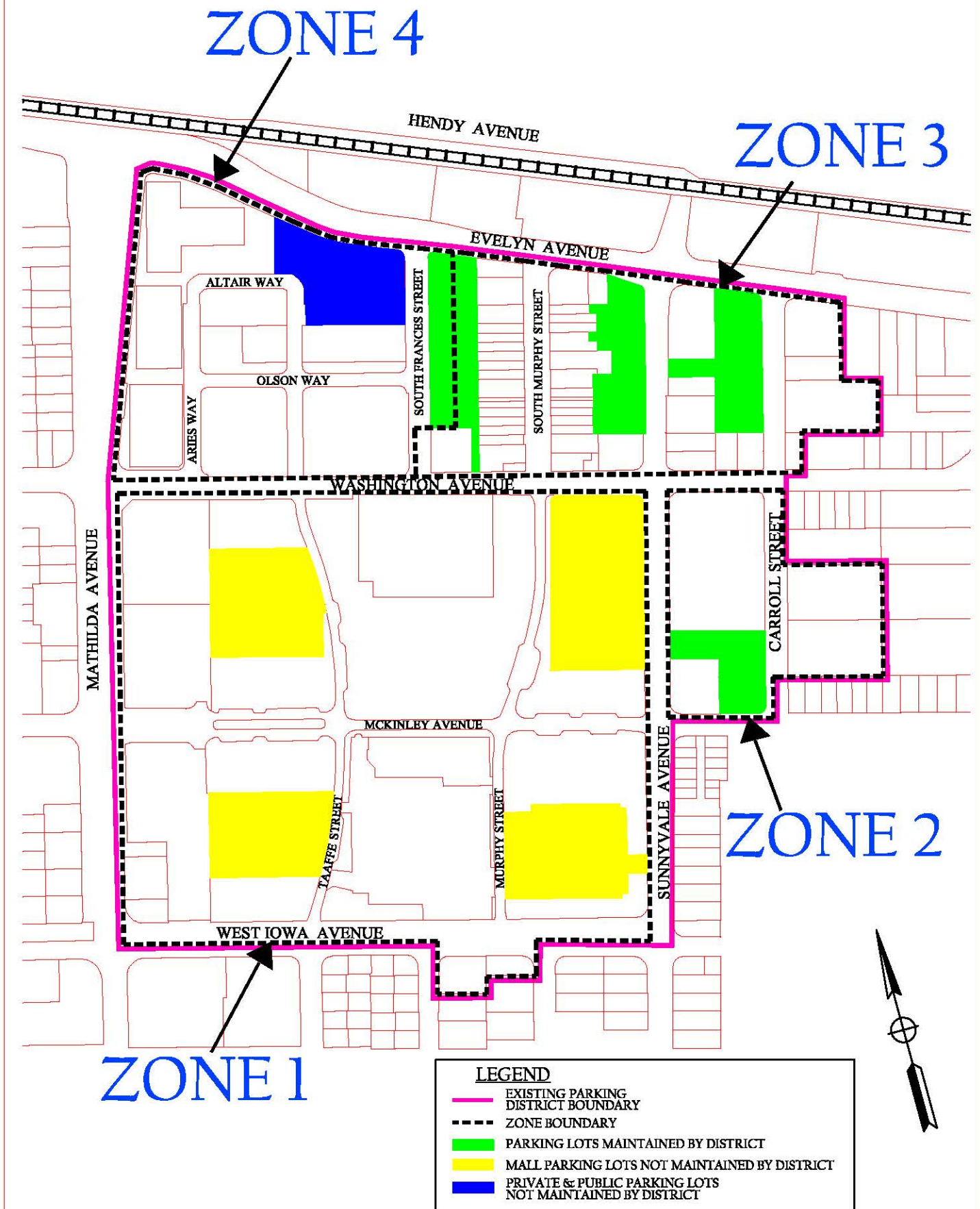
A list of names and addresses of the owners of all lots and parcels of land within the Maintenance District was compiled from the last equalized secured property tax assessment roll of the Assessor of the County of Santa Clara. Such list was further defined by excluding from it all parcels that are not being assessed by the District, and as so defined, is a part of the Assessment Roll. The Assessment Roll is keyed to Assessor's parcel numbers referenced in Appendix "B" to this Report.

The total proposed annual assessment for FY 2016-17 is \$186,541.42.

APPENDIX A
FY 2016-17
MAINTENANCE DISTRICT DIAGRAM

CITY OF SUNNYVALE

DOWNTOWN PARKING MAINTENANCE DISTRICT DIAGRAM



APPENDIX B

FY 2016-17

ASSESSMENT ROLL CALCULATIONS

City of Sunnyvale
Downtown Parking Maintenance District
Final FY 2016-17 Assessment Roll

Assessor Parcel Number	Property Owner Name	Property Address	Benefit Zone	Total Parking Demand	Existing On-Site Parking	Deficit Parking Space	FY 2016-17 Assessment
209-05-011	SMITH GREGORY B	299 E WASHINGTON AVE	3	32.12	8.00	24.12	\$1,693.70
209-05-012	HILL MARIANNE TRUSTEE & ET AL	219 E WASHINGTON AVE	3	27.35	4.00	23.35	\$1,639.64
209-05-013	ASKARINAM BEHZAD AND LOUISE TRUSTEE	205 E WASHINGTON AVE	3	21.67	24.00	0.00	\$0.00
209-05-014	INFINITE LOOP SUNNYV ALE HOTEL LLC	170 S SUNNYVALE AVE	3	115.00	0.00	115.00	\$8,075.30
209-05-033	ASSEMBLIES OF GOD NTHRN CA & NV DIST COUNC	305 E WASHINGTON AVE	3	60.00	0.00	60.00	\$4,213.20
209-05-034	CARROLL STREET ASSOCIATES	174 CARROLL ST	3	64.00	34.00	30.00	\$2,106.60
209-05-036	UNIVERSITY AVENUE PARTNERS CARROLL LLC	124 CARROLL ST	3	54.80	0.00	54.80	\$3,848.06
209-05-039	ACCOLA RALPH A TRUSTEE & ET AL	122 S SUNNYVALE AVE	3	75.29	7.00	68.29	\$4,795.32
209-05-040	GOLD GARY M TRUSTEE	130 S SUNNYVALE AVE	3	16.00	0.00	16.00	\$1,123.52
209-05-047	SUNNYVALE CITY OF	S SUNNYVALE AVE	3	0.00	0.00	0.00	\$0.00
209-05-048	HUANG ROBERT	134 CARROLL ST #101	3	2.00	1.00	1.00	\$70.22
209-05-049	ANN EMILY LIM LI	134 CARROLL ST #201	3	2.00	1.00	1.00	\$70.22
209-05-050	NADER-ESFAHANI LILI	134 CARROLL ST #301	3	2.00	1.00	1.00	\$70.22
209-05-051	MCCAFFREY SHANNON T	134 CARROLL ST #102	3	2.00	1.00	1.00	\$70.22
209-05-052	GEORGIEV STANISLAV	134 CARROLL ST #202	3	2.00	1.00	1.00	\$70.22
209-05-053	RODRIGUEZ JOSE	134 CARROLL ST #302	3	2.00	1.00	1.00	\$70.22
209-05-054	ROBERTSON DELMAR	134 CARROLL ST #203	3	2.00	1.00	1.00	\$70.22
209-05-055	STRUCK DAVID P	134 CARROLL ST #303	3	2.00	1.00	1.00	\$70.22
209-06-003	HUBBARD JOHN W	127 S MURPHY AVE	3	26.14	0.00	26.14	\$1,835.54
209-06-004	HUBBARD JOHN W	133 S MURPHY AVE	3	48.33	0.00	48.33	\$3,393.72
209-06-005	KIEHL ROBERT E TRUSTEE & ET AL	135 S MURPHY AVE	3	35.00	0.00	35.00	\$2,457.70
209-06-006	PODGURSKI JOHN AND ANGELIKA TRUSTEE	139 S MURPHY AVE	3	32.47	0.00	32.47	\$2,280.04
209-06-007	141 SOUTH MURPHY LLC	141 S MURPHY AVE	3	76.27	0.00	76.27	\$5,355.68
209-06-008	GERA NICHOLAS AND SUEANNE TRUSTEE	151 S MURPHY AVE	3	39.99	0.00	39.99	\$2,808.10
209-06-009	GERA NICHOLAS AND SUEANNE TRUSTEE & ET AL	155 S MURPHY AVE	3	45.45	0.00	45.45	\$3,191.50
209-06-010	LI GEORGE J AND LINDA	163 S MURPHY AVE	3	54.02	0.00	54.02	\$3,793.28
209-06-011	BOURSALIAN HRAIR AND ARAKNAZ TRUSTEE	165 S MURPHY AVE	3	12.64	0.00	12.64	\$887.58

City of Sunnyvale
Downtown Parking Maintenance District
Final FY 2016-17 Assessment Roll

Assessor Parcel Number	Property Owner Name	Property Address	Benefit Zone	Total Parking Demand	Existing On-Site Parking	Deficit Parking Space	FY 2016-17 Assessment
209-06-012	ACEVEDO JOSE AND ESPERANZA	173 S MURPHY AVE	3	13.64	0.00	13.64	\$957.80
209-06-013	MERGEN CAPITAL LLC	175 S MURPHY AVE	3	35.43	0.00	35.43	\$2,487.88
209-06-014	MERGEN CAPITAL LLC	181 S MURPHY AVE	3	40.67	0.00	40.67	\$2,855.84
209-06-016	SUNNY 195 LLC	123 W WASHINGTON AVE	3	206.47	0.00	206.47	\$14,498.32
209-06-017	ESCALANTE NANCY G TRUSTEE	197 S MURPHY AVE	3	12.00	0.00	12.00	\$842.64
209-06-018	HASS EVON K TRUSTEE & ET AL	165 W WASHINGTON AVE	3	132.88	0.00	132.88	\$9,330.82
209-06-022	PERRY MARIA L TRUSTEE	105 S MURPHY AVE	3	64.78	0.00	64.78	\$4,548.84
209-06-025	CALI CAROL M ET AL	141 E WASHINGTON AVE	3	8.28	0.00	8.28	\$581.42
209-06-026	DUBROVNIK PROPERTIES LLC	192 S MURPHY AVE	3	50.67	0.00	50.67	\$3,558.04
209-06-027	CALI CAROL M TRUSTEE & ET AL	190 S MURPHY AVE	3	50.67	0.00	50.67	\$3,558.04
209-06-028	CHESWYCKE LLC	182 S MURPHY AVE	3	9.64	0.00	9.64	\$676.92
209-06-029	WHITFIELD WENDELL L AND MARY A TRUSTEE & ET	178 S MURPHY AVE	3	25.45	0.00	25.45	\$1,787.10
209-06-030	WONG CHICK CHUEN TRUSTEE & ET AL	172 S MURPHY AVE	3	17.37	0.00	17.37	\$1,219.72
209-06-031	JAYAN ELLE LLC	168 S MURPHY AVE	3	25.48	0.00	25.48	\$1,789.20
209-06-034	SUN CHRISTOPHER S ET AL	146 S MURPHY AVE	3	135.27	0.00	135.27	\$9,498.66
209-06-037	BILIC ANTE TRUSTEE	130 S MURPHY AVE	3	36.00	0.00	36.00	\$2,527.92
209-06-038	UNLU ISMAIL	124 S MURPHY AVE	3	30.00	0.00	30.00	\$2,106.60
209-06-059	SUNNYVALE HOUSE OF KABOBS INC.	161 S MURPHY AVE	3	16.56	0.00	16.56	\$1,162.84
209-06-070	YOUNG PATRICK TRUSTEE & ET AL	114 S MURPHY AVE	3	7.24	0.00	7.24	\$508.38
209-06-071	SUNNYVALE CITY OF	S SUNNYVALE AVE	3	0.00	0.00	0.00	\$0.00
209-06-072	GOODWILL INDUSTRIES OF SANTA CLARA COUNTY	151 E WASHINGTON AVE	3	36.72	0.00	36.72	\$2,578.48
209-06-073	SUNNYVALE CITY OF	130 S FRANCES ST	3	0.00	0.00	0.00	\$0.00
209-06-075	DUBROVNIK PROPERTIES LLC	100 S MURPHY AVE #5	3	101.84	0.00	101.84	\$7,151.20
209-06-076	SUNNYVALE CITY OF	S MURPHY AVE	3	0.00	0.00	0.00	\$0.00
209-06-077	GERA NICHOLAS AND SUEANNE TRUSTEE & ET AL	117 S MURPHY AVE	3	160.00	0.00	160.00	\$11,235.20
209-06-079	BALFE LIAM ET AL	159 S SUNNYVALE AVE	3	39.00	0.00	39.00	\$2,738.58
209-06-080	WHITFIELD WENDELL L AND MARY A TRUSTEE & ET	187 S MURPHY AVE	3	16.67	0.00	16.67	\$1,170.56

City of Sunnyvale
Downtown Parking Maintenance District
Final FY 2016-17 Assessment Roll

Assessor Parcel Number	Property Owner Name	Property Address	Benefit Zone	Total Parking Demand	Existing On-Site Parking	Deficit Parking Space	FY 2016-17 Assessment
209-06-081	BILIC ANTE TRUSTEE	136 S MURPHY AVE	3	102.67	0.00	102.67	\$7,209.48
209-07-007	KASIK MARTIN A ET AL	143 S TAAFFE ST	4	77.20	20.00	57.20	\$1,209.78
209-07-022	SPF MATHILDA LLC	190 MATHILDA PL	4	499.00	432.00	67.00	\$1,417.04
209-07-023	SPF MATHILDA LLC	150 MATHILDA PL	4	430.00	372.00	58.00	\$1,226.70
209-07-024	SPF MATHILDA LLC	100 MATHILDA PL	4	631.00	546.00	85.00	\$1,797.74
209-07-025	SUNNYVALE REDEVELOPMENT AGENCY	200 W EVELYN AVE	4	0.00	0.00	0.00	\$0.00
209-07-026	BRE PROPERTIES INC	201 TOWN & COUNTRY VILLAGE	4	82.11	30.00	52.11	\$1,102.12
209-07-027	BRE PROPERTIES INC	401 TOWN & COUNTRY VILLAGE	4	53.04	23.00	30.04	\$635.34
209-07-028	CP III T & C SUNNYVALE LLC	235 OLSON WAY	4	31.01	1.00	30.01	\$634.70
209-07-029	CP III T & C SUNNYVALE LLC	TAAFFE ST	4	0.00	0.00	0.00	\$0.00
209-07-030	CP III T & C SUNNYVALE LLC	155 TAAFFE ST	4	0.00	0.00	0.00	\$0.00
209-07-031	CP III T & C SUNNYVALE LLC	315 OLSON WAY	4	0.00	0.00	0.00	\$0.00
209-10-050	PACIFIC BELL	234 CARROLL ST	2	56.49	54.00	2.49	\$402.68
209-10-060	SUNNYVALE CITY OF	MC KINLEY AVE	2	0.00	0.00	0.00	\$0.00
209-10-061	CHANG YUN SO TRUSTEE & ET AL	298 S SUNNYVALE AVE	2	108.00	0.00	108.00	\$17,465.76
209-10-062	SUNNYVALE CITY OF	S SUNNYVALE AVE	2	0.00	0.00	0.00	\$0.00
209-10-063	CCHNC PLAZA DE LAS FLORES LLC	200 E WASHINGTON AVE	2	95.89	34.00	61.89	\$10,008.84
209-10-064	CLASSIC 238 CARROLL LP	244 CARROLL ST	2	48.00	48.00	0.00	\$0.00
209-26-001	ABSAR ILYAS AND SABA M TRUSTEE	405 S MURPHY	1	2.22	0.00	2.22	\$0.00
209-26-066	HHF ENTERPRISE LLC	150 W IOWA	1	47.58	9.00	38.58	\$0.00
209-34-001	ARCHDEACON DARLENE HEIDI ROMANO ET AL	379 S MATHILDA	1	0.00	0.00	0.00	\$0.00
209-34-002	ARCHDEACON DARLENE HEIDI ROMANO ET AL	380 S MATHILDA	1	34.00	18.00	16.00	\$0.00
209-34-019	REDUS SVTC LLC	300 S MATHILDA AVE	1	0.00	0.00	0.00	\$0.00
209-34-020	REDUS SVTC LLC	333 W IOWA ST	1	0.00	0.00	0.00	\$0.00
209-34-021	REDUS SVTC LLC	325 S TAAFFE ST	1	0.00	0.00	0.00	\$0.00
209-34-024	REDUS SVTC LLC	241 S TAAFFE ST	1	0.00	0.00	0.00	\$0.00
209-34-025	REDUS SVTC LLC	225 S TAAFFE ST	1	0.00	0.00	0.00	\$0.00

City of Sunnyvale
Downtown Parking Maintenance District
Final FY 2016-17 Assessment Roll

Assessor Parcel Number	Property Owner Name	Property Address	Benefit Zone	Total Parking Demand	Existing On-Site Parking	Deficit Parking Space	FY 2016-17 Assessment
209-34-029	REDUS SVTC LLC	250 S MATHILDA AVE	1	0.00	0.00	0.00	\$0.00
209-34-030	REDUS SVTC LLC	200 S MATHILDA AVE	1	0.00	0.00	0.00	\$0.00
209-35-013	REDUS SVTC LLC	379 S SUNNYVALE AVE	1	0.00	0.00	0.00	\$0.00
209-35-014	REDEV AGENCY CITY OF SUNNYVALE	330 S MURPHY AVE	1	0.00	0.00	0.00	\$0.00
209-35-015	REDUS SVTC LLC	150 E MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-35-016	REDUS SVTC LLC	240 S MURPHY AVE	1	0.00	0.00	0.00	\$0.00
209-35-017	REDUS SVTC LLC	2510 TOWNCENTER DR	1	0.00	0.00	0.00	\$0.00
209-35-018	REDUS SVTC LLC	230 S MURPHY AVE	1	0.00	0.00	0.00	\$0.00
209-35-019	REDUS SVTC LLC	100 E WASHINGTON AVE	1	0.00	0.00	0.00	\$0.00
209-35-022	200 WASHINGTON LLC	200 W WASHINGTON AVE	1	0.00	0.00	0.00	\$0.00
209-35-023	REDUS SVTC LLC	200 S TAAFFE ST	1	0.00	0.00	0.00	\$0.00
209-35-024	REDUS SVTC LLC	221 W IOWA AVE	1	0.00	0.00	0.00	\$0.00
209-35-028	TARGET CORPORATION	298 W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-35-029	REDUS SVTC LLC	319 S MURPHY AVE	1	0.00	0.00	0.00	\$0.00
209-39-001	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-39-002	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-39-003	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-39-004	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-40-001	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-40-002	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-40-003	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-40-004	REDUS SVTC LLC	W MC KINLEY AVE	1	0.00	0.00	0.00	\$0.00
209-41-001	REDUS SVTC LLC	W WASHINGTON AVE	1	0.00	0.00	0.00	\$0.00
209-41-002	REDUS SVTC LLC	W WASHINGTON AVE	1	0.00	0.00	0.00	\$0.00
209-41-003	REDUS SVTC LLC	W WASHINGTON AVE	1	0.00	0.00	0.00	\$0.00
209-41-004	REDUS SVTC LLC	W WASHINGTON AVE	1	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$0.00</u>
				4,423.48	1,672.00	2,753.81	\$186,541.42

APPENDIX C

MUNICIPAL CODE (CHAPTER 14.26)

ALTERNATE MAINTENANCE DISTRICTS

CITY OF SUNNYVALE

MUNICIPAL CODE (CHAPTER 14.26)

ALTERNATIVE MAINTENANCE DISTRICTS

Section 14.26.010 Short title.

The procedures provided in this chapter are alternative. (Ord. 2576-98 § 1 (part)).

Section 14.26.020 Chapter not exclusive.

This chapter is not exclusive, but any proceeding under an act or general law may be supplemented by this chapter. The words "general law" or the word "act" mean an enactment of the legislature of the state of California. Unless herein otherwise provided, any reference to any general law or act shall apply to the law or act as now or hereafter amended or codified. (Ord. 2576-98 § 1 (part)).

Section 14.26.030 Chapter superior.

The provisions of the chapter shall be controlling over the provisions of any general law or act in conflict with this chapter in any proceeding taken pursuant hereto. (Ord. 2576-98 § 1 (part)).

Section 14.26.040 Authority for adoption.

This chapter is adopted pursuant to Section 400 of Article IV of the Charter of the city of Sunnyvale. In proceedings had pursuant to this chapter which are a municipal affair, the general laws referred to herein are deemed a part of this chapter. (Ord. 2576-98 § 1 (part)).

Section 14.26.050 Severability.

In the event any portion of this chapter shall be declared illegal, unenforceable or unconstitutional, such provision shall be deemed severable from the rest of the provisions of this chapter. (Ord. 2576-98 § 1 (part)).

Section 14.26.060 Maintenance districts.

Whenever the city council determines that the costs and expenses of maintaining and operating any or all public improvements of a local nature have not been adequately financed and provided for, proceeding therefore may be undertaken pursuant to this chapter. (Ord. 2576-98 § 1 (part)).

Section 14.26.070 Council powers.

The city council may, in its resolution declaring its intention to order work done or improvements made or by separate resolution, declare its intention to order that the costs and expenses of maintaining and operating any or all public improvements of a local nature, including the cost of necessary repairs, replacements, fuel, power, electrical current, care supervision, and any and all other items necessary for the proper maintenance and operation thereof, shall be assessed, either partly or wholly, upon such district as the city council shall determine will be benefited by the maintenance and operation of the public improvements proposed to be maintained; the amounts so assessed

to be collected in the same manner and by the same officers as taxes for city purposes are collected. (Ord. 2576-98 § 1 (part)).

Section 14.26.080 Applicable general law.

When the city council has declared its intention pursuant to Section 14.26.070, the applicable provisions of Part 2 of Division 15 of the Streets and Highways Code of the state of California (Section 22500 et seq.) shall apply, excepting as modified by the following:

(a) "Maintain" or "maintenance" shall be deemed to include the maintenance of any or all public improvements of a local nature.

(b) Except for the creation of new maintenance districts or annexations to existing maintenance districts, no separate diagram shall be required in each year and it shall be sufficient to refer to the existing diagram on file with the city clerk with suitable changes upon the record, annually, to update such diagram.

(c) "Annexation" shall be deemed to include annexation of any maintenance districts existing as of the effective date of the ordinance creating this code.

(d) For purposes of the collection of assessments or any portion thereof upon the general tax roll, it shall be sufficient for the city clerk to provide to the county auditor a certified copy of the assessment roll without supplying a copy of the assessment diagram. (Ord. 2576-98 § 1 (part)).

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE TO APPROVE THE ANNUAL
ENGINEER'S REPORT AND TO CONFIRM THE
ASSESSMENT AND LEVY AN ANNUAL ASSESSMENT
FOR THE DOWNTOWN PARKING MAINTENANCE
DISTRICT ASSESSMENT FOR FISCAL YEAR 2016-2017**

WHEREAS, on June 14, 2016, the City Council adopted Resolution No. 760-16 declaring its intention to levy and collect an assessment for the Downtown Parking Maintenance District for fiscal year 2016/17 pursuant to Streets and Highways Code section 22500 et seq and Chapter 14.26 of the Sunnyvale Municipal Code (the "Law"), and for each fiscal year thereafter and to set date and time for public hearing on the levy of the proposed assessment; and

WHEREAS, on July 26, 2016, the City Council held a public hearing at the time and place specified in the Resolution of Intention to Levy and Collect an Assessment, where all interested persons were afforded the opportunity to hear and be heard, and to consider oral statements and written protests made or filed by any interested person.

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

1. Francisco & Associates, the Assessment Engineer, has filed with the City Clerk, the report required by Chapter 14.26 of the Sunnyvale Municipal Code, which report is open to public inspection and by reference incorporated herein. The report includes the total amount of the proposed assessment to the entire district for Fiscal Year 2016/17, the amount chargeable to the record owner's parcel for that year, the duration of the payments, the reason for the assessment, and the basis upon which the proposed assessment was calculated. All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, the assessment zones, and the proposed assessments upon assessable lots and parcels of land within the assessment district.

2. The City Council finds that the Assessment Engineer, in the Engineer's Report, has fairly and properly apportioned the cost of the improvement to each parcel of land in the assessment district in proportion to the estimated benefits to be received by each parcel, respectively, from the improvement. The inflation factor is consistent with published data by the U.S. Department of Labor.

3. The City Council hereby approves the Engineer's Report and each component part of it, including each exhibit incorporated by reference in the report, and levies each individual assessment as stated in the Engineer's Report for the Fiscal Year 2016/17.

BE IT FURTHER RESOLVED THAT the City Council finds that there was no majority protest with the meaning of the Law and all protests and objections to the levy and collection of the assessment and any and all protests and objections are hereby overruled by the City Council. The adoption of this Resolution shall constitute a levy of an assessment for the Fiscal Year 2016/17, which shall be collected in the same manner as the County of Santa Clara *ad-valorem* property tax payments for Fiscal Year 2016/17.

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



City of Sunnyvale

Agenda Item

16-0601

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2016/17 County of Santa Clara Property Tax Roll

BACKGROUND

Chapter 1.05 of the Sunnyvale Municipal Code allows enforcement of code violations through the issuance of administrative citations. These citations are an important tool in facilitating cooperation from property owners regarding uncorrected code violations. Citations are only issued after repeated attempts at voluntary compliance have failed. Most violations are corrected after the first warning. However, some property owners fail to correct the violation and are consequently issued administrative citations. Despite the efforts of City staff to collect on these citations, there are several unpaid administrative citations outstanding at this time.

Each year, the Council holds a public hearing to provide the property owners the opportunity to comment and raise any objections regarding the proposed assessments for delinquent administrative citations.

EXISTING POLICY

Sunnyvale Municipal Code Section 1.05.110(d) - Recovery of administrative citation fines and costs, Special Assessment Procedure.

ENVIRONMENTAL REVIEW

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

DISCUSSION

Each administrative citation results in the Department of Finance issuing up to three written notices to the property owner: a bill, an interest invoice and statement, and a final demand letter notifying the recipient that failure to pay may result in legal action. The property owners listed on Exhibit A of Attachment 1 are a minimum of 90 days delinquent in paying the administrative citation fines. Repeated attempts to collect the delinquent funds through the billing and notification process have been unsuccessful. Additionally, property owners were notified of tonight's public hearing by certified mail as required by Sunnyvale Municipal Code Section 1.05.110 (d)(3).

Based on past history, the City is likely to experience a high collection rate by placing these delinquent accounts on the property tax roll. It provides the added security that, should a property owner not pay the balance on their property tax bill, a tax lien will be placed on the property.

Notice of tonight's public meeting was sent to all affected property owners. Council should expect that some people may make an attempt to have their cases heard at the public hearing in an effort to get the balance owed to the City reduced or eliminated before they are placed on the property tax roll. It should be noted that all citation recipients have already been provided with the opportunity to appeal the citations and the appeal period has long since expired. Some citation recipients on this list appealed and subsequently presented their cases in front of a Hearing Officer who upheld the citations, based upon evidence presented by staff, while others opted not to appeal the citations. Council has the authority to either place these debts on the property tax roll or attempt to collect the delinquent funds utilizing other means, such as a collection agency or sending additional delinquent notices; however, these approaches have proven mostly ineffective.

Any property owners wishing to pay at tonight's Council meeting may pay the amount due under the "Balance at Meeting" column on Exhibit A to Attachment 1. If the amount due is not paid tonight, the amount in the "Balance for Tax Roll" column (rounded down to nearest even penny) will be placed on the property tax roll, if approved by Council. This amount includes the original amount due, penalties to November 1, 2016 (the due date of the first installment of property taxes), and the County's administrative fee of one percent.

FISCAL IMPACT

If approved, staff will forward the charges including late payment penalties and administrative charges of one percent to the County of Santa Clara for collection on the FY 2016/17 Property Tax Roll. The assessments rounded down to nearest even penny equal \$47,452.88.

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.

Notification of the hearing was also sent via certified mail directly to the mailing address for each owner of the affected properties.

ALTERNATIVES

1. Adopt a resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the FY 2016/17 County of Santa Clara Property Tax Roll.
2. Do not adopt a resolution. Direct staff to attempt to collect the delinquent funds through other specific means, such as a collection agency or sending additional delinquent notices.

RECOMMENDATION

Alternative 1: Adopt a resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the FY 2016/17 County of Santa Clara Property Tax Roll.

This method has been the most effective way for the City to collect delinquent administrative citation fines.

Prepared by: Brice McQueen, Senior Management Analyst
Reviewed by: Timothy J. Kirby, Director, Finance

Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. A Resolution of the City Council of the City of Sunnyvale confirming the Report and Assessment List for Unpaid Administrative Fines to be Placed on the FY 2016/17 Property Tax Roll



RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE CONFIRMING THE REPORT AND
ASSESSMENT LIST FOR UNPAID ADMINISTRATIVE FINES
TO BE PLACED ON THE FY 2016/ 2017 COUNTY OF SANTA
CLARA PROPERTY TAX ROLL**

WHEREAS, Government Code Section 53069.4 provides that local public agencies may make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty, and the agency may set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties; and

WHEREAS, pursuant to Sunnyvale Municipal Code ("SMC") Chapter 1.05, the City of Sunnyvale issues administrative citations and imposes fines for violations of the Municipal Code related to the use and maintenance of real property in the City;

WHEREAS, certain property owners are consistently delinquent and attempts to collect administrative fines through the billing and notification process have been unsuccessful; and

WHEREAS, SMC Section 1.05.110(d) allows the Director of Finance to cause administrative fines and associated costs not collected within 90 days to be made a special assessment against the subject real property and collected on the tax roll together with its general taxes; and

WHEREAS, pursuant to SMC Section 1.05.110(d), the Director of Finance caused a written report to be filed with the City Clerk describing each parcel of real property as to which such delinquency exists and the amount due, attached hereto as Exhibit A; and

WHEREAS, pursuant to SMC Section 1.05.110(d), the City Council, following a noticed public hearing, shall adopt a resolution confirming, discharging or modifying the amount of the special assessment; and

WHEREAS, on July 26, 2016, the City Council conducted a duly noticed public hearing.

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

1. The City Council confirms the amount of the special assessment to be placed on the tax roll set forth in the report attached as Exhibit A.
2. The City Council directs the City Clerk to file with the Director of Finance, on or after July 26, 2016, a copy of the report attached as Exhibit A, indicating that the report has been finally adopted by the City Council.

3. The Director of Finance, after receipt of the report from the City Clerk, is authorized and directed to take all appropriate and necessary steps to impose the special assessments in the amount set forth in the report attached as Exhibit A.

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

Delinquent Administrative Citations Scheduled to be Placed on FY 2016/17 County of Santa Clara Property Tax Roll

									ACCOUNT BALANCE	
Date of Citation	Invoice Date	Citation Number	Citation Amount	Owner Name	Owner Address	Property Address	APN	Legal Description	Balance at Meeting	Balance for Tax Roll
6/26/2015	6/30/2015	5494	\$100.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$228.88	\$263.73
6/30/2015	7/8/2015	5495	\$200.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$452.49	\$522.15
7/9/2015	7/17/2015	5439	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/10/2015	7/17/2015	5441	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/13/2015	7/17/2015	5442	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/15/2015	7/17/2015	5443	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/1/2015	7/17/2015	5496	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/2/2015	7/17/2015	5497	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/6/2015	7/17/2015	5498	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/7/2015	7/17/2015	5499	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
7/8/2015	7/17/2015	5500	\$500.00	Acton, Eugene E	201 Clarence Avenue, Sunnyvale, CA 94086	201 Clarence Avenue	165-09-024	TRACT 1511 LOT 37	\$1,116.44	\$1,290.44
6/9/2015	7/8/2015	5471	\$100.00	Chalhoub, Michael	1458 Hudson St # 103, Redwood City, CA 94061	735 San Jule Ct	205-16-025	TRACT 1617 SUNNYVALE ESTAES BOOK 81 PAGE 26 PAGE 27 LOT 30	\$226.25	\$261.08
6/16/2015	7/8/2015	5474	\$200.00	Chalhoub, Michael	1458 Hudson St # 103, Redwood City, CA 94061	735 San Jule Ct	205-16-025	TRACT 1617 SUNNYVALE ESTAES BOOK 81 PAGE 26 PAGE 27 LOT 30	\$452.49	\$522.15
6/23/2015	7/8/2015	5476	\$500.00	Chalhoub, Michael	1458 Hudson St # 103, Redwood City, CA 94061	735 San Jule Ct	205-16-025	TRACT 1617 SUNNYVALE ESTAES BOOK 81 PAGE 26 PAGE 27 LOT 30	\$1,131.23	\$1,305.38
7/7/2015	7/17/2015	5480	\$500.00	Chalhoub, Michael	1458 Hudson St # 103, Redwood City, CA 94061	735 San Jule Ct	205-16-025	TRACT 1617 SUNNYVALE ESTAES BOOK 81 PAGE 26 PAGE 27 LOT 30	\$1,116.44	\$1,290.44
7/30/2015	8/11/2015	5358	\$500.00	Chalhoub, Michael	1458 Hudson St # 103, Redwood City, CA 94061	735 San Jule Ct	205-16-025	TRACT 1617 SUNNYVALE ESTAES BOOK 81 PAGE 26 PAGE 27 LOT 30	\$1,075.34	\$1,248.93
7/16/2015	8/11/2015	5449	\$500.00	Chalhoub, Michael	1458 Hudson St # 103, Redwood City, CA 94061	735 San Jule Ct	205-16-025	TRACT 1617 SUNNYVALE ESTAES BOOK 81 PAGE 26 PAGE 27 LOT 30	\$1,075.34	\$1,248.93
11/10/2015	11/24/2015	6007	\$100.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$180.55	\$214.92
11/11/2015	11/24/2015	6009	\$200.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$361.10	\$429.83
11/12/2015	11/24/2015	6011	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/13/2015	11/24/2015	6013	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/17/2015	11/24/2015	6015	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/20/2015	11/24/2015	6251	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/16/2015	11/24/2015	6014	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/23/2015	11/24/2015	6254	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/18/2015	11/24/2015	6250	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58

EXHIBIT A

Delinquent Administrative Citations Scheduled to be Placed on FY 2016/17 County of Santa Clara Property Tax Roll

Date of Citation	Invoice Date	Citation Number	Citation Amount	Owner Name	Owner Address	Property Address	APN	Legal Description	ACCOUNT BALANCE	
									Balance at Meeting	Balance for Tax Roll
11/19/2015	11/24/2015	6252	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$902.74	\$1,074.58
11/24/2015	12/18/2015	6255	\$500.00	Doerr, Gary F and Claire R	569 Borregas Avenue, Sunnyvale, CA 94085	569 Borregas Avenue	204-27-034	TRACT 663 ARBOR COURT BOOK 24 PAGE 54 LOT 16	\$863.29	\$1,034.73
6/26/2015	6/30/2015	5493	\$100.00	Farhad, Farhanghnia	769 Harvard Avenue, Sunnyvale, CA 94087	769 Harvard Avenue	201-10-013	TRACT 3236 WOODLANDS BOOK 151 PAGE 38 LOT 28	\$228.88	\$263.73
5/26/2015	6/4/2015	5484	\$100.00	Italo's Pizzeria I II III	219 Garner Drive, Sunnyvale, CA 94089	1115 Borregas Avenue	110-11-090	LOT 1	\$237.42	\$272.37
12/3/2015	12/18/2015	6258	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$863.29	\$1,034.73
12/10/2015	12/18/2015	6260	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$863.29	\$1,034.73
12/17/2015	12/18/2015	6261	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$863.29	\$1,034.73
11/12/2015	11/24/2015	6012	\$100.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$180.55	\$214.92
11/19/2015	11/24/2015	6253	\$200.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$361.10	\$429.83
7/16/2014	8/15/2014	5412	\$100.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$333.75	\$369.67
10/30/2014	11/25/2014	5315	\$200.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$600.44	\$671.59
11/13/2014	11/25/2014	5318	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$1,501.10	\$1,678.98
11/6/2014	11/25/2014	5316	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$1,501.10	\$1,678.98
1/7/2016	1/29/2016	6263	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$794.25	\$964.99
1/14/2016	1/29/2016	6265	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$794.25	\$964.99
1/21/2016	1/29/2016	6266	\$500.00	Sarkissian, George and Louise C	1080 Essex Avenue, Sunnyvale, CA 94089	1080 Essex Ave	110-11-014	TRACT 978 ORCHARD GARDENS BOOK 40 PAGE 2 PAGE 3 BLOCK 7 LOT 32	\$794.25	\$964.99
7/23/2015	8/11/2015	5350	\$200.00	Stay Cal Sunnyvale LLC	2110 S El Camino Real, San Mateo, CA 94405	1101 Elko Dr	104-33-010	LOT 1	\$430.14	\$499.57
7/16/2015	8/11/2015	5446	\$100.00	Stay Cal Sunnyvale LLC	2110 S El Camino Real, San Mateo, CA 94405	1101 Elko Dr	104-33-010	LOT 1	\$215.07	\$249.79
7/28/2015	8/11/2015	5460	\$100.00	Torres, Robert O and Elvira Hernandez	115 N Murphy Avenue, Sunnyvale, CA 94086	115 N Murphy Avenue	204-49-039	BLOCK 8 LOT 13	\$215.07	\$249.79
8/4/2015	8/11/2015	5463	\$200.00	Torres, Robert O and Elvira Hernandez	115 N Murphy Avenue, Sunnyvale, CA 94086	115 N Murphy Avenue	204-49-039	BLOCK 8 LOT 13	\$430.14	\$499.57
8/11/2015	9/10/2015	5467	\$500.00	Torres, Robert O and Elvira Hernandez	115 N Murphy Avenue, Sunnyvale, CA 94086	115 N Murphy Avenue	204-49-039	BLOCK 8 LOT 13	\$1,026.03	\$1,199.11
6/18/2015	6/24/2015	5477	\$100.00	Villa, Gildardo L	290 Velvetlake Drive, Sunnyvale, CA 94089	290 Velvetlake Drive	110-19-053	TRACT 1567 LAKEWOOD VILLAGE NO 2 BOOK 73 PAGE 8 PAGE 9 LOT 410	\$230.85	\$265.73
6/25/2015	6/30/2015	5479	\$200.00	Villa, Gildardo L	290 Velvetlake Drive, Sunnyvale, CA 94089	290 Velvetlake Drive	110-19-053	TRACT 1567 LAKEWOOD VILLAGE NO 2 BOOK 73 PAGE 8 PAGE 9 LOT 410	\$457.75	\$527.47
7/9/2015	7/17/2015	5438	\$500.00	Villa, Gildardo L	290 Velvetlake Drive, Sunnyvale, CA 94089	290 Velvetlake Drive	110-19-053	TRACT 1567 LAKEWOOD VILLAGE NO 2 BOOK 73 PAGE 8 PAGE 9 LOT 410	\$1,116.44	\$1,290.44
7/2/2015	7/17/2015	5482	\$500.00	Villa, Gildardo L	290 Velvetlake Drive, Sunnyvale, CA 94089	290 Velvetlake Drive	110-19-053	TRACT 1567 LAKEWOOD VILLAGE NO 2 BOOK 73 PAGE 8 PAGE 9 LOT 410	\$1,116.44	\$1,290.44
7/16/2015	8/11/2015	5448	\$500.00	Villa, Gildardo L	290 Velvetlake Drive, Sunnyvale, CA 94089	290 Velvetlake Drive	110-19-053	TRACT 1567 LAKEWOOD VILLAGE NO 2 BOOK 73 PAGE 8 PAGE 9 LOT 410	\$1,075.34	\$1,248.93
									\$40,663.45	\$47,452.94



City of Sunnyvale

Agenda Item

16-0652

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Public Hearing and Approval of the City of Sunnyvale's 2016 Public Health Goal Report on Water Quality (2013-2015), Direct Staff to file with the California State Water Resources Control Board Division of Drinking Water, and Find that the Action is Exempt from CEQA

BACKGROUND

The California Health and Safety Code requires all California water retailers serving more than 10,000 service connections to prepare a report every three years to inform consumers of water quality constituents that exceeded the Public Health Goals (PHGs). PHGs are non-enforceable water quality goals established by the California Office of Environmental Health Hazard Assessment and are based solely on public health risk considerations. Maximum Contaminant Level Goals (MCLG), established by the U.S. Environmental Protection Agency (USEPA), are the federal equivalent to California's PHGs.

Public water systems are also required to hold a public hearing for the purpose of accepting and responding to public comment on the report, which may be done as part of a regularly scheduled Council meeting.

The report is now being presented to Council to satisfy the public hearing requirements and to obtain Council approval before submittal to the California State Water Resources Control Board Division of Drinking Water (DDW).

EXISTING POLICY

Goal EM-4 Adequate Water Quality: Ensure that all water meets state & federal standards for aesthetics, quality and health.

ENVIRONMENTAL REVIEW

Approval of the 2016 Public Health Goal Report is not a project within the meaning of the California Environmental Quality Act as is it an administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guideline Section 15378(b)(5)).

DISCUSSION

The PHG Report (Attachment A) covers calendar years 2013-2015. It was prepared by HydroScience Engineers, Inc., a consultant employed by the City. Using an outside consultant helps to maintain objectivity in the analysis and preparation of the report. During the three year period covered by the report, one constituent (coliform bacteria) was detected above the federal MCLG, and one constituent (hexavalent chromium VI) was found a level higher than a California PHG.

Coliform Bacteria

Coliform bacteria, is a non-harmful indicator organism that triggers follow-up testing for the presence of any pathogens. The federal Maximum Contaminant Level (MCL) for total coliform bacteria is five percent (5%) positive samples of all samples collected each month. The MCLG is zero, while there is no California PHG for coliform bacteria. Each month the City collects at least 140 samples from sites located throughout the distribution system that are analyzed for the presence of coliform bacteria. It is not unusual for a water supply system to have an occasional positive sample for coliform bacteria.

During this reporting period such coliform testing for the City resulted in average monthly results of 0% to 2.8 % of samples testing positive, but in all cases follow up testing revealed negative results for E.coli or other harmful pathogens. Therefore, this detection does not trigger any further notification to public or action to remove the indicator organism from the water supply. Further, the City has implemented a vigilant monitoring and maintenance program that is intended to meet the requirements of the Total Coliform Rule and protect public health. A more detailed description of this testing, monitoring and maintenance program is presented in Attachment A. No further action is proposed or warranted at this time.

Hexavalent Chromium VI

The MCL for chromium VI is 10 parts per billion (ppb) which went into effect on July 14, 2014. The California PHG for chromium VI has been set at 0.02 ppb. Chromium VI can be naturally occurring and found in natural deposits throughout California. However, chromium VI was used in industrial and manufacturing operations, and past incidents have shown that its contaminated byproducts can migrate in groundwater supplies. Chromium VI has been categorized in the health risk category as being carcinogenic through inhalation and ingestions. The cancer risk at the MCL level of 10 ppb is one per 2000, and the risk at the California PHG level of 0.02 ppb is one per million.

The City's results for chromium VI for the six groundwater wells averaged 1.3 ppb. The levels are well below the MCL of 10 ppb. As such, the City will continue to monitor chromium VI levels in compliance with state and federal regulations. There are no plans to install treatment systems at affected wells due to being cost prohibitive with marginal/unknown benefit.

The PHG report also satisfies the requirements of the Health and Safety Code by presenting the following information:

- Public health risk categories and definitions of these categories for the constituents identified in excess of the PHG or MCLG;
- The Best Available Technology to remove or reduce the concentration of the identified constituents, if any;
- Recommended action for reduction of constituents exceeding PHGs and basis for that decision.

The report concluded that the City of Sunnyvale meets all drinking water standards established by the state and federal governments to protect public health. No additional treatment is recommended in an effort to decrease the incidence of total coliform bacteria and hexavalent chromium.

FISCAL IMPACT

There is no fiscal impact in the review and consideration of the information included in the attached report, and there are no recommended actions that would require monetary expenditure.

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. Find that the Action is Exempt from CEQA, Approve the City of Sunnyvale's 2016 Public Health Goal Report on Water Quality (2013-2015) and Direct Staff to file with the California State Water Resources Control Board Division of Drinking Water.
2. Provide other direction to staff.

STAFF RECOMMENDATION

Alternative 1: Approve the City of Sunnyvale's 2016 Public Health Goal Report on Water Quality (2013-2015) and Direct Staff to file with the California State Water Resources Control Board Division of Drinking Water.

Prepared by: Mansour Nasser, Water and Sewer Division Manager

Reviewed by: John Stufflebean, Director, Environmental Services

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. City of Sunnyvale- 2016 Public Health Goals Report

CITY OF SUNNYVALE – 2016 PUBLIC HEALTH GOALS REPORT

BACKGROUND

The California Health and Safety Code, section 116470(b) (see **Attachment 1**) requires public water systems serving more than 10,000 service connections to prepare a report by July 1, 2016 if water quality monitoring results over the past three years exceed any California Public Health Goals (PHGs) and/or federal Maximum Contaminant Level Goals (MCLGs). PHGs are non-enforceable goals established by the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA). MCLGs are goals that are adopted by USEPA, and only come into play if there is no California PHG. PHGs may not be more lenient than MCLGs.

Only constituents that have a California primary drinking water standard and for which either a PHG or MCLG has been set are to be addressed in the Report. **Attachment 2** contains a list of the regulated constituents and their respective PHGs or MCLGs. Total coliform and Chromium VI (hexavalent chromium) are the constituents which minimally exceeded the MCLG or PHG, but were still well below the MCL. There is no PHG for total coliform.

If a constituent was detected by a water supplier between January 1, 2013 and December 31, 2015 at a level exceeding an applicable PHG or MCLG, the Report shall contain the following information as required by the law:

- Numerical public health risk associated with the enforced Maximum Contaminant Level (MCL) and the PHG or MCLG;
- Category or type of risk to health that could be associated with each constituent;
- Best treatment technology available, if any, that could be used to remove or reduce the constituent to a level at or below the PHG or MCLG;
- Estimate of the cost to install that treatment and if it is appropriate and feasible; and
- Description of the actions, if any, the City intends to take to reduce the level of the constituent.

PHG/MCLG vs. MCL

PHGs are set by OEHHA (and MCLGs by USEPA) based solely on public health risk considerations. MCLs are set by USEPA or the California State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW) as the contaminants maximum level which public water systems must not exceed. Violations of MCLs can result in fines, abatement orders, or closure of facilities. When the USEPA, or the DDW, adopts an MCL, they take into account such factors as (1) analytical methodologies, (2) effectiveness of available treatment technologies, and (3) health benefits versus costs. PHGs (and MCLGs) are not enforceable and are not required to be met by any public water system.

Water Quality Data Review for this Report

Water quality data collected by the City of Sunnyvale during the calendar years of 2013, 2014 and 2015 for purposes of determining compliance with drinking water standards were reviewed in order to prepare this Report. This data was summarized in our 2013, 2014 and 2015 Annual Water Quality Reports, also known as Consumer Confidence Reports, which were distributed to

all of our customers by July of the following year and is typically included in the summer issue of the City's Quarterly Report (see **Attachment 3** for copies of the 2013, 2014, and 2015 City of Sunnyvale Consumer Confidence Reports).

Guidelines Followed for Preparation of this Report

The Association of California Water Agencies (ACWA) formed a workgroup which prepared guidelines for water utilities to use in preparing required PHG Reports. These guidelines, titled "Suggested Guidelines for Preparation of Required Reports on PUBLIC HEALTH GOALS (PHGs) to satisfy requirements of California Health and Safety Code Section 116470(b)" were used in the preparation of this Report.

Best Available Treatment Technology and Cost Estimates

Both USEPA and DDW adopt Best Available Technologies (BATs), which are the best known methods of reducing contaminant levels below the MCL. This report also considers other commercially available BATs that may have the ability to further reduce constituent levels beyond the MCL to the PHG/MCLG level or below. While a BAT may identify a process that can reduce the presence of a constituent, the cost of implementation can be a major factor in deciding whether or not to adopt the process. For a system that is in compliance with MCL levels, striving to keep constituents below PHG/MCLG levels must be evaluated with costs in mind.

Costs were estimated for the implementation of BATs for each constituent exceeding PHGs or MCLGs. The PHGs/MCLGs are set much lower than the MCL, and it is not always possible or feasible to determine what treatment technology is able to further reduce a constituent to a level at or below the PHG/MCLG. In some cases, such as when the MCLG is set at zero, there may not be commercially available technology to reach that level. The issue is further complicated because it is often not possible to verify by analytical means that the constituent has been totally eliminated, as some laboratory analyses can detect constituents down to a DDW approved level with certainty and are unable to definitively identify the constituent at lower levels. In some cases, installing treatment to try and further reduce very low levels of one constituent may have adverse effects on other aspects of water quality. This report presents the required cost estimates to implement the BATs to reduce the constituent to a level at or below the PHG/MCLG.

CONSTITUENTS DETECTED THAT EXCEED A PHG OR MCLG

In reviewing water quality monitoring data collected during 2013, 2014 and 2015, City of Sunnyvale staff have concluded that a PHG Report is required that addresses the following constituents:

- Coliform bacteria
- Chromium VI (Hexavalent Chromium)

The following section presents a discussion of the constituent that was detected in the drinking water distribution system or at water supply wells at levels above the PHG or MCLG.

Coliform Bacteria

In 1989 EPA developed the Total Coliform Rule. The MCL for total coliforms is five percent (5%) positive samples of all samples collected in each month. The MCLG is zero (there is no PHG for coliform bacteria).

The reason for the coliform standard is to minimize the possibility for drinking water to contain pathogens. Pathogens are microorganisms that can cause disease if ingested. Coliform bacteria is an indicator organism that is not generally considered harmful, but is used to identify the potential presence of pathogens in the water. It is not unusual for a system to have an occasional positive sample. A positive sample serves as a trigger to prompt further investigation into the presence of other organisms, requiring additional sampling to be done immediately after it is discovered.

The monitoring of a non-harmful constituent (coliform bacteria) to indicate the possible presence of harmful pathogens makes for an inexact, but generally conservative process. Therefore, it is not possible to state a specific numerical health risk associated with a given level of coliform bacteria. EPA normally sets MCLGs “at a level where no known or anticipated adverse effects on persons would occur.” When EPA published the final Total Coliform Rule they stated that it was not possible to determine such a level with coliform sampling. The absence of coliform bacteria is therefore the goal, and when that goal is not achieved, follow-up testing verifies whether an actual pathogen is present.

Best Available Technology Identified in the Total Coliform Rule

DDW identifies the best available technologies to meet the total coliform MCL in Title 22 of the California Code of Regulations Section 64447, which are as follows:

1. Protection of wells from coliform contamination by appropriate placement and construction;
2. Maintenance of a disinfectant residual throughout the distribution system;
3. Proper maintenance of the distribution system (e.g. including appropriate pipe replacement and repair procedures, main flushing programs, proper operation and maintenance of storage tanks and reservoirs, and continual maintenance of positive water pressure in all parts of the distribution system); and
4. Filtration and/or disinfection of surface water, in compliance with Section 64650, or disinfection of ground water

The City of Sunnyvale has implemented all of the above actions or processes, or obtains water from suppliers who implement these processes (such as filtration and chloramination). There is one method that may further reduce or eliminate the presence of total coliform, which is to increase the amount of disinfectant residual in the distribution system; however, the tradeoff includes the increased potential for the presence of cancer-causing disinfection byproducts. In the interest of protecting the public’s health, the City would prefer to continue to implement the current technologies and monitoring and maintenance program. As such, there is no estimated cost associated with additional treatment to reduce the incidence of coliform bacteria.

Sunnyvale Total Coliform Rule Monitoring Results

Each month the City collects at least 140 samples from sites located throughout the distribution system that are analyzed for the presence of coliform bacteria. If a positive coliform sample is found, follow-up sampling is done for more specific indicators of bacterial contamination.

Over the last three years, the monthly average of positive samples for coliform bacteria ranged from 0% to 2.8 %. All instances where a positive coliform sample was initially found, follow-up samples were negative for E. coli bacteria. The data indicated that these were isolated incidents, and the quality of the water in the distribution system was never compromised.

The City of Sunnyvale works closely with our regional water suppliers, the Santa Clara Valley Water District (SCVWD) and the San Francisco Public Utilities Commission (SFPUC). Both SCVWD and SFPUC provide water with a chloramine residual in accordance with the Total Coliform Rule.

Other measures and programs that the City implements to protect the microbiological quality of the drinking water served include:

- flushing of all distribution system dead-ends as needed;
- flushing of all hydrants as needed;
- implementation of a cross-connection control program;
- monitoring of a disinfectant residual throughout the distribution system;
- ongoing microbiological monitoring and surveillance program of all groundwater sources and the distribution system;
- implementation of a tank cleaning program every five years; and
- maintenance of positive pressures throughout the distribution system at all times.

As stated above, monitoring for coliform bacteria to indicate the possible presence of harmful pathogens is a conservative, yet inexact process. As such, there is no specific numerical correlation to health risk. However, the City has implemented a vigilant monitoring and maintenance program that is intended to meet the requirements of the Total Coliform Rule and protect public health.

No additional actions are recommended at this time for coliform bacteria.

Chromium VI (Hexavalent Chromium)

On July 1, 2014, the new MCL of 10 ppb became effective for chromium VI. Previously chromium VI was regulated under the 50 ppb primary drinking water standard for total chromium established in California in 1977. The California PHG for chromium VI has been set at 0.02 ppb. The established detection limit for reporting results is 1 ppb meaning that lab results returned under 1 ppb can be unreliable due to the fact that equipment is not sensitive enough to detect levels under the 1 ppb level.

Chromium VI can be naturally occurring and found in natural deposits throughout California. However, chromium VI was used in industrial and manufacturing and contaminated waste can migrate into groundwater supplies. Chromium VI has been categorized in the health risk category as being carcinogenic through inhalation and ingestion. The cancer risk at the California MCL is 5×10^{-4} , or five per 10,000, and the risk at the PHG is 1×10^{-6} or one per million¹

¹ Office of Environmental Health Hazard Assessment, Water Toxicology Section, Health Risk Information for Public Health Goal Exceedance Reports, February 2016

Best Available Technology Identified for Chromium VI

The approved technologies for removing chromium VI from drinking water include:

- Ion exchange
- Coagulation/Filtration
- Reverse osmosis

Two applications of treatment technologies have been tested in recent history and have reduced chromium-VI levels to 1 ppb. The estimated cost to install and operate such treatment systems are within the range of \$1,580 to \$9,950 per thousand gallons treated. Sunnyvale well capacities range from 500 to 1,900 gpm. The cost to implement treatment at each of the well sites would be approximately within the range of \$790,000 to \$4.98M for smaller capacity wells to as much as \$3.0M to \$18.9M for largest capacity wells. In addition, the treatment systems would have associated operations and maintenance costs that are unknown at this time. The result would be an assumed increase cost for each customer of up to \$700 over the span of a typical loan payback time of 30 years and not including the continuous cost of O&M².

Sunnyvale Chromium VI Monitoring Results

The City has one year of results collected for chromium VI with results averaging 1.3 ppb from the six groundwater wells operated within and by the City. The City is well below the MCL of 10 ppb and just above the 1 ppb level that treatment systems can reliably detect. As such, the City will continue to monitor results and has no plans currently to install treatment systems at affected wells due to the increased cost and marginal/unknown benefit.

SUMMARY AND CONCLUSION

The drinking water for the City of Sunnyvale meets all standards established by DDW and USEPA to protect public health. No additional treatment is recommended in an effort to decrease the incidence of total coliform and hexavalent chromium in system water testing. The level of total coliform and hexavalent chromium detected is well below the MCL, and elimination may be impossible. Therefore, no additional actions are proposed at this time for reducing coliform bacteria and hexavalent chromium. The City and its water suppliers will continue to implement the BATs for total coliform as well as the monitoring and maintenance program. Hexavalent chromium will continue to be monitored as required by DDW.

Attachments:

1. Excerpt from California Health & Safety Code: Section 116470 (b)
2. Table of Regulated Constituents with MCLs, PHGs or MCLGs
3. Consumer Confidence Reports for 2013, 2014 and 2015.

² Costs for BATs come from the 2016 PHG Report Guidance to Water Systems, ACWA, February 2016

ATTACHMENT NO. 1

CALIFORNIA HEALTH AND SAFETY CODE

Section §116470. Public Health Goal Report

- (b) On or before July 1, 1998, and every three years thereafter, public water systems serving more than 10,000 service connections that detect one or more contaminants in drinking water that exceed the applicable public health goal, shall prepare a brief written report in plain language that does all of the following:
- (1) Identifies each contaminant detected in drinking water that exceeds the applicable public health goal.
 - (2) Discloses the numerical public health risk, determined by the office, associated with the maximum contaminant level for each contaminant identified in paragraph (1) and the numerical public health risk determined by the office associated with the public health goal for that contaminant.
 - (3) Identifies the category of risk to public health, including, but not limited to, carcinogenic, mutagenic, teratogenic, and acute toxicity, associated with exposure to the contaminant in drinking water, and includes a brief plainly worded description of these terms.
 - (4) Describes the best available technology, if any is then available on a commercial basis, to remove the contaminant or reduce the concentration of the contaminant. The public water system may, solely at its own discretion, briefly describe actions that have been taken on its own, or by other entities, to prevent the introduction of the contaminant into drinking water supplies.
 - (5) Estimates the aggregate cost and the cost per customer of utilizing the technology described in paragraph (4), if any, to reduce the concentration of that contaminant in drinking water to a level at or below the public health goal.
 - (6) Briefly describes what action, if any, the local water purveyor intends to take to reduce the concentration of the contaminant in public drinking water supplies and the basis for that decision.

ATTACHMENT NO. 2

MCLs, DLRs and PHGs for Regulated Drinking Water Contaminants

Last Update: December 29, 2015

Prepared and provided by the Association of California Water Agencies (ACWA).

ATTACHMENT NO. 2

2016 PHG Triennial Report: Calendar Years 2013-2014-2015

MCLs, DLRs, and PHGs for Regulated Drinking Water Contaminants

(Units are in milligrams per liter (mg/L), unless otherwise noted.)

Last Update: December 29, 2015

(Reference last update 9/23/2015: http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/MCLsandPHGs.shtml)

This table includes:

- DDW's maximum contaminant levels (MCLs)
- DDW's detection limits for purposes of reporting (DLRs)
- [Public health goals \(PHGs\) from the Office of Environmental Health Hazard Assessment \(OEHHA\)](#)
- PHGs for NDMA and 1,2,3-Trichloropropane (both are unregulated) are at the bottom of this table
- The federal MCLG for chemicals without a PHG, microbial contaminants, and the DLR for 1,2,3-TCP

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Chemicals with MCLs in 22 CCR §64431—Inorganic Chemicals				
Aluminum	1	0.05	0.6	2001
Antimony	0.006	0.006	0.02	1997
Antimony	--	--	0.0007	2009 draft
Arsenic	0.010	0.002	0.000004	2004
Asbestos (MFL = million fibers per liter; for fibers >10 microns long)	7 MFL	0.2 MFL	7 MFL	2003
Barium	1	0.1	2	2003
Beryllium	0.004	0.001	0.001	2003
Cadmium	0.005	0.001	0.00004	2006
Chromium, Total - OEHHA withdrew the 1999 0.0025 mg/L PHG in Nov 2001	0.05	0.01	(0.100)	
Chromium, Hexavalent (Chromium-6)	0.01	0.001	0.00002	2011
Cyanide	0.15	0.1	0.15	1997
Fluoride	2	0.1	1	1997
Mercury (inorganic)	0.002	0.001	0.0012	1999 (rev2005)*
Nickel	0.1	0.01	0.012	2001
Nitrate (as N)	10 as N	0.4	45 as NO ₃ (=10 as N)	1997
Nitrite (as N)	1 as N	0.4	1 as N	1997
Nitrate + Nitrite (as N)	10 as N	0.4	10 as N	1997
Perchlorate	0.006	0.004	0.001	2015
Selenium	0.05	0.005	0.03	2010
Thallium	0.002	0.001	0.0001	1999 (rev2004)
Copper and Lead, 22 CCR §64672.3				
<i>Values referred to as MCLs for lead and copper are not actually MCLs; instead, they are called "Action Levels" under the lead and copper rule</i>				
Copper	1.3	0.05	0.3	2008
Lead	0.015	0.005	0.0002	2009

ATTACHMENT NO. 2

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Radionuclides with MCLs in 22 CCR §64441 and §64443—Radioactivity				
[units are picocuries per liter (pCi/L), unless otherwise stated; n/a = not applicable]				
Gross alpha particle activity - OEHHA concluded in 2003 that a PHG was not practical	15	3	(zero)	n/a
Gross beta particle activity - OEHHA concluded in 2003 that a PHG was not practical	4 mrem/yr	4	(zero)	n/a
Radium-226	--	1	0.05	2006
Radium-228	--	1	0.019	2006
Radium-226 + Radium-228	5	--	(zero)	--
Strontium-90	8	2	0.35	2006
Tritium	20,000	1,000	400	2006
Uranium	20	1	0.43	2001
Chemicals with MCLs in 22 CCR §64444—Organic Chemicals				
(a) Volatile Organic Chemicals (VOCs)				
Benzene	0.001	0.0005	0.00015	2001
Carbon tetrachloride	0.0005	0.0005	0.0001	2000
1,2-Dichlorobenzene	0.6	0.0005	0.6	1997 (rev2009)
1,4-Dichlorobenzene (p-DCB)	0.005	0.0005	0.006	1997
1,1-Dichloroethane (1,1-DCA)	0.005	0.0005	0.003	2003
1,2-Dichloroethane (1,2-DCA)	0.0005	0.0005	0.0004	1999 (rev2005)
1,1-Dichloroethylene (1,1-DCE)	0.006	0.0005	0.01	1999
cis-1,2-Dichloroethylene	0.006	0.0005	0.1	2006
trans-1,2-Dichloroethylene	0.01	0.0005	0.06	2006
Dichloromethane (Methylene chloride)	0.005	0.0005	0.004	2000
1,2-Dichloropropane	0.005	0.0005	0.0005	1999
1,3-Dichloropropane	0.0005	0.0005	0.0002	1999 (rev2006)
Ethylbenzene	0.3	0.0005	0.3	1997
Methyl tertiary butyl ether (MTBE)	0.013	0.003	0.013	1999
Monochlorobenzene	0.07	0.0005	0.07	2014
Styrene	0.1	0.0005	0.0005	2010
1,1,2,2-Tetrachloroethane	0.001	0.0005	0.0001	2003
Tetrachloroethylene (PCE)	0.005	0.0005	0.00006	2001
Toluene	0.15	0.0005	0.15	1999
1,2,4-Trichlorobenzene	0.005	0.0005	0.005	1999
1,1,1-Trichloroethane (1,1,1-TCA)	0.2	0.0005	1	2006
1,1,2-Trichloroethane (1,1,2-TCA)	0.005	0.0005	0.0003	2006
Trichloroethylene (TCE)	0.005	0.0005	0.0017	2009
Trichlorofluoromethane (Freon 11)	0.15	0.005	1.3	2014
1,1,2-Trichloro-1,2,2-Trifluoroethane (Freon 113)	1.2	0.01	4	1997 (rev2011)
Vinyl chloride	0.0005	0.0005	0.00005	2000
Xylenes	1.75	0.0005	1.8	1997

ATTACHMENT NO. 2

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
(b) Non-Volatile Synthetic Organic Chemicals (SOCs)				
Alachlor	0.002	0.001	0.004	1997
Atrazine	0.001	0.0005	0.00015	1999
Bentazon	0.018	0.002	0.2	1999 (rev2009)
Benzo(a)pyrene	0.0002	0.0001	0.000007	2010
Carbofuran	0.018	0.005	0.0017	2000
Carbofuran	--	--	0.0007	2015 draft
Chlordane	0.0001	0.0001	0.00003	1997 (rev2006)
Dalapon	0.2	0.01	0.79	1997 (rev2009)
1,2-Dibromo-3-chloropropane (DBCP)	0.0002	0.00001	0.0000017	1999
2,4-Dichlorophenoxyacetic acid (2,4-D)	0.07	0.01	0.02	2009
Di(2-ethylhexyl)adipate	0.4	0.005	0.2	2003
Di(2-ethylhexyl)phthalate (DEHP)	0.004	0.003	0.012	1997
Dinoseb	0.007	0.002	0.014	1997 (rev2010)
Diquat	0.02	0.004	0.015	2000
Diquat	--	--	0.006	2015 draft
Endrin	0.002	0.0001	0.0018	1999 (rev2008)
Endrin	--	--	0.0003	2015 draft
Endothal	0.1	0.045	0.094	2014
Ethylene dibromide (EDB)	0.00005	0.00002	0.00001	2003
Glyphosate	0.7	0.025	0.9	2007
Heptachlor	0.00001	0.00001	0.000008	1999
Heptachlor epoxide	0.00001	0.00001	0.000006	1999
Hexachlorobenzene	0.001	0.0005	0.00003	2003
Hexachlorocyclopentadiene	0.05	0.001	0.002	2014
Lindane	0.0002	0.0002	0.000032	1999 (rev2005)
Methoxychlor	0.03	0.01	0.00009	2010
Molinate	0.02	0.002	0.001	2008
Oxamyl	0.05	0.02	0.026	2009
Pentachlorophenol	0.001	0.0002	0.0003	2009
Picloram	0.5	0.001	0.5	1997
Picloram	--	--	0.166	2015 draft
Polychlorinated biphenyls (PCBs)	0.0005	0.0005	0.00009	2007
Simazine	0.004	0.001	0.004	2001
2,4,5-TP (Silvex)	0.05	0.001	0.003	2014
2,3,7,8-TCDD (dioxin)	3×10^{-8}	5×10^{-9}	5×10^{-11}	2010
Thiobencarb	0.07	0.001	0.07	2000
Thiobencarb	--	--	0.042	2015 draft
Toxaphene	0.003	0.001	0.00003	2003

ATTACHMENT NO. 2

Constituent	MCL	DLR	PHG or (MCLG)	Date of PHG
Chemicals with MCLs in 22 CCR §64533—Disinfection Byproducts				
Total Trihalomethanes	0.080	--		
Total Trihalomethanes	--	--	0.0008	2010 draft
Bromodichloromethane	--	0.0010	(zero)	--
Bromoform	--	0.0010	(zero)	--
Chloroform	--	0.0010	(0.07)	--
Dibromochloromethane	--	0.0010	(0.06)	--
Haloacetic Acids (five) (HAA5)	0.060	--	--	--
Monochloroacetic Acid	--	0.0020	(0.07)	--
Dichloroacetic Acid	--	0.0010	(zero)	--
Trichloroacetic Acid	--	0.0010	(0.02)	--
Monobromoacetic Acid	--	0.0010	--	--
Dibromoacetic Acid	--	0.0010	--	--
Bromate	0.010	0.0050 or 0.0010 ^a	0.0001	2009
Chlorite	1.0	0.020	0.05	2009
Microbiological Contaminants (TT = Treatment Technique)				
Coliform % positive samples	%	5	(zero)	
<i>Cryptosporidium</i> **		TT	(zero)	
<i>Giardia lamblia</i> **		TT	(zero)	
<i>Legionella</i> **		TT	(zero)	
Viruses**		TT	(zero)	
Chemicals with PHGs established in response to DDW requests. These are not currently regulated drinking water contaminants.				
N-Nitrosodimethylamine (NDMA)	--	--	0.000003	2006
1,2,3-Trichloropropane	--	0.000005	0.0000007	2009

Notes:

^a DDW will maintain a 0.0050 mg/L DLR for bromate to accommodate laboratories that are using EPA Method 300.1. However, laboratories using EPA Methods 317.0 Revision 2.0, 321.8, or 326.0 must meet a 0.0010 mg/L MRL for bromate and should report results with a DLR of 0.0010 mg/L per Federal requirements.

*OEHHA's review of this chemical during the year indicated (rev20XX) resulted in no change in the PHG

** Surface water treatment = TT

ATTACHMENT NO. 3

City of Sunnyvale Consumer Confidence Reports:

- 2013 Water Quality Report
- 2014 Water Quality Report
- 2015 Water Quality Report

IMPORTANT CONTACT INFORMATION

CITY CONTACTS

City of Sunnyvale

456 West Olive Ave.
Sunnyvale, CA 94086
Tel: (408) 730-7415
TDD: (408) 730-7501
Fax: (408) 730-7286
sunnyvale.ca.gov

Hours of Operation: 8 a.m. to 5 p.m., M–F

**Environmental Services
Department (Leaks, Breaks,
Water Quality Questions)**
(408) 730-7400

Utility Division (Billing)
(408) 730-7400, Residential
(408) 730-7681, Commercial

**Backflow and Cross-
Connection Control Program**
(408) 730-7574

**SCVWD Water Conservation
Hotline**
(408) 630-2554

SCVWD Pollution Hotline
(888) 510-5151 (24 Hours)

WEB RESOURCES

Department of Public Health
cdph.ca.gov

US EPA
water.epa.gov/drink

**Department of
Water Resources**
www.dwr.water.ca.gov

Emergency Preparedness
ready.gov

**Bay Area Water Supply and
Conservation Agency**
bawsca.org

**American Water Works
Association**
awwa.org or DrinkTap.org

SCVWD
valleywater.org

SFPUC
sfwater.org

TO GET INVOLVED

To provide input on decisions that affect drinking water quality, you are welcome to speak on any issue specifically coming before the City Council at a regularly scheduled council meeting. You can also speak on any topic you wish to bring to the Council's attention during the "Public Comments" portion of the meeting agenda. Alternatively, you can send a letter in advance of a meeting.

City Council Meetings

City Hall Council Chambers
456 West Olive Ave.
Sunnyvale, CA 94086
Tuesdays, 7 p.m.

A list of City Council meetings, agenda items and study issues can be obtained by visiting sunnyvale.ca.gov or by calling the City Clerk's office at (408) 730-7483.



HEALTH & EDUCATION INFORMATION

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA Safe Drinking Water Hotline.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, such as persons with cancer undergoing chemotherapy; persons who have undergone organ transplants; people with HIV/AIDS or other immune system disorders; some elderly; and infants can be particularly at risk from infections. These people should seek advice from their health care providers.

USEPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the USEPA Safe Drinking Water Hotline.

USEPA Safe Drinking Water Hotline ►
(800) 426-4791



The City of Sunnyvale is replacing and upgrading aging water distribution infrastructure to ensure continued reliable water supply. The improvements will enhance water quality and improve operational efficiency. In the past year, the City has replaced over eight miles of water pipelines and upgraded one of our water pumping facilities. The City has also updated the water communications system to better manage and operate the water distribution system. If you have questions about an upcoming project along your street, contact us at (408) 730-7400.



Last year was the driest year on record for many parts of California. Last January, Governor Brown declared a drought state-of-emergency and called on all Californians to reduce their water usage by 20%. While Sunnyvale's water use has been trending downward, we must continue to use water wisely. Sunnyvale is working to ensure a reliable water supply, and you can continue to do your part by conserving water. To learn more visit save20gallons.org and valleywater.org/drought2014.



CITY OF SUNNYVALE 2013 WATER QUALITY REPORT

This report contains important information about your drinking water. Translate it, or speak with someone who understands it.

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Mahalaga ang impormasyong ito. Mangyaring ipasalin ito.

Chi tiết này thật quan trọng. Xin nhờ người dịch cho quý vị.

此份有關你的食水報告，內有重要資料和訊息，請找他人為你翻譯及解釋清楚。

この情報は重要です。翻訳を依頼してください。

이 소책자에는 식수수질 보고서의 내용을 요약한 당신의 수도물에 관한 중요한 정보가 적혀져있습니다. 이 정보를 이해하실수 있는 분에게 번역을 부탁하십시오.

यह सूचना महत्वपूर्ण है ।
कृपा करके किसी से इसका अनुवाद करायें ।

Last year your tap water met all state and federal drinking water health standards

The City of Sunnyvale aims to provide superior service while delivering a reliable, high-quality drinking water supply to our customers. Last year, your tap water met all state and federal drinking water health standards. The City vigilantly safeguards its water supplies, and once again, we are proud to report that our system has met or exceeded water quality standards.

WHAT'S INSIDE ►

Important information about your water

Tips for saving water

Ways to contact the City

Protecting your water supply

To ensure that tap water is safe to drink, the U.S. Environmental Protection Agency (USEPA) and the California Department of Public Health (CDPH) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. CDPH regulations also establish limits for contaminants in bottled water that provide the same protection for public health.

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- **Microbial Contaminants** such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
- **Inorganic Contaminants** such as salts and metals, that can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining or farming.
- **Pesticides and Herbicides** that may come from a variety of sources such as agriculture, urban stormwater runoff and residential uses.
- **Organic Chemical Contaminants** including synthetic and volatile organic chemicals that are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, agricultural application and septic systems.
- **Radioactive Contaminants** that can be naturally-occurring or be the result of oil and gas production and mining activities.

Protection begins in the watersheds. Protecting the water supply is important to ensure that water is safe from contamination and aesthetically pleasing for use. Contamination requires treatment, which increases the cost to deliver water to your tap. Here are ways that you can help protect our watershed:

- Eliminate excess use of lawn and garden fertilizers and pesticides
- Pick up after your pets
- Take used motor oil and other recyclables to the SMaRT Station ®
- Dispose of pharmaceuticals at any Sunnyvale fire station. Medications should not to be flushed down drains or put in the garbage.
- Dispose of cleaners, chemicals and paints at a Household Hazardous Waste Drop-off Event
- Volunteer in your community. The Creek Connections Action Group works to protect the County's waterways. Visit www.cleanacreek.org.
- Participate in public meetings and forums. It allows decision-makers to hear your perspective and you to be involved in protecting your water supply.

More information about disposal and recycling ►
Call (408) 730-7262

SMaRT Station ®
301 Carl Road, Sunnyvale, CA 94089
Open daily, 8 a.m. to 5 p.m., Tel: (408) 752-8530

Household Hazardous Waste Drop-off
164 Carl Road, Sunnyvale, CA 94089
Every 3rd Saturday, 8 a.m. to 1 p.m.



Where your water comes from

The City of Sunnyvale has three different sources of drinking water supply: local groundwater, treated surface water from the Santa Clara Valley Water District (SCVWD) and treated surface water from the San Francisco Public Utilities Commission (SFPUC). There are also pockets of Sunnyvale customers who receive water from the California Water Service Company (Cal Water); questions regarding the source and delivery of water provided by Cal Water can be directed to its local office at (650) 917-0152.

Local Groundwater

The City owns, operates and maintains eight deep wells. The wells are used to help supplement the imported water supplies during peak demands in the summer months and emergency situations. The City is always working to increase flexibility in local groundwater supplies, enhance water quality, reduce operating costs, and increase reliability. Recent groundwater improvements include water well connections, electrical upgrades and installation of an emergency generator. Groundwater pumped from these wells is taxed by SCVWD.

The City completed a Drinking Water Source Assessment Program (DWSAP) in January 2003 for these groundwater sources. The City's groundwater sources are considered most vulnerable to

contamination by leaky underground fuel tanks, dry cleaning chemicals, sewer collection systems, old septic systems and machine shops.

SFPUC Supply

The City purchases a blend of Hetch Hetchy water and treated water from SFPUC to serve the northern part of the city. Filtered water turbidity from SFPUC met the standard of 0.3 NTU or less, 95% of the time.

The Hetch Hetchy Watershed provides most of the SFPUC water supply, supplemented by the Alameda watershed. The major water source originates from spring snowmelt flowing down the Tuolumne River and is stored in the Hetch Hetchy Reservoir. Since this water source meets all federal and state standards for watershed protection, disinfection treatment practices, bacteriological quality monitoring and

operations, the State has granted this water source a filtration exemption.

The Alameda Watershed spans more than 35,000 acres in Alameda and Santa Clara Counties. Surface water from rainfall and runoff is collected in the Calaveras and San Antonio Reservoirs. Prior to distribution, the water from these reservoirs is treated. Fluoridation, chloramination and corrosion control treatment are provided for the combined Hetch Hetchy and treated water. Fluoride is added to the naturally occurring level to help protect against tooth decay in consumers. The average fluoride levels in the treated water were maintained within a range of 0.7-1.4 mg/L as required by CDPH.

The SFPUC actively protects the water resources entrusted to its care. Its annual update of the Hetch Hetchy Watershed Sanitary Survey evaluates the sanitary conditions, water quality, potential contamination sources and the results of watershed management activities with partner agencies (such as the National Park

Service and US Forest Service). The SFPUC also conducts sanitary surveys every five years to detect and track sanitary concerns for the Bay Area watersheds and the approved standby water sources in Early Intake Watershed, which includes Cherry Lake and Lake Eleanor. The latest 5-year surveys were completed in 2011 for the period of 2006-2010. These surveys identified wildlife, stock and human activities as potential contamination sources. They are available for review at the CDPH San Francisco District office.

More information on SFPUC ►
Visit sfwater.org, or call CDPH (510) 620-3474

SCVWD Supply

The City purchases treated surface water from SCVWD and delivers it to the southern portion of the city. SCVWD imports more than half of its supply from the South Bay Aqueduct, Lake Del Valle and San Luis Reservoir, which all draw water from the Sacramento-San



Joaquin Delta Watershed. SCVWD local surface water sources include Anderson and Calero Reservoirs. SCVWD source waters are vulnerable to potential contamination from a variety of land use practices such as agricultural and urban runoff, recreational activities, livestock grazing and residential and industrial development. Imported sources are vulnerable to wastewater treatment plant discharges, seawater intrusion and wildfires in watershed areas.

Local sources are also vulnerable to contamination from commercial stables and historic mining practices. No contaminant associated with any of these activities has been detected in SCVWD treated water. Water treatment plants provide multiple barriers for physical removal and disinfection of contaminants.

More information on SCVWD ►
Visit valleywater.org

WATER CONSERVATION TIPS



Water Conservation Hotline ►
SCVWD (408) 630-2554
valleywater.org

The City works cooperatively with our water wholesalers to provide residents with advice, assistance and access to programs. The following water-saving tips are simple ways to conserve water both indoors and out, and are provided jointly by the City and SCVWD.

Steps to Save Water Indoors

- Turn off the faucet while you brush your teeth.
- Take shorter showers. You will save 2.5 gallons of water each minute.
- Install water-efficient faucet aerators and showerheads in your kitchen and bathrooms.
- Check toilets and faucets for leaks. Running toilets can waste two gallons a minute while leaky faucets can waste thousands of gallons.
- Do not use the toilet as a wastebasket.
- Only wash full loads of laundry and dishes.

- Rinse fruits and vegetables in a pan instead of using running water.
- Keep a pitcher of drinking water in the refrigerator. Running tap water to cool it off for drinking is wasteful.
- Replace your old top-loading clothes washer with a high-efficiency model. For information about rebates call the Water Conservation Hotline.
- If your toilet uses more than 3.5 gallons per flush, replace it with a high-efficiency toilet. New models use 70 percent less water. For information about rebates, call the Water Conservation Hotline.

Steps to Save Water Outdoors

- Plant native or drought-tolerant plants that require less watering. Native plants promote healthier local ecosystems.
- Use a broom to sweep off pavement. Using a hose to wash sidewalks, driveways and patios wastes money and water.
- Apply organic mulch around plants to reduce moisture loss, keep weed-growth down and promote healthier soil.
- Deeply soak your lawn to ensure moisture reaches the roots. Light sprinkle watering evaporates quickly and encourages shallow root systems that need more frequent watering.

- Check for leaks in pipes, sprinkler heads and valves.
- Water during cool parts of the day. Early morning is the best time because it helps prevent growth of fungus.
- Water your lawn only when it needs it. If the grass springs back up after stepping on it, it does not need watering.
- Avoid watering on windy days.
- Use drip irrigation in larger gardens with weather-based irrigation control. For information about rebates call the Water Conservation Hotline.

2013

WATER QUALITY TEST RESULTS



The City of Sunnyvale has instituted a comprehensive water quality monitoring program that encompasses City-owned wells and all water purchased from SFPUC and SCVWD. This program ensures that all of our customers receive water that complies with all regulatory criteria and that no maximum contaminant levels (MCLs) or maximum contaminant level goals (MCLGs) for regulated chemicals, bacteria or pollutants are exceeded.

In order to ensure water quality standards are met, drinking water samples are collected daily throughout Sunnyvale and analyzed for a variety of regulated and unregulated contaminants. Samples are tested by the City’s certified laboratory and an independent certified laboratory using the latest testing procedures and equipment. We collect more samples than required by the CDPH to provide you with the highest quality of water at all times. In addition, the City’s wholesalers, SCVWD and SFPUC, conduct their own testing before delivering water to the City. Such measures help us to continue meeting established water quality standards.

The table to the right shows the results of the distribution system and source water analyses conducted by the City, SCVWD and SFPUC. Water quality data are grouped by water source. Last year we conducted more than 20,000 tests for more than 80 parameters. We detected only 15 of these parameters, and none were found at levels higher than CDPH allows.

Only the parameters detected are shown. Other constituents were analyzed but are not listed because they were not detected. Additionally, unregulated parameters are shown to provide you with supplemental information.

Some data—although representative—were collected prior to 2013, as the CDPH requires monitoring for some constituents less than once per year since the concentrations of these constituents do not vary frequently or significantly.



More information ►
For more information about this report or the City’s water quality monitoring program, please contact:

John Ramirez
City of Sunnyvale
Water Operations Manager
Tel: (408) 730-7510
TDD: (408) 730-7501
jramirez@sunnyvale.ca.gov

PRIMARY DRINKING WATER STANDARDS (PUBLIC HEALTH RELATED STANDARDS)														
PARAMETER	Unit	MCL, (AL), or [MRDL]	PHG, (MCLG), or [MRDLG]	Groundwater Well		SCVWD		SFPUC		Typical Sources*				
				Average or [Max]	Range	Average or [Max]	Range	Average or [Max]	Range					
SOURCE WATER SAMPLING														
INORGANIC CHEMICALS														
Aluminum	ppm	1	0.6	ND	ND	ND	ND	ND	ND–0.052	3, 4				
Barium	ppm	1	2	0.11	0.10–0.13	ND	ND	ND	ND	3, 21				
Fluoride	ppm	2	1	0.20	0.14–0.24	ND	ND	0.4	ND–0.8	3, 5, 6				
Selenium	ppb	50	30	0.4	ND–2.6	ND	ND	ND	ND	3, 22, 23, 24				
Turbidity	NTU	TT	NA	0.23	ND–1.2	0.06	0.06	[3.6] _a	0.2–0.3 _b	2				
Nitrate	ppm	45	45	15	10–26	ND	ND–4	ND	ND	3, 7, 8				
RADIOLOGICAL														
Gross Alpha Particle Activity	pCi/L	15	(0)	ND	ND	ND	ND	ND	ND–3.9	3				
DISINFECTION BYPRODUCT PRECURSORS														
TOC (precursor control)	ppm	TT	NA			1.94	1.37–3.03	2.2	1.0–3.4	10				
MICROBIOLOGICAL														
Giardia Lamblia	cyst/L	TT	(0)			ND	ND	ND	ND–0.04	1				
DISTRIBUTION SYSTEM SAMPLING														
LEAD AND COPPER (SUNNYVALE 2013 AT-THE-TAP SAMPLING)				90th Percentile		# of Samples Above AL								
Lead	ppb	(15)	0.2	1		0 out of 53		3, 17, 19						
Copper	ppm	(1.3)	0.3	0.079		0 out of 53		3, 17, 18						
DISINFECTION RESIDUALS AND BYPRODUCTS				Highest Location RAA		Range								
Disinfectant Residual as Chlorine	ppm	[4]	[4]	1.95		0.01–3.10		20						
Total Trihalomethanes	ppb	80	NA	48.6		30.8–61.8		9						
Haloacetic Acids	ppb	60	NA	36.8		2.2–45.0		9						
MICROBIOLOGICAL				Average		Range								
Total Coliform Bacteria	% pos / month	5.0%	(0)	0.7%		0.0–2.8%		1						

SECONDARY DRINKING WATER STANDARDS (AESTHETIC STANDARDS)									
PARAMETER	Unit	MCL	Average	Range	Average	Range	Average	Range	Sources*
Aluminum	ppb	200	ND	ND	ND	ND	ND	ND–52	3, 4
Chloride	ppm	500	44	34–64	83	76–88	10.2	ND–18	11, 12, 14
Color	CU	15	ND	ND	ND	ND	ND	ND–6	13
Copper	ppm	1	0.004	ND–0.011	ND	ND	ND	ND	3, 18
Iron	ppb	300	42	ND–190	ND	ND	ND	ND	12, 15
Odor — Threshold	TON	3	ND	ND	1	1	ND	ND	13
Specific Conductance	µS/cm	1600	665	590–760	558	522–593	169	29–258	14, 16
Sulfate	ppm	500	34	23–39	61	48–84	16.6	0.8–33	11, 12, 15
Total Dissolved Solids	ppm	1000	380	330–450	307	274–358	71	ND–109	11, 12
UNREGULATED PARAMETERS									
PARAMETER	Unit	NL	Average	Range	Average	Range	Average	Range	
Boron	ppb	1000	160	110–230	165	137–222	NA	NA	
Chromium VI (Hexavalent Chromium)	ppb	NS	1.4	ND–3.1	ND	ND	NA	NA	
Vanadium	ppb	50	6.7	4.3–22	ND	ND	NA	NA	
OTHER WATER QUALITY PARAMETERS									
PARAMETER	Unit	MCL	Average	Range	Average	Range	Average	Range	
Hardness (as Calcium Carbonate)	ppm	NS	310	290–330	104	91–125	53	7–89	
pH	Units	NS	8.7 _c	7.0–9.7 _c	7.7	7.6–7.8	8.4	6.5–9.4	
Sodium	ppm	NS	29	22–41	67	62–70	12	3–18	
Temperature	°C	NS	16 _c	10–26 _c	19	14–23	NA	NA	

Important information about your water quality

Fluoride

Currently, all water from SFPUC is fluoridated while water from SCVWD, the City’s other wholesale water provider is not. The City also does not fluoridate well water. As a result, some areas of Sunnyvale receive fluoridated water, other areas receive non-fluoridated water and some areas receive a mixture of both. A map showing the areas is found below. **According to the Centers for Disease Control and Prevention, if a child under the age of six months is exclusively consuming infant formula reconstituted with fluoridated water, there may be an increased chance of dental fluorosis. Consult your child’s health care provider for more information.**

Lead

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The City is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to two minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at water.epa.gov/drink/info/lead.

Nitrate

Nitrate in drinking water at levels above 45 mg/L is a health risk for infants younger than six months of age. Such nitrate levels in drinking water can interfere with the capacity of the infant’s blood to carry oxygen, resulting in serious illness; symptoms include shortness of breath and blueness of the skin. Nitrate levels above 45 mg/L may also affect the ability of the blood to carry oxygen in other individuals, such as pregnant women and those with certain specific enzyme deficiencies. If you are caring for an infant, or you are pregnant, you should ask for advice from your health care provider.

Disinfection

Sunnyvale residents should know that the Sunnyvale system distributes water treated with chloramine and well water that is tested but not treated. Chloramine, a combination of chlorine and ammonia, is more stable than chlorine and offers a number of health benefits. Chloramine lasts longer in water to provide more protection against pathogens such as bacteria and viruses, and produces lower levels of disinfection byproducts such as trihalomethanes. State and federal regulations effective January 2002 lowered the allowable level of exposure to disinfection byproducts. The water provided by SFPUC and SCVWD is disinfected with chloramines, which can affect dialysis treatment. The City maintains contact with dialysis treatment centers in the service area. Residents on home dialysis should contact their physicians to discuss the impact on their treatment. The Western Pacific Renal Network, at (415) 897-2400, can provide more information about chloramines and dialysis. Fish and aquarium owners should check with their local pet stores to make sure they are using the correct equipment for chloramine removal of any concentration.

Hardness

Water hardness is determined mainly by the presence of calcium and magnesium salts. Although hard water does not pose a health risk, it may be considered undesirable for other reasons. Some benefits of water softening are reductions in soap usage, longer life for water heaters and a decrease in encrustation of pipes. Some disadvantages of water softening are an increase in sodium intake (depending on type of water softener used), an increase in maintenance and servicing requirements and potential adverse effects on salt-sensitive plants and landscaping. To convert hardness from ppm to grains per gallon, divide by 17.1. A hardness scale is provided below for your reference.

Hardness Classification	Grains per Gallon	mg/L or ppm
Soft	less than 1.0	less than 17.1
Slightly hard	1.0–3.5	17.1–60
Moderately hard	3.5–7.0	60–120
Hard	7.0–10.5	120–180
Very hard	over 10.5	over 180

DEFINITIONS OF KEY TERMS

Maximum Contaminant Level (MCL). The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste and appearance of drinking water. MCLs are established by USEPA and CDPH.

Maximum Contaminant Level Goal (MCLG). The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the USEPA.

Maximum Residual Disinfectant Level (MRDL). The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG). The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

Notification Level (NL). Notification levels are health-based advisory levels established by CDPH for chemicals in drinking water that lack MCLs. When chemicals are found at concentrations greater than their notification levels, certain requirements and recommendations apply.

Primary Drinking Water Standard (PDWS). MCLs and MRDLs for contaminants that affect health along with their monitoring and reporting requirements and water treatment requirements.

Public Health Goal (PHG). The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Office of Environmental Health Hazard Assessment.

Regulatory Action Level (AL). The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

Treatment Technique (TT). A required process intended to reduce the level of a contaminant in drinking water.

Total Organic Carbon (TOC). TOC has no health effects. However, TOC provides a medium for the formation of disinfection byproducts including trihalomethanes and haloacetic acids. Drinking water containing disinfection byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems or nervous system effects and may lead to an increased risk of cancer.

Turbidity. Turbidity has no health effects. It is a measure of the clarity of the water and is monitored because it is a good indicator of water quality and the effectiveness of a filtration system. The MCL for turbidity is based on the TT. For unfiltered water, the MCL is 5.0 NTU. For filtered water, the MCL is ≤0.3 NTU 95% of the time.

Waiver. State permission to decrease the monitoring frequency for a particular contaminant.

ABBREVIATIONS

°C	Degrees Celsius
CDPH	California Department of Public Health
CU	Color unit
Max	Maximum
NA	Not applicable
ND	Not detected
NS	No standard
NTU	Nephelometric turbidity unit
ppb	parts per billion (micrograms per liter)
ppm	parts per million (milligrams per liter)
µS/cm	microSiemens per centimeter
% pos	% positive
RAA	Running annual average
SCVWD	Santa Clara Valley Water District
SFPUC	San Francisco Public Utilities Commission
TOC	Total organic carbon
TON	Threshold odor number
USEPA	United States Environmental Protection Agency

- NOTES**
- ^a Single-highest sample result in 2013
 - ^b Range of monthly averages
 - ^c Levels in the distribution system

* TYPICAL SOURCES IN DRINKING WATER

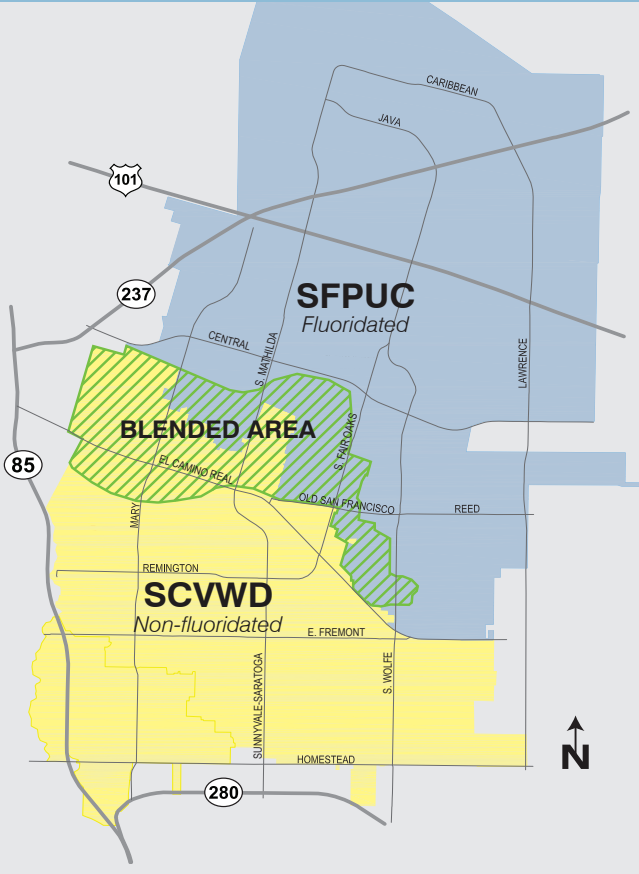
- Naturally present in the environment
- Soil runoff
- Erosion of natural deposits
- Residue from some surface water treatment processes
- Water additive that promotes strong teeth
- Discharge from fertilizer and aluminum factories
- Runoff and leaching from fertilizer use
- Leaching from septic tanks and sewage
- By-product of drinking water disinfection
- Various natural and man-made sources
- Runoff from natural deposits
- Leaching from natural deposits
- Naturally-occurring organic materials
- Seawater influence
- Industrial wastes
- Substances that form ions when in water
- Internal corrosion of household plumbing systems
- Leaching from wood preservatives
- Discharges from industrial manufacturers
- Drinking water disinfectant added for treatment
- Discharges of oil drilling wastes and from metal refineries
- Discharge from petroleum, glass, and metal refineries
- Discharge from mines and chemical manufacturers
- Runoff from livestock lots (feed additive)

SOURCE MAP

The adjacent map indicates which areas of the City are supplied by SFPUC, SCVWD or a mixture of the two. The colored regions correspond to the colored columns in the table above.

Groundwater wells, which are not shown on this map, are located throughout the City. Local groundwater is blended with surface water supplies from SFPUC and SCVWD.

SFPUC water is fluoridated but SCVWD and groundwater supplies are not.



IMPORTANT CONTACT INFORMATION

CITY CONTACTS

City of Sunnyvale

456 West Olive Ave.
Sunnyvale, CA 94086
Tel: (408) 730-7415
TDD: (408) 730-7501
Fax: (408) 730-7286
sunnyvale.ca.gov

Hours of Operation:
8 a.m. to 5 p.m., M–F

**Environmental Services
Department (Leaks, Breaks,
Water Quality Questions)**
(408) 730-7900

Utility Division (Billing)
(408) 730-7400, Residential
(408) 730-7681, Commercial

**Backflow and Cross-
Connection Control Program**
(669) 600-7322

**SCVWD Water Conservation
Hotline**
(408) 630-2554

To report water waste
(408) 630-2000

SCVWD Pollution Hotline
(888) 510-5151 (24 Hours)

WEB RESOURCES

Division of Drinking Water
waterboards.ca.gov/drinking_water/

US EPA
water.epa.gov/drink

**Department of
Water Resources**
www.dwr.water.ca.gov

**Bay Area Water Supply and
Conservation Agency**
bawasca.org

**American Water Works
Association**
awwa.org or DrinkTap.org

SCVWD
valleywater.org

SFPUC
sfwater.org

TO GET INVOLVED

To provide input on decisions that affect drinking water quality, you are welcome to speak on any issue specifically coming before the City Council at a regularly scheduled council meeting. You can also speak on any topic you wish to bring to the Council's attention during the "Public Comments" portion of the meeting agenda. Alternatively, you can send a letter in advance of a meeting.

City Council Meetings

City Hall Council Chambers
456 West Olive Ave.
Sunnyvale, CA 94086
Tuesdays, 7 p.m.

A list of City Council meetings, agenda items and study issues can be obtained by visiting sunnyvale.ca.gov or by calling the City Clerk's office at (408) 730-7483.



HEALTH & EDUCATION INFORMATION

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA Safe Drinking Water Hotline.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, such as persons with cancer undergoing chemotherapy; persons who have undergone organ transplants; people with HIV/AIDS or other immune system disorders; some elderly; and infants can be particularly at risk from infections. These people should seek advice from their health care providers.

USEPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the USEPA Safe Drinking Water Hotline.

USEPA Safe Drinking Water Hotline ►
(800) 426-4791

Water System Improvements

The City of Sunnyvale is continuously replacing and upgrading aging water distribution infrastructure to ensure continued reliable water supply. The improvements will enhance water quality and improve operational efficiency. In the past year, the City has replaced over 5,000 feet of water pipelines and is planning upgrades to another one of our water pumping facilities. If you have questions about an upcoming project along your street, contact us at (408) 730-7900.

Recycled Water Project Approved

The City has collaborated with the SCVWD, California Water Service Company, the DWR, and Apple to fund and implement an exciting new project to extend the recycled water pipeline network. As part of the project, a booster pump station and 13,300 feet of recycled water pipeline will be constructed along Wolfe Road to funnel water from Sunnyvale's water recycling facility to serve many new customers, including the new Apple Campus 2 in Cupertino. The SCVWD expects construction to begin this fall.



Last year was one of the driest years on record for many parts of California. In January 2014, Governor Brown declared a drought state-of-emergency and called on all Californians to reduce their water usage by 20%. While Sunnyvale's water use has been trending downward, we must continue to use water wisely. Sunnyvale is working to ensure a reliable water supply, and you can continue to do your part by conserving water. To learn more visit save20gallons.org, valleywater.org/drought, and saveourwater.com.

The San Luis Reservoir is one of the supply reservoirs serving the SCVWD. Record low levels in this, and other supply reservoirs are prompting the State to implement water use restrictions throughout California.



CITY OF SUNNYVALE 2014 WATER QUALITY REPORT

This report contains important information about your drinking water. Translate it, or speak with someone who understands it.

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Mahalaga ang impormasyong ito. Mangyaring ipasalin ito.

Chi tiết này thật quan trọng. Xin nhờ người dịch cho quý vị.

此份有關你的食水報告，內有重要資料和訊息，請找他人為你翻譯及解釋清楚。

この情報は重要です。翻訳を依頼してください。

이 소책자에는 식수수질 보고서의 내용을 요약한 당신의 수도물에 관한 중요한 정보가 적혀져있습니다. 이 정보를 이해하실수 있는 분에게 번역을 부탁드립니다.

यह सूचना महत्वपूर्ण है ।
कृपा करके किसी से :सका अनुवाद करायें ।

Last year your tap water met all state and federal drinking water health standards

The City of Sunnyvale aims to provide superior service while delivering a reliable, high-quality drinking water supply to our customers. Last year, your tap water met all state and federal drinking water health standards. The City vigilantly safeguards its water supplies, and once again, we are proud to report that our system has met or exceeded water quality standards.

WHAT'S INSIDE ►

Important information about your water

Water Use Restrictions

Ways to contact the City

Protecting your water supply

To ensure that tap water is safe to drink, the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board (State Board) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. State Board regulations also establish limits for contaminants in bottled water that provide the same protection for public health.

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- **Microbial Contaminants** such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
- **Inorganic Contaminants** such as salts and metals, that can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining or farming.
- **Pesticides and Herbicides** that may come from a variety of sources such as agriculture, urban stormwater runoff and residential uses.
- **Organic Chemical Contaminants** including synthetic and volatile organic chemicals that are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, agricultural application and septic systems.
- **Radioactive Contaminants** that can be naturally-occurring or be the result of oil and gas production and mining activities.

Protection begins in the watersheds. Protecting the water supply is important to ensure that water is safe from contamination and aesthetically pleasing for use. Contamination requires treatment, which increases the cost to deliver water to your tap. Here are ways that you can help protect our watershed:

- Eliminate excess use of lawn and garden fertilizers and pesticides
- Pick up after your pets
- Take used motor oil and other recyclables to the SMaRT Station ®
- Dispose of pharmaceuticals at any Sunnyvale fire station. Medications should not be flushed down drains or put in the garbage.
- Dispose of cleaners, chemicals and paints at a Household Hazardous Waste Drop-off Event
- Volunteer in your community. The Creek Connections Action Group works to protect the County's waterways. Visit www.cleanacreek.org.
- Participate in public meetings and forums. It allows decision-makers to hear your perspective and you to be involved in protecting your water supply.

More information about disposal and recycling ►
Call (408) 730-7262

SMaRT Station ®
301 Carl Road, Sunnyvale, CA 94089
Open daily, 8 a.m. to 5 p.m., Tel: (408) 752-8530

Household Hazardous Waste Drop-off
164 Carl Road, Sunnyvale, CA 94089
Every 3rd Saturday, 8 a.m. to 1 p.m.



Where your water comes from

The City of Sunnyvale has three different sources of drinking water supply: local groundwater, treated surface water from the Santa Clara Valley Water District (SCVWD) and treated surface water from the San Francisco Public Utilities Commission (SFPUC). There are also pockets of Sunnyvale customers who receive water from the California Water Service Company (Cal Water); questions regarding the source and delivery of water provided by Cal Water can be directed to its local office at (650) 917-0152.

Local Groundwater

The City owns, operates and maintains seven deep wells. The wells are used to help supplement the imported water supplies during peak demands in the summer months and emergency situations. The City is always working to increase flexibility in local groundwater supplies, enhance water quality, reduce operating costs, and increase reliability. Recent groundwater improvements include water well connections, electrical upgrades and installation of an emergency generator. Groundwater pumped from these wells is taxed by SCVWD.

The City completed a Drinking Water Source Assessment Program (DWSAP) in January 2003 for these groundwater sources. The City's groundwater sources are considered most vulnerable to

contamination by leaky underground fuel tanks, dry cleaning chemicals, sewer collection systems, old septic systems and machine shops.

SFPUC Supply

The City purchases a blend of Hetch Hetchy water and treated water from SFPUC to serve the northern part of the city. Filtered water turbidity from SFPUC met the standard of 0.3 NTU or less, 95% of the time.

The Hetch Hetchy Watershed provides most of the SFPUC water supply, supplemented by the Alameda watershed. The major water source originates from spring snowmelt flowing down the Tuolumne River and is stored in the Hetch Hetchy Reservoir. Since this water source meets all federal and state standards for watershed protection, disinfection treatment practices, bacteriological quality monitoring and

operations, the State has granted this water source a filtration exemption.

The Alameda Watershed spans more than 35,000 acres in Alameda and Santa Clara Counties. Surface water from rainfall and runoff is collected in the Calaveras and San Antonio Reservoirs. Prior to distribution, the water from these reservoirs is treated. Fluoridation, chloramination and corrosion control treatment are provided for the combined Hetch Hetchy and treated water. Fluoride is added to the naturally occurring level to help protect against tooth decay. In 2014, average fluoride levels in the treated water were maintained within a range of 0.6-1.2 mg/L as required by the State Board. Since May 2015, water has been fluoridated at the new optimum level of 0.7 mg/L.

The SFPUC actively protects the water resources entrusted to its care. Its annual update of the Hetch Hetchy Watershed Sanitary Survey evaluates the sanitary conditions, water quality, potential contamination sources and the results of watershed

management activities with partner agencies (such as the National Park Service and US Forest Service). The SFPUC also conducts sanitary surveys every five years to detect and track sanitary concerns for the Bay Area watersheds and the approved standby water sources in Early Intake Watershed, which includes Cherry Lake and Lake Eleanor. The latest 5-year surveys were completed in 2011 for the period of 2006-2010. These surveys identified wildlife, stock and human activities as potential contamination sources. They are available for review at the DDW San Francisco District office.

More information on SFPUC ►
[Visit *sfwater.org*](http://Visit.sfwater.org), or call
DDW (510) 620-3474

SCVWD Supply

The City purchases treated surface water from SCVWD and delivers it to the southern portion of the city. SCVWD imports more than half of its supply from the South Bay Aqueduct,



Dyer Reservoir, Lake Del Valle and San Luis Reservoir, which all draw water from the Sacramento-San Joaquin Delta Watershed. SCVWD local surface water sources include Anderson and Calero Reservoirs. SCVWD source waters are vulnerable to potential contamination from a variety of land use practices such as agricultural and urban runoff, recreational activities, livestock grazing and residential and industrial development. Imported sources are vulnerable to wastewater treatment

plant discharges, seawater intrusion and wildfires in watershed areas. Local sources are also vulnerable to contamination from commercial stables and historic mining practices. No contaminant associated with any of these activities has been detected in SCVWD treated water. Water treatment plants provide multiple barriers for physical removal and disinfection of contaminants.

More information on SCVWD ►
[Visit *valleywater.org*](http://Visit.valleywater.org)

DROUGHT DECLARATION

In response to the ongoing drought and actions by the Governor and the State Water Board, the Sunnyvale City Council took several actions in June 2014 by declaring a Water Shortage Emergency and setting a 15% water reduction goal for 2014 as compared to 2013 use. Most recently in May 2015, following the worst snow pack on record and worsening drought conditions, the Council expanded the Water Shortage Emergency actions by calling for a 30% water reduction as compared to 2013 use, restricting watering days, and approving enforcement staffing and actions through June of 2016.



Prohibited water use in Sunnyvale:

- Washing down sidewalks, driveways, and other paved services
- Watering outdoor landscapes in a manner that causes excess runoff into gutters, streets, or stormdrains
- Washing a motor vehicle with a hose, unless the hose is fitted with a shut-off nozzle
- Operating a fountain or decorative water feature, unless the water is part of a recirculating system
- Allowing leaking plumbing or irrigation systems to go unfixed.

- Irrigating with sprinklers is prohibited between 9 a.m. – 6 p.m. when daylight savings time is in effect. Each station is limited to no more than 15 minutes of irrigation time

Additional City prohibitions affecting commercial businesses:

- Restaurants and other food service establishments can only serve water to customers on request
- Operators of hotels and motels must provide guests with the option to not have towels and linens laundered daily and prominently display notice of this option

New water use restrictions and enforcement

Sunnyvale worked closely with the Water District and neighboring water retailers to implement a consistent county-wide approach to new water use reductions and restrictions. On May 12, 2015, the City Council adopted the following measures:

- Set the following irrigation schedule:
 - Even Address – Tuesday and Friday
 - Odd Address / No Address – Monday and Thursday
- Prohibited Irrigating turf or ornamental landscapes within 48 hours following measurable precipitation
- Adopted the following enforcement actions for water restriction violations:
 - First violation: written warning
 - Second violation: written warning
 - Third violation: \$250 citation
 - Forth and subsequent violations: \$500 citation

To stay up-to-date on water conservation efforts, requirements, rebate programs, and water saving tips, visit WaterConservation.inSunnyvale.com or, the SCVWD at valleywater.org. Please report water waste at (408) 630-2000 or by email at drought@valleywater.org.

2014

WATER QUALITY TEST RESULTS

The City of Sunnyvale has instituted a comprehensive water quality monitoring program that encompasses City-owned wells and all water purchased from SFPUC and SCVWD. This program ensures that all of our customers receive water that complies with all regulatory criteria and that no maximum contaminant levels (MCLs) or maximum contaminant level goals (MCLGs) for regulated chemicals, bacteria or pollutants are exceeded.

In order to ensure water quality standards are met, drinking water samples are collected weekly throughout Sunnyvale and analyzed for a variety of regulated and unregulated contaminants. Samples are tested by the City's certified laboratory and by an independent certified laboratory using the latest testing procedures and equipment. We collect more samples than required by the State Board to provide you with the highest quality of water at all times. In addition, the City's wholesalers, SCVWD and SFPUC, conduct their own testing before delivering water to the City. Such measures help us to continue meeting established water quality standards.

The table to the right shows the results of the distribution system and source water analyses conducted by the City, SCVWD and SFPUC. Water quality data are grouped by water source. Last year we conducted more than 20,000 tests for more than 80 parameters. We detected only 14 of these parameters, and none were detected at levels higher than the State Board allows.



Only the parameters detected are shown. Other constituents were analyzed but are not listed because they were not detected. Additionally, unregulated parameters are shown to provide you with supplemental information.

Some data—although representative—were collected prior to 2014, as the State Board requires monitoring for some constituents less than once per year since the concentrations of these constituents do not vary frequently or significantly.

More information ►

For more information about this report or the City's water quality monitoring program, please contact:

John Ramirez
City of Sunnyvale
Water Operations Manager
Tel: (408) 730-7900
TDD: (408) 730-7501
jramirez@sunnyvale.ca.gov

PRIMARY DRINKING WATER STANDARDS (PUBLIC HEALTH RELATED STANDARDS)										
PARAMETER	Unit	MCL, (AL), or [MRDL]	PHG, (MCLG), or [MRDLG]	Groundwater Well		SCVWD		SFPUC		Typical Sources*
				Average or [Max]	Range	Average or [Max]	Range	Average or [Max]	Range	
SOURCE WATER SAMPLING										
INORGANIC CHEMICALS										
Aluminum	ppm	1	0.6	ND	ND	ND	ND–0.070	ND	ND	3, 4
Barium	ppm	1	2	0.11	0.10–0.13	ND	ND	ND	ND	3, 21
Fluoride	ppm	2	1	0.20	0.14–0.24	ND	ND–0.1	0.4	ND–0.8	3, 5, 6
Chromium VI (Hexavalent Chromium)	ppb	10	0.02	1.3	ND–3.6	ND	ND	ND	ND	3, 18, 19, 22
Turbidity	NTU	TT	NA	0.2	ND–1.2	0.07	0.06–0.08	[2.8] _a	0.2–0.6 _b	2
Nitrate	ppm	45	45	16	11–27	ND	ND–5	ND	ND	3, 7, 8
DISINFECTION BYPRODUCT PRECURSORS										
TOC (precursor control)	ppm	TT	NA			2.03	1.86–2.19	1.9	1.3–2.8	10
MICROBIOLOGICAL										
Giardia Lamblia	cyst/L	TT	(0)			ND	ND	ND	ND–0.04	1
DISTRIBUTION SYSTEM SAMPLING										
LEAD AND COPPER RULE STUDY (SUNNYVALE 2013 AT-THE-TAP SAMPLING)				90th Percentile		# of Samples Above AL				
Lead	ppb	(15)	0.2	1		0 out of 53			3, 17, 19	
Copper	ppm	(1.3)	0.3	0.079		0 out of 53			3, 17, 18	
DISINFECTION RESIDUALS AND BYPRODUCTS				Highest Location RAA		Range				
Disinfectant Residual as Chlorine	ppm	[4]	[4]	2.17		0.01–3.3			20	
Total Trihalomethanes	ppb	80	NA	59.5		ND–74.8			9	
Haloacetic Acids	ppb	60	NA	29		ND–32			9	
MICROBIOLOGICAL				Average		Range				
Total Coliform Bacteria	% pos / month	5.0%	(0)	0.16%		0–0.7%			1	
SECONDARY DRINKING WATER STANDARDS (AESTHETIC STANDARDS)										
PARAMETER	Unit	MCL		Average	Range	Average	Range	Average	Range	Sources*
Aluminum	ppb	200		ND	ND	ND	ND–70	ND	ND	3, 4
Chloride	ppm	500		44	34–64	115	95–166	9	ND–15	11, 12, 14
Copper	ppm	1		0.004	ND–0.011	ND	ND	ND	ND	3, 18
Iron	ppb	300		42	ND–190	ND	ND	ND	ND	12, 15
Odor — Threshold	TON	3		ND	ND	1	1–2	ND	ND–1	13
Specific Conductance	µS/cm	1600		665	590–760	731	650–964	151	32–222	14, 16
Sulfate	ppm	500		34	23–39	76.7	56.4–111	17	0.9–32	11, 12, 15
Total Dissolved Solids	ppm	1000		380	330–450	424	360–540	81	31–120	11, 12
UNREGULATED PARAMETERS FOR UCMR ³										
PARAMETER	Unit	NL		Average	Range	Average	Range	Average	Range	
Chlorate	ppb	800		81	45–130	129	95–160	314	34–740	
Chlorodifluoromethane (HCFC-22)	ppb	NS		0.52	ND–2.2	NA	NA	NA	NA	
Molybdenum	ppb	NS		1.2	ND–1.6	2	1–3	NA	NA	
Strontium	ppb	NS		404	280–500	NA	NA	NA	NA	
Vanadium	ppb	50		1.6	ND–5.2	ND	ND	NA	NA	
OTHER WATER QUALITY PARAMETERS										
PARAMETER	Unit	MCL		Average	Range	Average	Range	Average	Range	
Hardness (as Calcium Carbonate)	ppm	NS		310	290–330	149	130–178	46	7–77	
pH	Units	NS		8.4 _c	7.1–9.6 _c	7.7	7.6–7.8	9.3	6.9–10.2	
Sodium	ppm	NS		29	22–41	64	ND–121	10	2.4–16	
Temperature	°C	NS		18 _c	10–26 _c	19	14–22	NA	NA	

Important information about your water quality

Fluoride

Currently, all water from SFPUC is fluoridated while water from SCVWD, the City's other wholesale water provider is not. The City also does not fluoridate well water. As a result, some areas of Sunnyvale receive fluoridated water, other areas receive non-fluoridated water and some areas receive a mixture of both. A map showing the areas is found below. **According to the Centers for Disease Control and Prevention, if a child under the age of six months is exclusively consuming infant formula reconstituted with fluoridated water, there may be an increased chance of dental fluorosis. Consult your child's health care provider for more information.**

Lead

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The City is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to two minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at water.epa.gov/drink/info/lead.

Nitrate

Nitrate in drinking water at levels above 45 mg/L is a health risk for infants younger than six months of age. Such nitrate levels in drinking water can interfere with the capacity of the infant's blood to carry oxygen, resulting in serious illness; symptoms include shortness of breath and blueness of the skin. Nitrate levels above 45 mg/L may also affect the ability of the blood to carry oxygen in other individuals, such as pregnant women and those with certain specific enzyme deficiencies. If you are caring for an infant, or you are pregnant, you should ask for advice from your health care provider.

Chromium-6

On July 1, 2014, the new MCL of 10 ppb became effective for Chromium-6. Until then, chromium-6 was regulated under the 50 ppb primary drinking water standard for total chromium, which was established in California in 1977. The City is pleased to report that there have been no detections exceeding the new MCL.

Disinfection

The Sunnyvale system distributes water disinfected with chloramine and well water that is tested but not treated. Chloramine, a combination of chlorine and ammonia, lasts longer in water to provide more protection against pathogens such as bacteria and viruses, and produces lower levels of disinfection byproducts such as trihalomethanes. The water provided by SFPUC and SCVWD is disinfected with chloramines, which can affect dialysis treatment. Residents on home dialysis should contact their physicians to discuss the impact on their treatment. The Western Pacific Renal Network, at (415) 897-2400, can provide more information about chloramines and dialysis. Fish and aquarium owners should check with their local pet stores for information on chloramine removal.

Hardness

Water hardness is determined mainly by the presence of calcium and magnesium salts. Although hard water does not pose a health risk, it may be considered undesirable for other reasons. Some benefits of water softening are reductions in soap usage, longer life for water heaters and a decrease in encrustation of pipes; disadvantages are an increase in sodium intake, an increase in maintenance and servicing and potential adverse effects on salt-sensitive plants. To convert hardness from ppm to grains per gallon, divide by 17.1. A hardness scale is provided below for your reference.

Hardness Classification	Grains per Gallon	mg/L or ppm
Soft	less than 1.0	less than 17.1
Slightly hard	1.0–3.5	17.1–60
Moderately hard	3.5–7.0	60–120
Hard	7.0–10.5	120–180
Very hard	over 10.5	over 180

HOW TO READ THIS CHART

DEFINITIONS OF KEY TERMS

Maximum Contaminant Level (MCL). The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste and appearance of drinking water. MCLs are established by USEPA and the State Board.

Maximum Contaminant Level Goal (MCLG). The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the USEPA.

Maximum Residual Disinfectant Level (MRDL). The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG). The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

Notification Level (NL). Notification levels are health-based advisory levels established by the State Board for chemicals in drinking water that lack MCLs. When chemicals are found at concentrations greater than their notification levels, certain requirements and recommendations apply.

Primary Drinking Water Standard (PDWS). MCLs and MRDLs for contaminants that affect health along with their monitoring and reporting requirements and water treatment requirements.

Public Health Goal (PHG). The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Office of Environmental Health Hazard Assessment.

Regulatory Action Level (AL). The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

Treatment Technique (TT). A required process intended to reduce the level of a contaminant in drinking water.

Total Organic Carbon (TOC). TOC has no health effects. However, TOC provides a medium for the formation of disinfection byproducts including trihalomethanes and haloacetic acids. Drinking water containing disinfection byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems or nervous system effects and may lead to an increased risk of cancer.

Turbidity. Turbidity has no health effects. It is a measure of the clarity of the water and is monitored because it is a good indicator of water quality and the effectiveness of a filtration system. The MCL for turbidity is based on the TT. For unfiltered water, the MCL is 5.0 NTU. For filtered water, the MCL is ≤0.3 NTU 95% of the time.

UCMR. Unregulated Contaminant Monitoring Rule requires monitoring for contaminants not currently regulated. This monitoring provides a basis for future regulatory actions to protect public health.

Waiver. State permission to decrease the monitoring frequency for a particular contaminant.

ABBREVIATIONS

°C	Degrees Celsius
CU	Color unit
DDW	Division of Drinking Water
Max	Maximum
NA	Not applicable
ND	Not detected
NS	No standard
NTU	Nephelometric turbidity unit
ppb	parts per billion (micrograms per liter)
ppm	parts per million (milligrams per liter)
µS/cm	microSiemens per centimeter
% pos	% positive
RAA	Running annual average
SCVWD	Santa Clara Valley Water District
SFPUC	San Francisco Public Utilities Commission
TOC	Total organic carbon
TON	Threshold odor number
USEPA	United States Environmental Protection Agency

NOTES

- Single-highest sample result in 2014
- Range of monthly averages
- Levels in the distribution system

* TYPICAL SOURCES IN DRINKING WATER

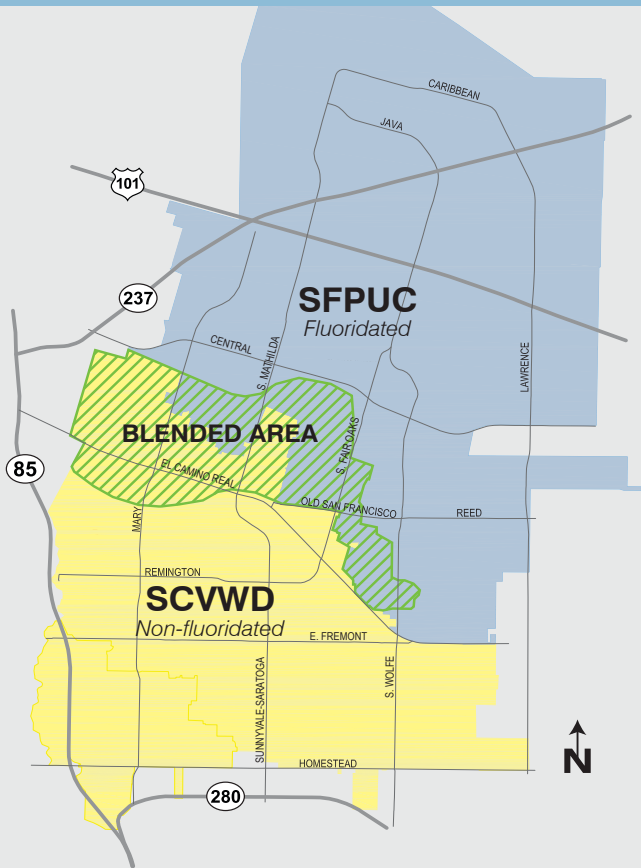
- Naturally present in the environment
- Soil runoff
- Erosion of natural deposits
- Residue from some surface water treatment processes
- Water additive that promotes strong teeth
- Discharge from fertilizer and aluminum factories
- Runoff and leaching from fertilizer use
- Leaching from septic tanks and sewage
- By-product of drinking water disinfection
- Various natural and man-made sources
- Runoff from natural deposits
- Leaching from natural deposits
- Naturally-occurring organic materials
- Seawater influence
- Industrial wastes
- Substances that form ions when in water
- Internal corrosion of household plumbing systems
- Leaching from wood preservatives
- Discharges from industrial manufacturers
- Drinking water disinfectant added for treatment
- Discharges of oil drilling wastes and from metal refineries
- Discharge from mines and chemical manufacturers

SOURCE MAP

The adjacent map indicates which areas of the City are supplied by SFPUC, SCVWD or a mixture of the two. The colored regions correspond to the colored columns in the table above.

Groundwater wells, which are not shown on this map, are located throughout the City. Local groundwater is blended with surface water supplies from SFPUC and SCVWD.

SFPUC water is fluoridated but SCVWD and groundwater supplies are not.



IMPORTANT CONTACT INFORMATION

CITY CONTACTS

City of Sunnyvale

456 West Olive Ave.
Sunnyvale, CA 94086
Tel: (408) 730-7415
TDD: (408) 730-7501
Fax: (408) 730-7286
sunnyvale.ca.gov

Hours of Operation: 8 a.m. to 5 p.m., M–F

**Environmental Services
Department (Leaks, Breaks,
Water Quality Questions)**
(408) 730-7900

Utility Division (Billing)
(408) 730-7400, Residential
(408) 730-7681, Commercial

**Backflow and Cross-
Connection Control Program**
(669) 600-7322

**SCVWD Water Conservation
Hotline**
(408) 630-2554

To report water waste
(408) 630-2000

SCVWD Pollution Hotline
(888) 510-5151 (24 Hours)

WEB RESOURCES

Division of Drinking Water
waterboards.ca.gov/drinking_water/

US EPA
water.epa.gov/drink

**Department of
Water Resources**
www.dwr.water.ca.gov

**Bay Area Water Supply and
Conservation Agency**
bawasca.org

**American Water Works
Association**
awwa.org or DrinkTap.org

SCVWD
valleywater.org

SFPUC
sfwater.org

TO GET INVOLVED

To provide input on decisions that affect drinking water quality, you are welcome to speak on any issue specifically coming before the City Council at a regularly scheduled council meeting. You can also speak on any topic you wish to bring to the Council's attention during the "Oral Communications" portion of the meeting agenda. Alternatively, you can send a letter in advance of a meeting.

City Council Meetings

City Hall Council Chambers
456 West Olive Ave.
Sunnyvale, CA 94086
Tuesdays, 7 p.m.

A list of City Council meetings, agenda items and study issues can be obtained by visiting sunnyvale.ca.gov or by calling the City Clerk's office at (408) 730-7483.



Sunnyvale has three City-operated swimming pools and one contracted pool available to the public. With summer fast approaching and water conservation on the mind, considering keeping a cover on your pool and using one of our public pools. We offer aquatic programs at each facility including recreational swim, swim lessons for all ages, water exercise classes and various American Red Cross courses such as Lifeguard Training and First Aid and CPR. Lifeguards are on duty during recreation swim hours. For more information about pool locations, hours and programs, visit sunnyvale.ca.gov/Departments/CommunityServices/SwimmingandAquatics.aspx

HEALTH AND EDUCATION INFORMATION

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA Safe Drinking Water Hotline.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, such as persons with cancer undergoing chemotherapy; persons who have undergone organ transplants; people with HIV/AIDS or other immune system disorders; some elderly; and infants can be particularly at risk from infections. These people should seek advice from their health care providers.

USEPA/Centers for Disease Control guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the USEPA Safe Drinking Water Hotline.

USEPA Safe Drinking Water Hotline ►
(800) 426-4791

Water Conservation Rebate Programs

Residential High-Efficiency Clothes Washer Rebate Program.

The Santa Clara Valley Water District has a rebate program for purchasing and installing a qualifying Energy Star Most Efficient clothes washer. Santa Clara County residents may be eligible to receive up to \$150 for a combined water agency and PG&E rebate while funding is available. For information, visit valleywater.org/Programs/High-EfficiencyClothesWasherRebate.aspx

Turf Replacement Rebate Program. The Department of Water Resources has a rebate program for removing turf and replacing it with landscapes that require little water at California single-family residences to support the State's drought response. Up to \$2 per square foot of removed and replaced turf will be rebated per eligible household. For information visit saveourwaterrebates.com

Toilet Replacement Rebate Program. The Department of Water Resources has a rebate program that provides rebates for replacing toilets at California single-family residences to support the State's drought response. Up to \$100 will be rebated for purchase and installation of one qualified high-efficiency toilet (1.28 gallons per flush or less) per household that replaces a less-efficient toilet (using more than 1.6 gallons per flush). For information visit saveourwaterrebates.com



CITY OF SUNNYVALE 2015 WATER QUALITY REPORT

This report contains important information about your drinking water. Translate it, or speak with someone who understands it.

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Mahalaga ang impormasyong ito. Mangyaring ipasalin ito.

Chi tiết này thật quan trọng. Xin nhờ người dịch cho quý vị.

此份有關你的食水報告，內有重要資料和訊息，請找他人為你翻譯及解釋清楚。

この情報は重要です。翻訳を依頼してください。

이 소책자에는 식수수질 보고서의 내용을 요약한 당신의 수도물에 관한 중요한 정보가 적혀져있습니다. 이 정보를 이해하실수 있는 분에게 번역을 부탁하십시오.

यह सूचना महत्वपूर्ण है ।
कृपा करके किसी से :सका अनुवाद करायें ।

Last year your tap water met all state and federal drinking water health standards

The City of Sunnyvale aims to provide superior service while delivering a reliable, high-quality drinking water supply to our residents. Last year, your tap water met all state and federal drinking water health standards. The City vigilantly safeguards its water supplies, and once again, we are proud to report that our system has met or exceeded water quality standards.

WHAT'S INSIDE ►

Important information about your water

Water conservation

Ways to contact the City

Protecting your water supply

To ensure that tap water is safe to drink, the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board (State Board) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. State Board regulations also establish limits for contaminants in bottled water that provide the same protection for public health.

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- **Microbial Contaminants** such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
- **Inorganic Contaminants** such as salts and metals, that can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining or farming.
- **Pesticides and Herbicides** that may come from a variety of sources such as agriculture, urban stormwater runoff and residential uses.
- **Organic Chemical Contaminants** including synthetic and volatile organic chemicals that are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, agricultural application and septic systems.
- **Radioactive Contaminants** that can be naturally-occurring or be the result of oil and gas production and mining activities.

Protection begins in the watersheds. Protecting the water supply is important to ensure that water is safe from contamination and aesthetically pleasing for use. Contamination requires treatment, which increases the cost to deliver water to your tap. Here are ways that you can help protect our watershed:

- Eliminate excess use of lawn and garden fertilizers and pesticides.
- Pick up after your pets.
- Take used motor oil and other recyclables to the SMaRT Station.
- Dispose of pharmaceuticals at any Sunnyvale fire station. Medications should not to be flushed down drains or put in the garbage.
- Dispose of cleaners, chemicals and paints at a Household Hazardous Waste Drop-off Event.
- Volunteer in your community. The Creek Connections Action Group works to protect the County's waterways. Visit www.cleanacreek.org.
- Participate in public meetings and forums. It allows decision-makers to hear your perspective and you to be involved in protecting your water supply.

More information about disposal and recycling ►
Call (408) 730-7262

SMaRT Station
301 Carl Road, Sunnyvale, CA 94089
Open daily, 8 a.m. to 5 p.m., Tel: (408) 752-8530

Household Hazardous Waste Drop-off
164 Carl Road, Sunnyvale, CA 94089
Every 3rd Saturday, 8 a.m. to 1 p.m.



Where your water comes from

The City of Sunnyvale has three different sources of drinking water supply: local groundwater, treated surface water from the Santa Clara Valley Water District (SCVWD) and treated surface water from the San Francisco Public Utilities Commission (SFPUC). There are also pockets of Sunnyvale customers who receive water from the California Water Service Company (Cal Water); questions regarding the source and delivery of water provided by Cal Water can be directed to its local office at (650) 917-0152.

Local Groundwater

The City owns, operates and maintains six deep wells. The wells are used to help supplement the imported water supplies during peak demands in the summer months and emergency situations. The City is always working to increase flexibility in local groundwater supplies, enhance water quality, reduce operating costs and increase reliability. Recent groundwater improvements include water well connections, electrical upgrades and installation of an emergency generator. Groundwater pumped from these wells is taxed by SCVWD.

The City completed a Drinking Water Source Assessment Program (DWSAP) in January 2003 for these groundwater sources. The City's groundwater sources are considered most vulnerable to

contamination by leaky underground fuel tanks, dry cleaning chemicals, sewer collection systems, old septic systems and machine shops.

SFPUC Supply

The City purchases a blend of Hetch Hetchy water and treated water from SFPUC to serve the northern part of the city. Filtered water turbidity from SFPUC met the standard of 0.3 NTU or less, 95% of the time.

The Hetch Hetchy Watershed provides most of the SFPUC water supply, supplemented by the Alameda watershed. The major water source originates from spring snowmelt flowing down the Tuolumne River and is stored in the Hetch Hetchy Reservoir. Since this water source meets all federal and state standards for watershed protection, disinfection treatment practices, bacteriological quality monitoring and

operations, the State has granted this water source a filtration exemption.

The Alameda Watershed spans more than 35,000 acres in Alameda and Santa Clara counties. Surface water from rainfall and runoff is collected in the Calaveras and San Antonio Reservoirs. Prior to distribution, the water from these reservoirs is treated. Fluoridation, chloramination and corrosion control treatment are provided for the combined Hetch Hetchy and treated water. Fluoride is added to the naturally occurring level to help protect against tooth decay. In 2015, average fluoride levels in the treated water were maintained within a range of 0.6-1.0 mg/L as required by the State Board. Since May 2015, water has been fluoridated at the new optimum level of 0.7 mg/L.

The SFPUC actively protects the water resources entrusted to its care. Its annual update of the Hetch Hetchy Watershed Sanitary Survey evaluates the sanitary conditions, water quality, potential contamination sources and the results of watershed

management activities with partner agencies (such as the National Park Service and US Forest Service). The SFPUC also conducts sanitary surveys every five years to detect and track sanitary concerns for the Bay Area watersheds and the approved standby water sources in Early Intake Watershed, which includes Cherry Lake and Lake Eleanor. The latest 5-year surveys were completed in 2011 for the period of 2006-2010. These surveys identified wildlife, stock and human activities as potential contamination sources. To review them at the District office, contact DDW at (510) 620-3474.

More information on SFPUC ►
[Visit sfwater.org](http://Visit.sfwater.org)

SCVWD Supply

The City purchases treated surface water from SCVWD and delivers it to the southern portion of the city. SCVWD imports more than half of its supply from the South Bay Aqueduct, Dyer Reservoir, Lake Del Valle and San Luis Reservoir, which all draw



water from the Sacramento-San Joaquin Delta Watershed. SCVWD local surface water sources include Anderson and Calero Reservoirs. SCVWD source waters are vulnerable to potential contamination from a variety of land use practices such as agricultural and urban runoff, recreational activities, livestock grazing, and residential and industrial development. Imported sources are vulnerable to wastewater treatment plant discharges, seawater intrusion and wildfires in watershed areas.

Local sources are also vulnerable to contamination from commercial stables and historic mining practices. No contaminant associated with any of these activities has been detected in SCVWD treated water. Water treatment plants provide disinfection and multiple barriers for physical removal of contaminants. To review the DWSAP, contact DDW at (510) 620-3474.

More information on SCVWD ►
[Visit valleywater.org](http://Visit.valleywater.org)

WATER CONSERVATION

While water supply conditions have improved after four years of drought, continued water conservation efforts are critical until state and local water reservoirs are back to normal levels. Below is a list of ongoing prohibited water use in Sunnyvale.



Prohibited water use in Sunnyvale:

- Watering outdoor landscapes in a manner that causes excess runoff into gutters, streets, or stormdrains
- Washing a motor vehicle with a hose, unless the hose is fitted with a shut-off nozzle
- Allowing leaking plumbing or irrigation systems to go unfixed.
- Irrigating with sprinklers is prohibited between 9 a.m. – 6 p.m. when daylight savings time is in effect. Each station is limited to no more than 15 minutes of irrigation time.

Additional City prohibitions affecting commercial businesses:

- Restaurants and other food service establishments can only serve water to customers on request
- Operators of hotels and motels must provide guests with the option to not have towels and linens laundered daily and prominently display notice of this option

To stay up-to-date on water conservation efforts, requirements, rebate programs and water saving tips, visit WaterConservation.inSunnyvale.com or, the SCVWD at valleywater.org. Please report water waste at (408) 630-2000 or by email at drought@valleywater.org.

Steps to Save Water Indoors

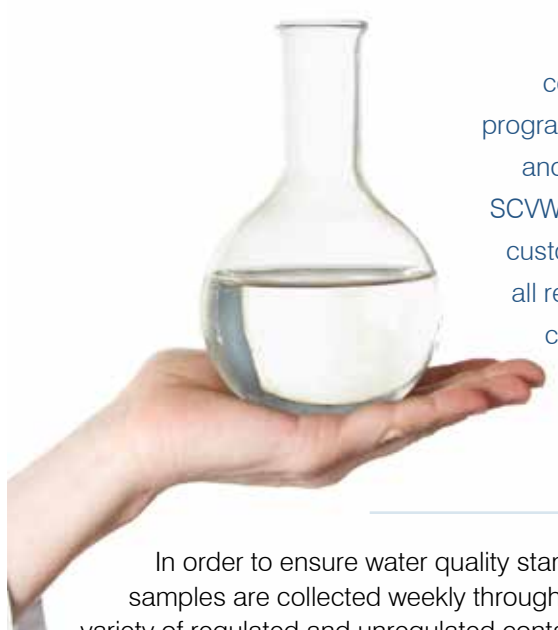
- Check toilets and faucets for leaks. You could save thousands of gallons.
- Install water-efficient faucet aerators and showerheads in your kitchen and bathrooms.
- Take shorter showers. You will save 2.5 gallons of water each minute.
- Only wash full loads of laundry and dishes.
- Replace your old top-loading clothes washer with a high-efficiency model.

Steps to Save Water Outdoors

- Plant native or drought-tolerant plants that require less watering.
- Apply organic mulch around plants to reduce moisture loss, keep weed-growth down and promote healthier soil.
- Water during cool parts of the day and deeply soak your lawn to ensure moisture reaches the roots.
- Water your lawn only when it needs it.
- Use a broom to sweep off pavement. Using a hose wastes money and water.

2015

WATER QUALITY TEST RESULTS



The City of Sunnyvale has instituted a comprehensive water quality monitoring program that encompasses City-owned wells and all water purchased from SFPUC and SCVWD. This program ensures that all of our customers receive water that complies with all regulatory criteria and that no maximum contaminant levels (MCLs) or maximum contaminant level goals (MCLGs) for regulated chemicals, bacteria or pollutants are exceeded.

In order to ensure water quality standards are met, drinking water samples are collected weekly throughout Sunnyvale and analyzed for a variety of regulated and unregulated contaminants. Samples are tested by the City's certified laboratory and by an independent certified laboratory using the latest testing procedures and equipment. We collect more samples than required by the State Board to provide you with the highest quality of water at all times. In addition, the City's wholesalers, SCVWD and SFPUC, conduct their own testing before delivering water to the City. Such measures help us to continue meeting established water quality standards.

The table to the right shows the results of the distribution system and source water analyses conducted by the City, SCVWD and SFPUC. Water quality data are grouped by water source. Last year we conducted more than 20,000 tests for more than 80 parameters. We detected only 14 of these parameters, and none were detected at levels higher than the State Board allows.

Only the parameters detected are shown. Other constituents were analyzed but are not listed because they were not detected. Additionally, unregulated parameters are shown to provide you with supplemental information.

Some data—although representative—were collected prior to 2015, as the State Board requires monitoring for some constituents less than once per year since the concentrations of these constituents do not vary frequently or significantly.



More information ►

For more information about this report or the City's water quality monitoring program, please contact:

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City of Sunnyvale
Water Operations Manager
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PRIMARY DRINKING WATER STANDARDS (PUBLIC HEALTH RELATED STANDARDS)										
PARAMETER	Unit	MCL, (AL), or [MRDL]	PHG, (MCLG), or [MRDLG]	Groundwater Well		SCVWD		SFPUC		Typical Sources*
				Average or [Max]	Range	Average or [Max]	Range	Average or [Max]	Range	
SOURCE WATER SAMPLING										
INORGANIC CHEMICALS										
Barium	ppm	1	2	0.10	ND–0.13	ND	ND	ND	ND	3, 21
Fluoride	ppm	2	1	0.14	0.13–0.16	ND	ND–0.1	0.3	ND–0.8	3, 5, 6
Chromium VI (Hexavalent Chromium)	ppb	10	0.02	1.3	ND–3.6	ND	ND	ND	ND	3, 18, 19, 22
Nitrate (as Nitrogen)	ppm	10	10	3.7	2.5–6.3	ND	ND–5	ND	ND	3, 7, 8
RADIONUCLIDES										
Uranium	pCi/L	20	0.43	ND	ND	ND	ND–1.0	ND	ND	3
DISINFECTION BYPRODUCT PRECURSORS										
TOC (precursor control)	ppm	TT	NA			2.69	1.90–3.07	2.1	1.4–5.2	10
MICROBIOLOGICAL										
Giardia Lamblia	cyst/L	TT	(0)			ND	ND	0.01	ND–0.08	1
Turbidity	NTU	TT _a	NA			[0.60]	99.9% _b	[3.1]	97–100% _b	2
DISTRIBUTION SYSTEM SAMPLING										
LEAD AND COPPER RULE STUDY (SUNNYVALE 2013 AT-THE-TAP SAMPLING)				90th Percentile		# of Samples Above AL				
Lead	ppb	(15)	0.2	1		0 out of 53				3, 17, 19
Copper	ppm	(1.3)	0.3	0.079		0 out of 53				3, 17, 18
DISINFECTION RESIDUALS AND BYPRODUCTS				Highest Location RAA		Range				
Disinfectant Residual as Chlorine	ppm	[4]	[4]	1.79		0.02–4.6				20
Total Trihalomethanes	ppb	80	NA	60.7		25.7–60.8				9
Haloacetic Acids	ppb	60	NA	28.8		10.0–35.0				9
MICROBIOLOGICAL				Average		Range				
Total Coliform Bacteria	% pos / month	5.0%	(0)	0.17%		0–0.7%				1
SECONDARY DRINKING WATER STANDARDS (AESTHETIC STANDARDS)										
PARAMETER	Unit	MCL		Average	Range	Average	Range	Average	Range	Sources*
Chloride	ppm	500		47	36–68	103	87–120	8.4	ND–16	11, 12, 14
Odor — Threshold	TON	3		ND	ND	1	1	ND	ND	13
Specific Conductance	μS/cm	1600		677	610–740	696	636–749	144	34–213	14, 16
Sulfate	ppm	500		37	28–42	72.1	66.0–79.3	15	1.2–30	11, 12, 15
Total Dissolved Solids	ppm	1000		395	360–430	381	330–424	54	ND–93	11, 12
Zinc	ppm	5		0.07	ND–0.09	ND	ND	ND	ND	11, 12, 15
UNREGULATED PARAMETERS FOR UCMR ³										
PARAMETER	Unit	NL		Average	Range	Average	Range	Average	Range	
Chlorate	ppb	800		81	45–130	116	62–160	157	39–280	
Chlorodifluoromethane (HCFC-22)	ppb	NS		0.52	ND–2.2	NA	NA	NA	NA	
Molybdenum	ppb	NS		1.2	ND–1.6	2	2	NA	NA	
Strontium	ppb	NS		404	280–500	NA	NA	NA	NA	
Vanadium	ppb	50		1.6	ND–5.2	ND	ND	NA	NA	
OTHER WATER QUALITY PARAMETERS										
PARAMETER	Unit	MCL		Average	Range	Average	Range	Average	Range	
Hardness (as Calcium Carbonate)	ppm	NS		322	300–340	144	133–163	42	13–65	
pH	Units	NS		8.7 _c	7.1–9.9 _c	7.7	7.5–8.0	9.0	7.1–9.9	
Sodium	ppm	NS		29	23–42	75	64–90	13	2.9–19	
Temperature	°C	NS		18 _c	7–26 _c	17	15–20	NA	NA	

Important information about your water quality

Fluoride

Currently, all water from SFPUC is fluoridated while water from SCVWD, the City's other wholesale water provider is not. The City also does not fluoridate well water. As a result, some areas of Sunnyvale receive fluoridated water, other areas receive non-fluoridated water and some areas receive a mixture of both. A map showing the areas is found below. **According to the Centers for Disease Control and Prevention, if a child under the age of six months is exclusively consuming infant formula reconstituted with fluoridated water, there may be an increased chance of dental fluorosis. Consult your child's health care provider for more information.**

Lead

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The City is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to two minutes before using water for drinking or cooking. If you do so, you may wish to collect the flushed water and use it for another purpose, such as watering plants. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline at (800) 426-4791 or at water.epa.gov/lead.

Chromium-6

On July 1, 2014, the new MCL of 10 ppb became effective for Chromium-6. Until then, chromium-6 was regulated under the 50 ppb primary drinking water standard for total chromium, which was established in California in 1977. The City is pleased to report that there have been no detections exceeding the new MCL.

Hardness Classification	Grains per Gallon	mg/L or ppm
Soft	less than 1.0	less than 17.1
Slightly hard	1.0–3.5	17.1–60
Moderately hard	3.5–7.0	60–120
Hard	7.0–10.5	120–180
Very hard	over 10.5	over 180

Nitrate

Nitrate in drinking water at levels above 10 mg/L is a health risk for infants younger than six months of age. Such nitrate levels in drinking water can interfere with the capacity of the infant's blood to carry oxygen, resulting in serious illness; symptoms include shortness of breath and blueness of the skin. Nitrate levels above 10 mg/L may also affect the ability of the blood to carry oxygen in other individuals, such as pregnant women and those with certain specific enzyme deficiencies. If you are caring for an infant, or you are pregnant, you should ask for advice from your health care provider.

Disinfection

The Sunnyvale system distributes water disinfected with chloramine and well water that is tested but not treated. Chloramine, a combination of chlorine and ammonia, lasts longer in water to provide more protection against pathogens such as bacteria and viruses, and produces lower levels of disinfection byproducts such as trihalomethanes. The water provided by SFPUC and SCVWD is disinfected with chloramines, which can affect dialysis treatment. Residents on home dialysis should contact their physicians to discuss the impact on their treatment. The Western Pacific Renal Network, at (415) 897-2400, can provide more information about chloramines and dialysis. Fish and aquarium owners should check with their local pet stores for information on chloramine removal.

Hardness

Water hardness is determined mainly by the presence of calcium and magnesium salts. Although hard water does not pose a health risk, it may be considered undesirable for other reasons. Some benefits of water softening are reductions in soap usage, longer life for water heaters and a decrease in encrustation of pipes; disadvantages are an increase in sodium intake, an increase in maintenance and servicing and potential adverse effects on salt-sensitive plants. To convert hardness from ppm to grains per gallon, divide by 17.1. A hardness scale is provided below for your reference.

HOW TO READ THIS CHART

DEFINITIONS OF KEY TERMS

Maximum Contaminant Level (MCL). The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste and appearance of drinking water. MCLs are established by USEPA and the State Board.

Maximum Contaminant Level Goal (MCLG). The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the USEPA.

Maximum Residual Disinfectant Level (MRDL). The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG). The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

Notification Level (NL). Notification levels are health-based advisory levels established by the State Board for chemicals in drinking water that lack MCLs. When chemicals are found at concentrations greater than their notification levels, certain requirements and recommendations apply.

Primary Drinking Water Standard (PDWS). MCLs and MRDLs for contaminants that affect health along with their monitoring and reporting requirements and water treatment requirements.

Public Health Goal (PHG). The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Office of Environmental Health Hazard Assessment.

Regulatory Action Level (AL). The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

Treatment Technique (TT). A required process intended to reduce the level of a contaminant in drinking water.

Total Organic Carbon (TOC). TOC has no health effects. However, TOC provides a medium for the formation of disinfection byproducts including trihalomethanes and haloacetic acids. Drinking water containing disinfection byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems or nervous system effects and may lead to an increased risk of cancer.

Turbidity. Turbidity has no health effects. It is a measure of the clarity of the water and is monitored because it is a good indicator of water quality and the effectiveness of a filtration system. The MCL for turbidity is based on the TT. For unfiltered water, the MCL is 5.0 NTU. For filtered water, the MCL is ≤0.3 NTU 95% of the time.

UCMR. Unregulated Contaminant Monitoring Rule requires monitoring for contaminants not currently regulated. This monitoring provides a basis for future regulatory actions to protect public health.

Waiver. State permission to decrease the monitoring frequency for a particular contaminant.

ABBREVIATIONS

°C	Degrees Celsius
CU	Color unit
DDW	Division of Drinking Water
Max	Maximum
NA	Not applicable
ND	Not detected
NS	No standard
NTU	Nephelometric turbidity unit
ppb	parts per billion (micrograms per liter)
ppm	parts per million (milligrams per liter)
µS/cm	microSiemens per centimeter
% pos	% positive
RAA	Running annual average
SCVWD	Santa Clara Valley Water District
SFPUC	San Francisco Public Utilities Commission
TOC	Total organic carbon
TON	Threshold odor number
USEPA	United States Environmental Protection Agency
NOTES	a. For unfiltered water, the MCL is 5.0 NTU. For filtered water, the MCL is ≤0.3 NTU 95% of the time. b. Percent of time ≤0.3 NTU. c. Levels in the distribution system.

* TYPICAL SOURCES IN DRINKING WATER

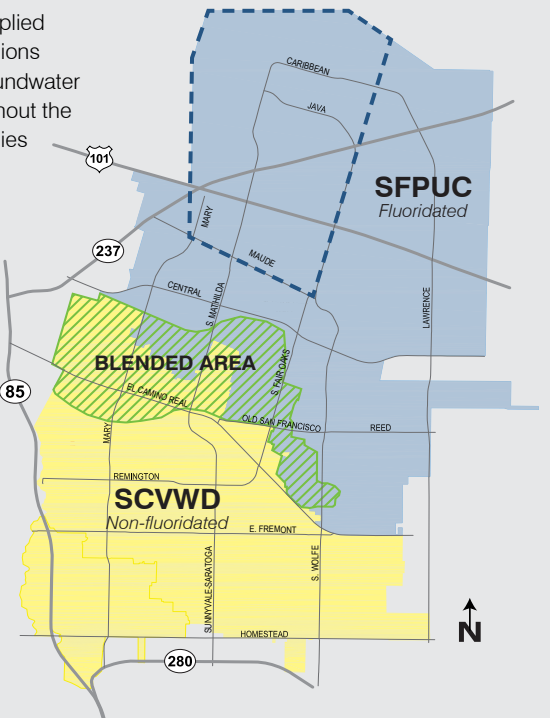
- 1 Naturally present in the environment
- 2 Soil runoff
- 3 Erosion of natural deposits
- 4 Residue from some surface water treatment processes
- 5 Water additive that promotes strong teeth
- 6 Discharge from fertilizer and aluminum factories
- 7 Runoff and leaching from fertilizer use
- 8 Leaching from septic tanks and sewage
- 9 By-product of drinking water disinfection
- 10 Various natural and man-made sources
- 11 Runoff from natural deposits
- 12 Leaching from natural deposits
- 13 Naturally-occurring organic materials
- 14 Seawater influence
- 15 Industrial wastes
- 16 Substances that form ions when in water
- 17 Internal corrosion of household plumbing systems
- 18 Leaching from wood preservatives
- 19 Discharges from industrial manufacturers
- 20 Drinking water disinfectant added for treatment
- 21 Discharges of oil drilling wastes and from metal refineries
- 22 Discharge from mines and chemical manufacturers

WATER SUPPLY MAP

The adjacent map indicates which areas of the City are supplied by SFPUC, SCVWD or a mixture of the two. The colored regions correspond to the colored columns in the table above. Groundwater wells, which are not shown on this map, are located throughout the City. Local groundwater is blended with surface water supplies from SFPUC and SCVWD. SFPUC water is fluoridated but SCVWD and groundwater supplies are not.

TREATMENT VIOLATION

On March 3, 2015, at approximately 4:50 p.m., due to an operational error, SFPUC Regional Water System staff accidentally operated the valves at the Sunol Valve Lot allowing untreated water from San Antonio Reservoir to enter the Regional Water System for an estimated 20 minutes. The City does not provide treatment; however, we obtain treated water from the Regional Water System. As a result, a blend of treated and untreated water may have been served to some Sunnyvale customers on March 4, 2015. Affected customers (shown within the dashed blue boundary) were notified. Inadequately treated surface water may contain disease-causing organisms that can cause diarrhea, nausea, cramps and associated headaches.





City of Sunnyvale

Agenda Item

16-0707

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Rescind Previous Council Action and Provide a Recommendation on the Relocation of the Butcher House and Improvements at Orchard Heritage Park

BACKGROUND

On April 5, 2016, staff presented Council with three alternatives for relocating the Butcher House to Orchard Heritage Park (RTC No. 16-0182). In general, the alternatives included locating the Butcher House within the orchard (Alternative 1), locating the Butcher House to the lawn area across from the museum (Alternative 2), or not relocating the Butcher House (Alternative 3). Council discussed the alternatives and members of the public spoke regarding the various options. Representatives of the museum also spoke and clarified that they would only support moving the Butcher House if it was relocated to their preferred location in the orchard. A motion for Alternative 1, to relocate the Butcher House within the orchard (the location preferred by the Historical Society), failed on a 3-3 vote. A second motion was proposed for Alternative 2, however that motion died due to lack of a second.

An alternative motion was then proposed to relocate the maintenance yard and trash enclosure from its current location to the proposed location in the report and that the vacated area be appropriately and minimally landscaped. Since the motion did not preclude relocating the Butcher house in the future, staff clarified and the Council agreed that minimizing work within the vacated area would assure that any new improvements that might require removal to accommodate the Butcher house would be minimal, temporary in nature, and low-cost.

This motion was approved 5-1 and staff was also requested to have additional discussions with the museum staff on alternatives that may exist that do not require any loss of orchard space (Attachment 1- Council meeting minutes).

On Tuesday May 3, 2016, City staff met with Ms. Laura Babcock and Ms. Leslie Lawton of the Sunnyvale Historical Society and Museum Association (SHSMA). This meeting was a follow-up to Council's direction on: moving forward with the relocation of the yard and trash enclosure; discussing the minimal, temporary nature of the low cost improvements; and, exploring other options for relocating the Butcher House that the SHSMA may be in favor and which do not require any loss of orchard space. Upon meeting, it quickly became apparent that there was confusion regarding the purpose of the meeting and, specifically, the Council direction. SHSMA representatives shared that they believed the intent of the meeting was to discuss next steps based on their understanding of Council's actions, their larger vision for the site (a master plan vision for additional amenities), and permanent improvements to the site. Staff clarified that the City Council did not provide the authority to pursue a master plan vision or permanent improvements to the site and, as a result, additional City Council review would be needed as part of a Study Issue. Through the discussion, the SHSMA made it clear that they still do not support any other options except for putting the Butcher House in the

orchard. In addition SHSMA had misunderstood the Council direction to only minimally landscape the area at this time and expressed concern regarding the approach. It is clear that confusion continues, as recent SHSMA publications continue to express Council or City Manager action incorrectly. Moving forward, City staff requires clarity in the motion in order to move forward in a timely manner and efficiently apply public resources.

On June 28, 2016, staff provided Council with an information report (RTC No. 16-0474), with an update on the discussions with SHSMA, a discussion on a draft Study Issue to explore future expansion of the Museum into the Orchard to accommodate SHSMA's ultimate vision, and acknowledgement that staff continued to proceed with project per the April 5 Council action to relocate the maintenance yard and trash enclosure and that the vacated area be appropriately and minimally landscaped.

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.

From the Orchard Heritage Park Master Plan Action Statements:

2. Maintain a working fruit orchard throughout the largest portion of Orchard Heritage Park for as long a time period as practical within the resources made available by the City. Provide public access to the greatest extent possible while meeting the goal of maintaining a working fruit orchard.
5. Assist the Sunnyvale Historical Society per written agreements, and to the greatest extent practical, in developing a Heritage Museum facility at Orchard Heritage Park consistent with City Council direction.

ENVIRONMENTAL REVIEW

The actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15262 as the actions relate to the authorization of a feasibility and planning study for possible future actions that the City Council has not approved, adopted or funded.

If a conceptual design for the Orchard Heritage Park Improvements Project is approved, the full scope of the project and any potential impacts will need to be determined by the appropriate environmental analysis. It is anticipated that the demolition and disposal of the various structures, construction of replacement structures, and construction of new landscaping and associated improvements will be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15302 (b) (replacement or reconstruction of existing facilities). The CEQA determination will be brought to the City Council for approval concurrent with the award of the construction contract for the project.

The relocation of the Butcher House and associated alterations to Orchard Heritage Park may have potential impacts on trees and historical resources that require further analysis under CEQA (CEQA Guidelines Sections 15300.2(c), (f), and 15304). Should City Council direct staff to move forward with the proposal to relocate the Butcher House to Orchard Heritage Park, SHSMA will bear the costs of

appropriate CEQA review. Compliance with CEQA is required before the relocation can be approved.

DISCUSSION

At the June 28, 2106 Council meeting, the City Council expressed interest in reconsidering the motion of April 5, 2016. The City Council discussed that they would prefer that permanent improvements be implemented within the Heritage Museum area, instead of providing minimal landscapes per the Council's earlier action. Through a community outreach process, staff had developed a permanent plan for the vacated area under Alternative 3 of RTC No. 16-1082 (Attachment 2 of this RTC), which assumed no Butcher House relocation. The improvements included an entry plaza, turf, landscape, historical gates, and ornamental perimeter fencing. If the Council would prefer to proceed with permanent improvements, staff recommends moving forward with the conceptual design that was completed through the community outreach process. Staff has already started design of the project, however the project design is not developed enough where a new Council action will have significant cost or schedule implications. However, any proposals outside of the already developed conceptual designs would have both budget and schedule considerations.

If at any point the Butcher House or any other uses are relocated within the Heritage Museum boundaries, these improvements might have to be removed. However, as previously discussed, SHSMA has communicated to the City staff that they have no interest in relocating the Butcher House within the existing museum boundaries. Their vision is to expand the museum area to Michelangelo Drive and add additional amenities/concepts that are historical to the City.

FISCAL IMPACT

Orchard Heritage Park Improvement Project

City Council previously approved a budget of \$750,000 for the design and construction of the Orchard Heritage Park Improvements from the Park Dedication Fund. The project budget was developed and approved prior to any consideration of relocating the Butcher House to the site. City Council subsequently added \$50,000 for consideration of the Butcher House Study Issue. A design contract for \$123,363 was awarded to Callander Associates Landscape Architecture on August 11, 2015.

Drainage Improvements

The drainage issue was not identified until well after the original project budget was developed. For any of the concept plans selected, City Council action requested is to approve a future budget modification at the award of construction contract to accommodate the drainage solution (re-grading and valley gutter) and the implementation of the selected concept plan. The increase in costs above the existing budget is estimated at approximately \$25,000, but actual costs will be determined upon bid opening.

Butcher House Relocation

Per the Study issue, all costs associated with the Butcher House relocation and construction of associated improvements will be privately managed and funded. The Historical Society has communicated to staff that they are willing to fund this work, but would prefer for the City to cover the costs of some related site work such as the construction of the access road, drainage improvements, landscaping and pathways surrounding the house; however there is no current City funding for those improvements.

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. Rescind the motion passed by the City Council at its April 5, 2016 meeting regarding this project.
2. Do not rescind the motion passed by the City Council at its April 5, 2016 meeting allowing the earlier action to stand.
3. Do not relocate the Butcher House, design improvements in the vacated area per Attachment 2, and acknowledge that a future budget modification with the construction contract award will be required to provide funding for drainage improvements (re-grading and valley gutter) behind the existing multi-purpose building.
4. Direct Staff to proceed with either Alternative 1 (Attachment 3) or 2 (Attachment 4) from the April 5, 2016 Report to Council (RTC No. 16-0182).
5. Direct staff to proceed with a different alternative.

STAFF RECOMMENDATION

Alternatives 1 and 3: 1) Rescind the motion passed by the City Council at its April 5, 2016 meeting regarding this project and 3) Do not relocate the Butcher House, design Improvements in the vacated area per Attachment 2 in the report, and acknowledge that a future budget modification at the time of construction contract award will be required to provide funding for drainage improvements (re-grading and valley gutter) behind the existing multi-purpose building.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Excerpt from Minutes of the April 5, 2016 Council Meeting
2. Alternative 3 (from RTC No. 16-1082)
3. Alternative 1 (from RTC No. 16-1082)
4. Alternative 2 (from RTC No. 16-1082)

Public Hearing closed at 8:36 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Grant the appeal and adopt the Mitigated Negative Declaration and Approve the Special Development Permit and Variance based on the Findings in Attachment 3 of the report and with the recommended Conditions in Attachment 4 of the report.

FRIENDLY AMENDMENT: Mayor Hendricks offered a friendly amendment to eliminate the left turn onto Wolfe Road.

Vice Mayor Larsson accepted the friendly amendment.

The motion carried by the following vote:

- Yes: 4 -** Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius
Councilmember Davis
- No: 2 -** Councilmember Griffith
Councilmember Meyering

Council recessed at 9:08 p.m.

Council reconvened at 9:17 p.m. with all Councilmembers present.

- 3** [16-0182](#) Discussion and Possible Action on the Relocation of the Butcher House and Update on the Design of the Orchard Heritage Park Improvement Project (Study Issue) and Find that the Action Is Exempt from CEQA Pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies)

Assistant Director of Public Works Craig Mobeck provided the staff report. Director of Community Development Trudi Ryan and Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 9:36 p.m.

Kenneth Cook spoke in favor of preservation of the heritage park orchard and open space.

Leslie Lawton, President of the Sunnyvale Historical Society and Museum Association, provided information regarding the educational programs of the

Museum and the preservation of Sunnyvale's history, and urged consideration of Alternative 1.

Margaret Butcher, a granddaughter of Arthur Butcher, provided background information on the Butcher House and encouraged moving the house to the museum.

Laura Babcock spoke in support of an open view into the parking lot and support of Alternative 1, and stated this is the only alternative the museum is prepared to support.

Jim Reynolds, Past President of the Sunnyvale Historical Society and current board member, spoke in support of moving the Butcher House as presented in Alternative 1.

Jeanine Stanek, former member of the Heritage Preservation Commission and current archivist for the Heritage Park Museum, spoke in support of saving and relocating the 1912 Butcher House as presented in Attachment 1.

Joe Shane spoke in support of Alternative 1.

Karen Ireland spoke in support of protection of the Heritage Orchard and spoke in support of Alternative 2 or Alternative 3.

Mary Egan spoke regarding the value of the orchard and requested finding another place for the house.

Debbie Pitsch speaking for daughter Elsa, spoke in support of preservation of the orchard.

John Pitsch spoke in opposition to bringing the Butcher House into the orchard and in support of preserving the orchard. Pitsch urged Council not to approve Alternative 1.

Margaret Lawson spoke in support of moving the Butcher House to the area next to the Museum as in Alternative 1.

Vladimir Preysman questioned the historical value of the Butcher House and suggested preservation of the orchard be the priority.

Irene Preysman stated it isn't clear that the museum can benefit from the addition

of the Butcher House and spoke in support of adding visits to the orchard to tours of the museum.

Craig Pasqua, representing the Parks and Recreation Commission, presented the recommendation of the commission and the rationale for the split vote.

Charlie Olson spoke regarding the trees recommended by the consultants for removal and damage to the orchard during the construction work. Olson provided background on the history of the maintenance shed and the orchard.

Rita Welsh spoke regarding the orchards in the valley in the past.

David Ginsberg stated the Butcher House may not be worthy of preservation and recommended not moving it.

Zachary Kaufman referred to the diagrams of the alternative site locations and spoke in opposition to Alternative 1.

Steve Scandalis referred to the diagrams of the alternative site locations and spoke in support of Alternative 2.

Martin Landzaat recommended that if the Butcher House is moved, it be turned into a Teen Center.

Michael Garibaldi spoke in opposition to moving the Butcher House and in support of preserving the orchard.

Public Hearing closed at 10:56 p.m.

MOTION: Councilmember Martin-Milius moved and Vice Mayor Larsson seconded the motion to study the option that would work best for Historical Society.

FRIENDLY AMENDMENT: Vice Mayor Larsson offered a friendly amendment to add a study Issue to look at a long term plan to keep the orchard financially viable. Councilmember Martin-Milius accepted the friendly amendment.

Following discussion with staff, Councilmember Martin-Milius clarified her motion is Alternative 1: Alternative Plan 1- Direct staff to move forward with the CEQA evaluation of the proposal to relocate the Butcher House to the location preferred by the Historical Society. The costs of CEQA compliance to be borne by the Historical Society.

The motion failed by the following vote:

- Yes:** 3 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius
- No:** 3 - Councilmember Griffith
Councilmember Meyering
Councilmember Davis

MOTION: Councilmember Davis moved to approve Alternative 2: Alternative Plan 2 - Direct staff to move forward with the CEQA evaluation of the proposal to relocate the Butcher House to the lawn area and acknowledge that a future budget modification with the construction contract award will be required to provide funding for drainage improvements (re-grading and valley gutter) behind the existing multi-purpose building. The costs of CEQA compliance to be borne by the Historical Society.

The motion died due to lack of a second.

Councilmember Martin-Milius proposed a study issue to look at a long term plan to keep the orchard financially viable.

Following discussion, Councilmember Martin-Milius withdrew the study issue proposal.

MOTION: Councilmember Davis moved and Councilmember Martin-Milius seconded the motion to relocate the maintenance yard and trash area from its current location to the proposed location in the report.

Following discussion with staff, Councilmember Davis added to the motion that the vacated area be appropriately and minimally landscaped.

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

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to direct staff to have additional discussions with the museum staff on alternatives that may exist that do not require any loss of orchard space.

The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilmember Meyering

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to continue with Item 4.

The motion carried by the following vote:

Yes: 4 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius

No: 2 - Councilmember Meyering
Councilmember Davis

- 4** [16-0213](#) Adopt Resolutions (1) Amending the Salary Table to Update Four Library Classification Pay Rates to Comply with CalPERS Requirements and (2) Amending the Salary Resolution and the Civil Service Rules and Regulations to Add Provisions for Term Limited Employment

Principal Human Resources Analyst Vienne Choi provided the staff report. Director of Human Resources Teri Silva provided additional information.

Public Hearing opened at 11:47 p.m.

No speakers.

Public Hearing closed at 11:47 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve Alternative 1: Adopt resolutions (1) amending the Salary Table for four casual library positions, and (2) the Salary Resolution and the Civil Service Rules and Regulations to add provisions for Term Limited Employment.

The motion carried by the following vote:









City of Sunnyvale

Agenda Item

16-0762

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Approve the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association (SMA) and Adopt 3 Resolutions: (1) Amending the Salary Resolution for SMA, Unrepresented Management Employees, and Department Directors; (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management Employees, and Department Directors; and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety

BACKGROUND

The City Council met in Closed Session over the past several months and, in particular, on June 21, 2016 to discuss labor negotiations with the City's various bargaining units. As a result of those confidential discussions, staff presented a request to SMA to reopen negotiations and SMA agreed to reopen the existing MOU to consider term, wages and retirement based on new actuarial information presented by John Bartel on June 21, 2016.

The term of the current agreement with SMA is from July 1, 2015 until June 30, 2018 and includes the following provisions regarding Employer Paid Member Contributions (EPMC) and lump sum payments:

- July 1, 2015: EPMC reduced from 4% to 3%
- July 3, 2016: EPMC to be reduced from 3% to 2%
- July 2, 2017: EPMC to be reduced from 2% to 1%
- December 2015: 1% off-salary table lump sum payment
- November 2016: 1% off-salary table lump sum payment
- November 2017: 1% off-salary table lump sum payment

On August 26, 2014, the Council approved a reduction in the EPMC for CalPERS classic members for unrepresented employees (pay plan categories D and K) and department directors (pay plan category F) and providing a 1% off-salary table lump sum payment with the following schedule:

- August 31, 2014: EPMC reduced from 5% to 4% (for Director of Public Safety: reduced from 7% to 6%)
- July 5, 2015: EPMC reduced from 4% to 3% (for Director of Public Safety: reduced from 6% to 5%)
- July 3, 2016: EPMC to be reduced from 3% to 2% (for Director of Public Safety: reduced from 5% to 4%)
- November 2014: 1% off-salary table lump sum payment
- November 2015: 1% off-salary table lump sum payment
- November 2016: 1% off-salary table lump sum payment

EXISTING POLICY

Council Policy 7.3.1 Legislative Management - Goals and Policies, Goal 7.3D: Maintain a quality work force, consistent with state and federal laws, City Charter, and adopted policies in order to assure that City services are provided in an effective, efficient, and high quality manner.

ENVIRONMENTAL REVIEW

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

DISCUSSION

The City and SMA began discussions regarding the SMA contract at the end of June 2016 on term, wages and retirement. The City was notified on July 14, 2016 that the SMA membership ratified a tentative agreement (Attachment 1) with the following changes to the existing Memorandum of Understanding, as presented in redline and clean versions in Attachments 2 and 3:

- The term of the Memorandum of Understanding shall be extended for 1 year through June 30, 2019.
- Effective the first full pay period in July 2018 (July 1, 2018): 2% across the board salary increase consistent with the long-term financial plan assumptions.
- Effective July 17, 2016: EPMC shall be 4% for classic members.
- The 1% off-salary table lump sum payments scheduled for November 2016 and November 2017 shall be eliminated.

To ensure consistency with the recommended SMA agreement, the modifications recommended by this report for employees in pay plan categories D, K, and F are as follows:

- Effective July 17, 2016: EPMC shall be 4% for classic members, and 6% for the Director of Public Safety.
- The 1% off-salary table lump sum payment scheduled for November 2016 shall be eliminated.
- Effective July 2, 2017: 2% across the board salary adjustment.

The employment agreements of the City Manager and City Attorney include a provision that the City Manager and City Attorney shall be entitled to retirement and other benefits applicable to employees in pay plan category F.

FISCAL IMPACT

With the adoption of the Fiscal Year 2016/17 Budget, the City took the first step toward viewing salary and benefits as a total compensation package versus just salary. The total twenty year cost of freezing EPMC for these employees is anticipated to be approximately \$5.4 million offset by moderating total compensation assumptions going forward. For FY 2016/17, the cost for freezing EPMC is offset with the elimination of the lump sum payments. The total impact of these changes, along with the full implementation of a total compensation budgeting model will be included in the FY 2017/18 Recommended Budget.

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 the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association (SMA), presented as Attachment 3 of this report, and Adopt 3 Resolutions: (1) Amending the Salary Resolutions for SMA, Unrepresented Management Employees, and Department Directors (Attachment 4); (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management, and Department Directors (Attachment 5); and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety (Attachment 6).
2. Do not authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association, presented as Attachment 3 of this report, and Do not adopt 3 Resolutions: (1) Amending the Salary Resolutions for SMA, Unrepresented Management Employees, and Department Directors (Attachment 4); (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management, and Department Directors (Attachment 5); and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety (Attachment 6).

STAFF RECOMMENDATION

Alternative 1: Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association (SMA), presented as Attachment 3 of this report, and Adopt 3 Resolutions: (1) Amending the Salary Resolutions for SMA, Unrepresented Management Employees, Department Directors (Attachment 4); (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management, and Department Directors (Attachment 5); and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety (Attachment 6).

Prepared by: Vienne Choi, Human Resources Manager

Reviewed by: Teri Silva, Director, Human Resources

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Tentative agreement between the City of Sunnyvale and the Sunnyvale Managers Association
2. 2015-2019 SMA MOU with track changes
3. 2015-2019 SMA MOU
4. Resolution to Amend the Salary Resolution and Salary Tables
5. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for SMA, Unrepresented Management Employees, and Department Directors)
6. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for the Director of Public Safety

Tentative Agreement
Between the
City of Sunnyvale
And Sunnyvale Managers Association
July 14, 2016

Article 4 TERM

The term of this Agreement shall be upon ratification of the parties and through June 30, 2019, and will thereafter continue in effect until the parties reach agreement on a successor Agreement or the City Council takes action after meeting and conferring in good faith to modify the wages, hours, and terms and conditions of employment provided hereunder.

Article 12 WAGES

12.2 Salary Adjustments

1. Effective July 1, 2015: 3.5% across the board salary adjustment.
2. Effective the first full pay period in July 2016 (July 3, 2016): 2.5% across the board salary adjustment.
3. Effective the first full pay period in July 2017 (July 2, 2017): 1.5% across the board salary adjustment.
4. Effective the first full pay period in July 2018 (July 1, 2018): 2% across the board salary adjustment.

Article 13 INSURANCE PLANS AND RETIREMENT

13.14 Retirement

The City has contracted with CalPERS and shall provide pension benefits for miscellaneous employees, including employees in this Unit, in a manner consistent with State law and will comply with the Public Employees' Pension Reform Act (Government Code Section 7522 et seq.).

Employees' payment to their employee contribution to CalPERS shall be made pursuant to IRC Section 414(h)(2).

Tier 1 – Local Miscellaneous 2.7% at age 55

Employees hired before December 23, 2012 shall receive Local Miscellaneous 2.7% at age 55 retirement formula. Final compensation shall be calculated using the single highest year model.

The City agrees to contribute to CalPERS on behalf of employees as follows:

Effective the first full pay period inclusive of City Council approval, the City shall contribute four percent (4%) of the eight percent (8%) employee contribution. Employees shall pay the remaining four percent (4%) of the employee contribution on a pre-tax basis.

The City's payment of employees' CalPERS contribution is based upon authority from CalPERS and upon tax treatment permitted by the Internal Revenue Service and revenue rulings related thereto, and by the California Franchise Tax Board. It is understood that the State Legislature or Congress may alter the statutory authority for this tax treatment, and the Franchise Tax Board, or the IRS or the United States Department of Treasury may alter the current revenue rulings, either by other rulings or regulations.

The City shall continue to report the value of the employer-paid member contributions (EPMC) as additional compensation for each employee.

Tier 2 – Local Miscellaneous 2.0% at age 60

Employees hired on or after December 23, 2012 who are also classic CalPERS members shall receive the Local Miscellaneous 2.0% at age 60 retirement formula. Final compensation shall be calculated using the single highest year model.

The City agrees to contribute to CalPERS on behalf of employees as follows:

Effective the first full pay period inclusive of City Council approval, the City shall contribute four percent (4%) of the seven percent (7%) employee contribution. Employees shall pay the remaining three percent (3%) of the employee contribution on a pre-tax basis.


The City's payment of employees' CalPERS contribution is based upon authority from CalPERS and upon tax treatment permitted by the Internal Revenue Service and revenue rulings related thereto, and by the California Franchise Tax Board. It is understood that the State Legislature or Congress may alter the statutory authority for this tax treatment, and the Franchise Tax Board, or the IRS or the United States Department of Treasury may alter the current revenue rulings, either by other rulings or regulations.

The City shall continue to report the value of the employer-paid member contributions (EPMC) as additional compensation for each employee.

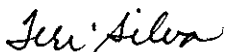
Tier 3 - Local Miscellaneous 2.0% @ 62

Employees hired on or after January 1, 2013 who are also new CalPERS members shall receive the Local Miscellaneous 2.0% at age 62 retirement formula. Final compensation shall be calculated using the highest 36-consecutive month model. Employees will pay fifty percent (50%) of normal cost as the employee contribution on a pre-tax basis. The normal cost is subject to change on a fiscal year basis as determined by CalPERS.

FOR THE CITY OF SUNNYVALE

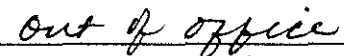


Deanna J. Santana, City Manager
Date: 7/18/16




Teri Silva, Director of Human Resources
Date: 7/18/16

FOR SUNNYVALE MANAGERS ASSOCIATION



Tony Pineda, SMA President
Date: _____



Ernie DeFrenchi, SMA Vice-President
Date: 7-14-16

CITY OF SUNNYVALE

AND

SUNNYVALE MANAGERS ASSOCIATION

MEMORANDUM OF UNDERSTANDING

July 1, 2015 to June 30, ~~2018~~2019



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Exhibits

A - Classifications Represented by the Sunnyvale Managers Association

Article 1 PREAMBLE

This Memorandum of Understanding (MOU) is between the City of Sunnyvale (City) and the duly authorized representatives of the Sunnyvale Managers Association (SMA). Its purpose is to promote harmonious relations between the City, the Association, and employees (Employees) by setting forth the understanding of the parties reached as a result of meeting and conferring in good faith regarding the wages, hours, and certain other terms and conditions of employment of employees in the classifications comprising this Bargaining Unit (Unit).

Article 2 RECOGNITION

The Sunnyvale Managers Association (Association) is hereby acknowledged as the exclusively recognized employee organization for those full-time employees in the classifications listed in Exhibit A as it currently reads or as modified by agreement of the parties during the term of the MOU.

The City shall notify the Association of the development of a new or revised management classification and, upon written request from the Association within seven (7) work days from the City's notice, shall consult with the Association concerning the new classification.

Article 3 RATIFICATION

It is agreed that the provisions of this MOU are of no force or effect until ratified by the Association and duly adopted by the City Council of the City of Sunnyvale.

Article 4 TERM

The term of this Agreement shall be upon ratification of the parties and through June 30, ~~2018~~2019, and will thereafter continue in effect until the parties reach agreement on a successor Agreement or the City Council takes action after meeting and conferring in good faith to modify the wages, hours, and terms and conditions of employment provided hereunder.

Article 5 FULL UNDERSTANDING, MODIFICATIONS, AND WAIVERS

This Agreement sets forth the full and entire agreement of the parties regarding the matters set forth herein, and any other prior or existing understanding or agreements, including any prior memoranda of understanding, over the matters between parties, whether formal or informal, are hereby superseded or terminated in their entirety.

It is agreed and understood that, except as set forth herein, each party hereto voluntarily and unqualifiedly waives its right to negotiate, and agrees that the other party shall not be required to negotiate with respect to any subject or matter covered herein or with respect to any other matters within the scope of representation, during the term of this Agreement.

No agreement, alteration, understanding, variation, waiver, or modification of any of the terms or provisions contained herein shall in any manner be binding upon the parties hereto unless made and executed by all parties hereto, and if required, approved by the City and ratified by the membership of the Association.

The waiver of any breach, term or condition of this Agreement by either party shall not constitute a precedent in the future enforcement of all its terms and provisions.

Article 6 SEVERABILITY

In the event any provision of this MOU is declared invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of the MOU shall remain in full force and effect.

If a provision is declared invalid or unenforceable as provided above, at the written request of either party submitted to the other within ten (10) work days of such action by the court, the parties shall meet promptly to negotiate the impact of such declaration by the court.

Article 7 ORDINANCES, CODES, AND RESOLUTIONS

Any written City ordinances, codes, or resolutions currently in effect that cover subjects within the scope of representation shall not be changed during the term of this Agreement without first giving the Association the opportunity to meet and confer concerning such changes, except as otherwise provided by this Agreement.

Such meeting and conferring shall be up to and including mediation.

Article 8 SCOPE OF NEGOTIATIONS

The scope of representation shall include all matters relating to employment conditions, and employer-employee relations including but not limited to wages, hours, and other terms and conditions of employment, as provided by the Meyers-Milias-Brown Act and as may be amended.

Pursuant to the Meyers-Milias-Brown Act, as it currently exists, or may be amended, the City agrees to meet and confer with the Association in advance regarding any proposed

changes in working conditions within the scope of representation, except as provided elsewhere in this Agreement.

The City is required to comply with federal and state laws, and to the extent the City is required to meet and confer about any changes in federal or state law, it will do so; however, if there is no requirement to meet and confer, the City will implement any required policies and/or procedures.

Article 9 AUTHORIZED AGENTS

For purposes of administering the terms and provisions of this Agreement:

City's principal authorized representative shall be the City's Director of Human Resources or his/her duly authorized representative (address: 505 West Olive Avenue, Suite 200, Sunnyvale, CA 94086; telephone (408) 730-7495) except where a particular management representative is specifically designated in connection with the performance of a specified function or obligation set forth herein.

The Association's principal authorized agent shall be the President of the Sunnyvale Managers Association or his/her duly authorized representative. The Association's official mailing address is P.O. Box 70083, Sunnyvale, CA 94086.

Article 10 NON-DISCRIMINATION

The parties agree that they and each of them shall adhere to the City's policies concerning Equal Employment Opportunity (EEO) and non-discrimination, and other applicable Federal and State non-discrimination laws.

The parties agree that they and each of them shall not discriminate against any employee because of membership or non-membership in the Association, or because of any authorized activity on behalf of the Association, or because of the exercise of rights under this Agreement.

Article 11 NEGOTIATION PREPARATION

Up to three (3) Association negotiating team members and one note taker will be compensated for negotiation sessions that occur during their regular work schedules, notwithstanding leaves of absence. The City will compensate the negotiation team members for up to one (1) hour of preparation time either before or after the scheduled meeting. All other time spent on Association business will be on the member's own time. Only negotiation team members shall attend the negotiation sessions, unless mutually agreed otherwise.

Article 12 WAGES/COMPENSATION

12.1 Salaries

Pay rates for each classification within the Unit shall be assigned to a pay grade as set forth currently in Pay Plan Category D/E as defined in the City's Salary Resolution. The range for each classification extends from 85% of the Control Point up to the Control Point (100%).

12.2 Salary Adjustments

1. Effective July 1, 2015: 3.5% across the board salary adjustment.
2. Effective the first full pay period in July 2016 (July 3, 2016): 2.5% across the board salary adjustment.
3. Effective the first full pay period in July 2017 (July 2, 2017): 1.5% across the board salary adjustment.
4. Effective the first full pay period in July 2018 (July 1, 2018): 2% across the board salary adjustment.
- 4.5. Effective the same pay period of ratification by the SMA membership and City Council approval (pay day December 23, 2015): Off salary schedule pay equal to 1% of current annual salary, reportable as special compensation for employees in tier 1 and tier 2 as defined in Article 13.14 Retirement.
5. ~~Effective the last full pay period in November 2016 (November 6, 2016): Off salary schedule pay equal to 1% of current annual salary, reportable as special compensation for employees in tier 1 and tier 2 as defined in Article 13.14 Retirement.~~
6. ~~Effective the last full pay period in November 2017 (November 5, 2017): Off salary schedule pay equal to 1% of current annual salary, reportable as special compensation for employees in tier 1 and tier 2 as defined in Article 13.14 Retirement.~~

12.3 Interim/Acting or Out-of-Class Pay

(a) Interim/Acting Pay

Employees who are appointed by the City Manager in an acting/interim status to a higher level vacant position may receive placement within the control point of the vacant position; or a percentage over current pay as designated by the City Manager.

(b) Out-of-Class Pay for Special Assignment Work

The City Manager or designee may authorize a temporary pay adjustment for an employee given a specific temporary assignment clearly beyond the scope

of the regular job description as determined by the Director of Human Resources or designee. Such assignment is to be made only as necessary to meet the business needs of the department. A request for such an assignment must be made to the City Manager or designee, in writing, from the Department Director prior to commencement of the assignment. Work in such assignment shall be at a minimum of two (2) consecutive weeks, and up to a maximum of one (1) year.

The request for special assignment shall describe the assignment, justify why it is to be performed by the designated employee, and give a specific duration for completion of the assignment with start and end date. Special assignment pay is five percent (5%) above the employee's normal pay rate. The special assignment and related compensation may be revoked at any time at the discretion of the Department Director, or the City Manager or designee.

Special assignment pay shall be based on the full period of actual hours worked during the assignment and received for the full period of time in which the employee works in the assignment, provided that such special assignment and related compensation has been authorized in advance by the Department Director, has been approved by the City Manager or designee, and has been processed by the Human Resources Department. Special assignment pay shall not be made retroactively. Special assignment pay shall not be paid for Paid Time Off, Holidays, Paid Medical Leave or any other leave during the special assignment; nor shall such leave days be considered a break in the special assignment.

The special assignment pay shall be discontinued on the date originally identified for completion of the assignment, unless an extension of specific duration is approved by the City Manager or designee prior to the end of the original assignment end date. Extension may be granted for up to an additional one (1) year for the same assignment.

12.4 Merit Increase

Upon completion of 13 pay periods of service, employees who receive an overall rating of achieves or exceeds expectations on their most recent performance evaluation shall receive an increase in salary above the rate to which they were initially assigned, up to but not exceeding the Control Point. Consideration for each subsequent increase in salary will be given following the completion of 26 pay periods from the prior increase in salary, up to but not exceeding the Control Point. Increases in salary shall be granted effective the start of the pay period in which the day after the employee completes 26 pay periods from the prior increase in salary occurs.

12.5 Change in Pay Upon Promotion

Employees who are promoted to a classification which has been assigned a Control Point greater than the classification from which the employee is being promoted shall be entitled to assignment to a pay rate in the new salary range which provides at least 5% above the employee's current pay rate, or the rate which the employee would have received with a meeting or exceeding expectations of performance within 2 pay periods had the promotion not been made, provided the increase does not exceed 95.0% of the Control Point for the new classification, except that upon recommendation of the Department Director and approval of the City Manager, the promoted employee's pay rate may be set at up to 100% of such Control Point. Thereafter, the employee is considered for merit increases in the same manner as other employees.

12.6 Change in Pay Upon Reclassification

When a position is reclassified to a classification with a higher pay range and the incumbent employee retains the position, the employee shall be placed at a pay level commensurate with his or her skills, knowledge and experience and within the range for the new position, or a salary 5% above the employee's present salary, whichever is higher.

Article 13 INSURANCE PLANS AND RETIREMENT

13.1 Medical Insurance

Effective January of each year during the term of this agreement, the City will contribute the cost of the premium of the plan selected by the employee or the lowest cost HMO premium for single coverage available through the CalPERS Bay Area regional medical plans, whichever is less, toward the cost of premiums for medical insurance under the Public Employees Medical and Hospital Care Act (PEMHCA) for each employee and his or her eligible dependents. Additionally, the City's contribution shall be no less than the highest City contribution for any of the other represented employee units.

13.2 Cafeteria Benefits Plan

The City will contribute to a Cafeteria Benefits Plan for the cost of medical premiums only. The City's Cafeteria Benefits Plan contribution will be capped at the cost of the premium of the highest priced plan between the CalPERS Bay Area regional HMO plans or the PERS Choice PPO plan, based upon the plan level in which the employee is enrolled, and less the City Contribution as stated in Section 13.1 above.

13.3 Employee Contribution

Any difference between the total cost of the employee's medical plan (for employee only, employee plus one or employee plus family) and the amount contributed by the City will be paid by the employee.

13.4 Premium Conversion

Insurance premium contributions are paid for on a pre-tax basis; however, the City agrees to continue to provide employees with an option to pay their insurance premium contributions on a post-tax basis, to the extent permitted by the Internal Revenue Code.

13.5 Cash In-Lieu of Medical Coverage

The City will continue to provide employees with the option to waive their medical coverage and receive payment of a portion of what otherwise would be the City contribution.

Effective with the first full pay period following ratification and approval by the City Council (December 20, 2015), payment shall be made on the following schedule:

Type of Coverage Waiving	Per Pay period Payment
Employee only coverage	\$38.00
Employee +1 coverage	\$76.00
Employee + family coverage	\$98.50

If the employee is currently a dependent of a City employee and covered by a CalPERS Health Plan, the employee is not eligible for reimbursement.

Whenever an employee changes to no coverage, the employee shall provide proof of alternate coverage and sign a waiver stating that he or she does have alternate coverage and that he or she understands that he or she will no longer receive coverage through a City sponsored CalPERS provided medical plan.

If an employee decides to increase his or her level of coverage by either reentering a City sponsored CalPERS provided medical plan or including a dependent in his or her current coverage, he or she may enroll in accordance with CalPERS procedures.

Procedures for exercising this option and for reentering the City sponsored CalPERS provided medical plans shall be established by CalPERS.

Employees receiving cash in-lieu payments must provide documentation to verify their dependents' eligibility.

13.6 Dental Insurance

Dental insurance at the current benefit level will continue to be provided for employees and eligible family members. The premium is fully paid by the City.

13.7 Vision Insurance

Vision insurance at the current benefit level will continue to be provided for employees and eligible family members. The premium is fully paid by the City.

13.8 Life/AD&D Insurance

The City shall provide Basic Life and Accidental Death and Dismemberment (Life/AD&D) insurance for each employee in an amount equal to that employee's annual base salary, up to a maximum coverage of \$175,000.

Such insurance shall be at no cost to the employee, except that, insurance amounts above \$50,000 provided by the City shall be subject to tax law provisions.

At the time of hire, an employee may purchase supplemental Life/AD&D insurance in an amount equal to the employee's annual base salary, up to a maximum coverage of \$250,000.

Current employees who did not purchase supplemental Life/AD&D insurance at the time of hire, may purchase supplemental Life/AD&D insurance during open enrollment, in an amount equal to the employee's annual base salary, up to a maximum coverage of \$250,000, subject to approval by the carrier.

The supplemental life coverage is paid by the employee.

Employees who elected supplemental Life/AD&D insurance on or before December 31, 2011 but did not elect for the increased maximum coverage of \$250,000, have coverage amount equal to the employee's annual base salary, up to a combined basic and supplemental Life/AD&D insurance maximum coverage of \$175,000. Employees have the option to elect for the increased supplemental coverage up to \$250,000 during open enrollment, subject to approval by the carrier.

13.9 Long Term Disability Insurance

To maintain current benefit level the City shall provide Long Term Disability insurance that provides 67% of the employee's annual base salary to a maximum of \$11,000 per month of paid benefits, subject to the terms of the contract with the carrier. Such insurance shall be at no cost to the employee.

13.10 Employee Assistance Program

To maintain current benefit level the Employee Assistance Program will continue to be provided. Enrollment is mandatory, and the premium is fully paid by the City.

13.11 Dependent Care

The City shall continue to provide a plan in accordance with the Internal Revenue Code Section 129 which provides an option for employees to pay for dependent care expenses on a pre-tax basis.

13.12 Medical Reimbursement Account

A Section 125 medical reimbursement plan will be offered to all employees on a voluntary basis.

13.13 Commuter Transportation Benefits

The City shall provide a plan in accordance with the Internal Revenue Code Section 132(f) that provides an option for employees to pay for qualified work-related transportation expenses for mass transit, van pools, and parking on a pre-tax basis. The monthly election limit is regulated by the IRS.

13.14 Retirement

The City has contracted with CalPERS and shall provide pension benefits for miscellaneous employees, including employees in this Unit, in a manner consistent with State law and will comply with the Public Employees' Pension Reform Act (Government Code Section 7522 et seq.).

Employees' payment to their employee contribution to CalPERS shall be made pursuant to IRC Section 414(h)(2).

Tier 1 – Local Miscellaneous 2.7% at age 55

Employees hired before December 23, 2012 shall receive Local Miscellaneous 2.7% at age 55 retirement formula. Final compensation shall be calculated using the single highest year model.

The City agrees to contribute to CalPERS on behalf of employees as follows:

Effective July 1, 2015, the City shall contribute three percent (3%) of the eight percent (8%) employee contribution. Employees shall pay the remaining five percent (5%) of the employee contribution on a pre-tax basis.

Effective the first full pay period in July 2016 (July 3, 2016), the City shall contribute two percent (2%) of the eight percent (8%) employee contribution. Employees shall pay the remaining six percent (6%) of the employee contribution on a pre-tax basis.

~~Effective the first full pay period in July 2017 (July 2, 2017), the City shall contribute one percent (1%) of the eight percent (8%) employee contribution. Employees shall pay the remaining seven percent (7%) of the employee contribution on a pre-tax basis.~~

Effective the first full pay period inclusive of City Council approval (July 17, 2016), the City shall contribute four percent (4%) of the eight percent (8%) employee contribution. Employees shall pay the remaining four percent (4%) of the employee contribution on a pre-tax basis.

The City's payment of employees' CalPERS contribution is based upon authority from CalPERS and upon tax treatment permitted by the Internal Revenue Service and revenue rulings related thereto, and by the California Franchise Tax Board. It is understood that the State Legislature or Congress may alter the statutory authority for this tax treatment, and the Franchise Tax Board, or the IRS or the United States Department of Treasury may alter the current revenue rulings, either by other rulings or regulations.

The City shall continue to report the value of the employer-paid member contributions (EPMC) as additional compensation for each employee.

Tier 2 – Local Miscellaneous 2.0% at age 60

Employees hired on or after December 23, 2012 who are also classic CalPERS members shall receive the Local Miscellaneous 2.0% at age 60 retirement formula. Final compensation shall be calculated using the single highest year model.

The City agrees to contribute to CalPERS on behalf of employees as follows:

Effective July 1, 2015, the City shall contribute three percent (3%) of the seven percent (7%) employee contribution. Employees shall pay the remaining four percent (4%) of the employee contribution on a pre-tax basis.

Effective the first full pay period in July 2016 (July 3, 2016), the City shall contribute two percent (2%) of the seven percent (7%) employee contribution.

Employees shall pay the remaining five percent (5%) of the employee contribution on a pre-tax basis.

~~Effective the first full pay period in July 2017 (July 2, 2017), the City shall contribute one percent (1%) of the seven percent (7%) employee contribution. Employees shall pay the remaining six percent (6%) of the employee contribution on a pre-tax basis.~~

Effective the first full pay period inclusive of City Council approval (July 17, 2016), the City shall contribute four percent (4%) of the seven percent (7%) employee contribution. Employees shall pay the remaining three percent (3%) of the employee contribution on a pre-tax basis.

The City's payment of employees' CalPERS contribution is based upon authority from CalPERS and upon tax treatment permitted by the Internal Revenue Service and revenue rulings related thereto, and by the California Franchise Tax Board. It is understood that the State Legislature or Congress may alter the statutory authority for this tax treatment, and the Franchise Tax Board, or the IRS or the United States Department of Treasury may alter the current revenue rulings, either by other rulings or regulations.

The City shall continue to report the value of the employer-paid member contributions (EPMC) as additional compensation for each employee.

Tier 3 - Local Miscellaneous 2.0% @ 62

Employees hired on or after January 1, 2013 who are also new CalPERS members shall receive the Local Miscellaneous 2.0% at age 62 retirement formula. Final compensation shall be calculated using the highest 36-consecutive month model. Employees will pay fifty percent (50%) of normal cost as the employee contribution on a pre-tax basis. The normal cost is subject to change on a fiscal year basis as determined by CalPERS.

13.15 Affordable Care Act

At such time as regulations are issued implementing the Affordable Care Act (ACA), the City and the Union will meet and confer to review the impact of such regulations on the benefit plans then in force. If modifications to the health benefits, eligibility for coverage, employer or employee contribution to the cost of insurance or any other provisions of the benefit plans covered by this MOU will be modified by the ACA during the term of this agreement, it is agreed that the City and the Union will reopen the contract to meet and confer and determine how such mandated changes will be implemented. In the event of a reopener, the City will not unilaterally impose changes that would cause a reduction in City contributions toward benefits.

Article 14 LEAVES

14.1 Paid Time Off Leave (PTO), Paid Medical Leave (PML), and Workers' Compensation

- (a) Employees are eligible to accrue and use Paid Time Off Leave (PTO). Such leave shall be used for vacation, medical appointment, illness/injury, family emergency, and may also be used for personal business, care of sick children or other family members, school visits, etc. Leaves not included in PTO which remain separate leaves are bereavement, jury duty, military duty, management administrative leave, workers' compensation, floating holiday, and holiday.

Except for illness or emergency, all PTO shall be pre-planned and pre-approved. The recommended advance notice is 1 week. Shorter periods of advance notice may be acceptable with Supervisor or Director's approval. The City may at any time require written verification from a physician for a non-pre-planned absence for illness, family emergency or visits to a doctor, dentist or licensed mental health practitioner.

- (b) PTO begins accruing on the first day of employment and is prorated on an hourly basis for each paid hour. PTO shall not accrue during any unpaid leave except as provided in Article 14.1(i). Time off is paid provided there is adequate PTO accrued to cover the absence. Time off in excess of PTO accruals and other available leave shall be leave without pay. As employees use PTO, the time used shall be deducted from the employee's current PTO balance.

- (c) The accrual rates are listed below:

TABLE A

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/yr
1-26.99	0 to 1	6.5	169
27-130.99	1+ to 5	7.5	195
131-260.99	5+ to 10	9.0	234
261-442.99	10+ to 17	10.5	273
443-650.99	17+ to 25	11.5	299
651+	25+	12.0	312

For new hire or promoted employees, the City Manager may authorize a higher accrual rate within the PTO accrual table.

- (d) Eligible employees will accrue at the rates shown in Table A for the first 870 hours. After 870 hours are accrued, the employee will start accruing at the reduced rate levels of Table B.

TABLE B

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/yr
1-130.99	0 to 5	5.0	130
131-650.99	5+ to 25	6.5	169
651+	25+	8.0	208

Accruals at this level will stop at 1040 hours (maximum cap) until total accrual is reduced below 1040.

- (e) If at any time the total accrual falls below 870 hours, the accrual rate will revert to the rates in Table A.
- (f) No minimum usage per year is required. Accruals carry over from one payroll calendar year to the next.

(g) PTO and Separation/Retirement

PTO accrues and is prorated on an hourly basis for each paid hour during the last pay period of service. PTO shall be paid off to the employee on the employee's last day of work (pay included in final paycheck). The City Manager may, however, approve the utilization of available accrued PTO to extend the date of retirement, and in special circumstances, the date of separation.

(h) PTO and Paid Medical Leave (PML)

Effective the first full pay period following ratification by the SMA membership and City Council approval (December 20, 2015), the PML benefit will be provided as follows:

After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified (same occurrence) illness/injury, beginning with work hour 101 through 90 calendar days of illness/injury. At this time, the City will require a doctor's note and medical information in accordance with current Administrative Policy provisions. No PML will be provided until this requirement is satisfied.

To access the PML Benefit (full pay from 101 hours-90 calendar days), an employee must provide acceptable written medical documentation showing that the illness/injury is a single illness/injury, whether continuous time off has been taken or not for that illness/injury. The first 100 hours of a single

illness/injury are charged to the employee's PTO bank. Hours 101 up through the maximum of calendar day 90 are eligible for coverage under the PML Benefit.

After 90 calendar days of (same occurrence) illness/injury, the employee shall be eligible to apply for Long Term Disability coverage. In addition, if, after having been off work for 100 hours on a same illness/injury and becoming eligible for PML pay, the employee continues to be unable to return to work full-time, but is able to work partial days, the employee remains eligible for PML pay for the part of the day that the employee is unable to work.

Effective July 1, 2017, the first 120 hours of a single illness/injury are charged to the employee's PTO bank. Hours 121 up through the maximum of calendar day 90 are eligible for coverage under the Paid Medical Leave Benefit.

(i) PTO and Workers' Compensation

During the first 26 pay periods of service, the employee will be eligible for Workers' Compensation benefits as provided by state law. The employee, at this time, will have the option to use PTO or any other leave balance available to him/her, or keep it in his/her leave bank for future use upon his/her return.

After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified work-related (same occurrence) illness/injury, beginning with workday 1 through 60 calendar days of illness/injury. After 90 calendar days of (same occurrence) work-related illness/injury, the employee shall be eligible to apply for Long Term Disability coverage. Employees will accrue full seniority for the first 90 days of Workers' Compensation leave regardless of whether they use PTO to supplement Workers' Compensation benefits.

- (j) If an employee has no available leave hours, pay may be deducted for any hours short of 40 worked in a week. This policy is established pursuant to principles of public accountability.
- (k) Employees have the option to cash-out up to 80 hours of PTO effective the last pay day in October of each calendar year. To be eligible to cash out PTO, an employee must submit an irrevocable election form in the calendar year preceding the cash-out specifying the number of hours that he/she irrevocably elects to cash out. This cash-out will be allowed as long as the employee maintains a balance of 80 hours in his/her bank. If the employee elects this option, the minimum number of hours that may be cashed-out is 8.

14.2 HOLIDAY LEAVE

(a) Holidays

Employees who were on pay status both before and after each holiday shall be entitled to take leave on each of the following holidays:

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

When a City holiday falls on a Saturday the holiday will be observed on the Friday; when a holiday falls on a Sunday, the holiday will be observed on Monday; or as designated by the City Council.

(b) Floating Holiday

Effective the first full pay period following ratification by the SMA membership and City Council approval (December 20, 2015), employees shall be credited with thirty (30) hours of floating holiday leave on the first day of the first pay period in the payroll calendar year.

Newly hired employees shall be credited with a pro-rata share of floating holiday hours, based upon the proportion of the payroll calendar year remaining after their date of hire. Use of floating holiday leave shall be subject to approval in advance by the employee's supervisor.

Employees separating City employment shall have their allotment of floating holiday leave for that year pro-rated based upon their date of separation.

Any employee who has used less than his/her pro-rated allotment for the portion of the calendar year worked, shall have the balance paid to him/her on his/her final paycheck.

Any employee who has used more than his/her pro-rated allotment for the portion of the calendar year worked, shall have the overage offset against any available accrued leave, on his/her final paycheck. The employee may also authorize the deduction from his/her final compensation. If the employee's final paycheck is insufficient to repay the overage, the employee shall reimburse the City immediately.

Unused floating holiday leave at the end of the payroll calendar year will be paid out in cash.

14.3 Bereavement Leave

Employees are entitled to bereavement leave where death has occurred to an employee's:

spouse or registered domestic partner, father, step-father, mother, step-mother, son, daughter, brother, sister, grandparents, or grandchildren, or to the father, mother, son, daughter, brother, or sister, grandparents or grandchildren of an employee's spouse or registered domestic partner.

Employees are entitled to bereavement leave in an amount not to exceed 40 work hours per eligible incident immediately upon employment. Except as provided herein, all bereavement leave must be used within six calendar months of the date of the eligible incident. Employees who are designated as the executor for a qualifying decedent's estate may use bereavement leave beyond the six month limitation. Any use of bereavement leave more than six months after the eligible incident requires the approval of the Human Resources Director.

The City reserves the right to require proof of death from the employee including, but not limited to: death certificates, obituaries, and funeral cards.

14.4 Jury Leave

An employee is entitled to jury leave in accordance with State Law and/or City Policy.

14.5 Military Leave

Employees assigned to active military duty are entitled to military leave in accordance with the provisions of applicable State and Federal laws and/or City policy.

14.6 Administrative Leave

Administrative Leave of forty (40) hours per payroll calendar year is subject to Department Director's approval and to the additional provisions in the Administrative Policy.

Effective the first full pay period following ratification by the SMA membership and City Council approval (December 20, 2015), administrative leave will be fifty (50) hours per payroll calendar year.

Article 15 ADDITIONAL BENEFITS

15.1 Workers' Compensation Benefits

Workers' Compensation Benefits will be provided as required by law, and in accordance with the provisions of the City's Salary Resolution.

15.2 Deferred Compensation

Employees are eligible to participate in a 457 deferred compensation plan approved by the City. A 401 (a) plan is available, and procedures for contribution to such plan will be established by the City. With respect to any employee who enrolls in either of the two deferred compensation plans (457 or 401 (a)), the City shall contribute to such plan on behalf of the employee an amount equal to 2% of the employee's gross pay per pay period. Employees shall not be entitled to receive any or all of such payment except as payment into a deferred compensation account.

15.3 Tuition Reimbursement

Employees are eligible for tuition reimbursement as provided in the City's Administrative Policy. Effective with fiscal year 2016/2017, the maximum amount an employee may receive is \$2,000 per employee per fiscal year.

No reduction of City services will result due to the tuition reimbursement program.

15.4 City-Wide Employee Emergency Leave Relief Fund

The City-Wide Employee Emergency Leave Relief Fund is available to employees pursuant to the provisions contained in the City's Salary Resolution. Donations are made based on an hour-for-hour conversion.

15.5 Direct Deposit

The City shall make available deposit of all or a portion of an employee's net pay to financial institutions of his or her choice via direct electronic paycheck deposit.

15.6 Personal Vehicle Use

An employee eligible to receive an automobile allowance under the City's administrative policy shall receive \$310 per month.

Article 16 WORKING CONDITIONS

16.1 Special Work Schedule

An employee may request an alternative work schedule based on the guidelines found in the City's Administrative Policy related to Work Schedules.

This policy specifically allows the establishment of alternative work schedules, including flextime schedules. It also requires that the City establish schedules that are attentive to the needs of individual employees while also assuring prompt, efficient and cost effective public service.

A special work schedule implemented according to the above procedure may be terminated at the end of a pay period by the City Manager, the Department Director, or upon request of the employee upon three (3) weeks written notice to each other.

The City agrees to consider the needs and desires of employees requesting a special schedule. If the City denies a request for a special schedule, then the City will give the employee(s) the reasons for the denial in writing.

16.2 Reduction-In-Force

If the City implements a reduction-in-force that affects employees in this Unit, it will be administered pursuant to the City's Administrative Policy related to Reduction-in-Force: that is, SMA members will have the bumping rights to a current or previously held classification in any Unit.

16.3 Grievance Procedure

Any employee covered by the Memorandum of Understanding may file a grievance.

(a) Purpose

To assure prompt and fair treatment of employee grievances related to employment.

(b) Definition

A grievance is defined as an alleged violation, misinterpretation or misapplication of the provisions of this Memorandum of Understanding or the City's Administrative Policy.

(c) Limitations

A grievant and representative shall be allowed reasonable time during work hours to meet regarding any grievance as provided in this article without loss of pay. It is understood that the grievant and representatives shall:

- (i) provide their supervisor(s) with advance notice and request for such time;
- (ii) that such request will not be arbitrarily denied;
- (iii) that such time shall be charged on the grievant's/representative's timecard to the designated program code, if applicable.

Time limits may be extended by written mutual agreement of the parties.

(d) Procedures

Step I

The grievant will first attempt to resolve the grievance through informal discussions with successive levels of supervision beginning with his/her immediate supervisor through his/her department head. These discussions must be initiated within ten (10) work days following knowledge of the incident upon which the grievance is based. Every attempt will be made by the parties to settle the issue at this level.

Step II

If the grievance is not resolved through the informal discussions, the employee may submit a written appeal to his/her department head within ten (10) work days after the informal meeting.

The written appeal must contain in clear, factual, and concise language:

1. A brief statement as to the date of the occurrence on which the grievance is based and the facts, as the grievant sees them;
2. The rule, regulation or act on which the grievance is based;
3. The action the grievant believes will resolve the grievance;
4. Signature of the employee.

The department head shall have ten (10) work days following receipt of the appeal to review the matter and prepare a written response. Copies shall go to all parties involved and the Human Resources Department.

Step III

If the grievance is not resolved, the grievant may, and upon approval of the Association, within five (5) work days following receipt of the department head's response, appeal to the City Manager, stating in writing the basis for the appeal. The grievant may, and upon approval of the association, have the option to request advisory arbitration. If advisory arbitration is requested the parties shall mutually agree on an arbitrator or request a list of five arbitrators from the California State Mediation and Conciliation Service. An arbitrator

shall then be selected by the parties by alternately striking names. A hearing before the arbitrator shall be held as soon as practical and the arbitrator shall render a decision which shall be advisory to the City Manager.

The City Manager shall render a written decision to all parties directly involved within fifteen (15) work days following the date of the hearing with the City Manager or the optional advisory arbitration. This decision will be final.

16.4 Disciplinary Appeal Procedure

Any employee holding a regular appointment who is suspended, demoted, dismissed or had a salary reduction shall be entitled to be heard before the Personnel Board at a duly constituted meeting in accordance with the provisions contained in the City's Administrative Policy.

Article 17 ASSOCIATION PROVISIONS

17.1 Bulletin Boards

The Association shall have the use of designated bulletin board space to post material related to Association business.

The City shall determine the placement of bulletin boards and the portion of the board to be made available to the Association.

Any materials posted must be dated and initialed by the Association representative responsible for the posting.

At the time of the posting, a copy of the material must be given to the management representative designated for that bulletin board.

The Association shall remove posted material after it has served its purpose, usually within 30 days.

The Association agrees that nothing of a libelous, obscene, defamatory, or of a partisan political nature, shall be posted.

The Association agrees that this Article provides the right to post materials only on designated bulletin boards.

Any material posted in violation of this Article may be removed by the management representative designated for a particular bulletin board. If material is removed, the City shall notify the Association in writing of the removal and the reasons therefore.

17.2 Use of City Facilities and Equipment

The Association may be granted the use of City facilities subject to the following conditions:

- the meeting is during non-work hours;
- the meeting is for City employees;
- the meeting is not for organizing activities;
- the meeting is not for a membership drive;
- the Association makes a written request at least 24 hours in advance of the day it wants to use the facility, and stating the purpose of the meeting; and space is available.

The parties agree the City has the right to assess reasonable charges for the use of such facilities.

Use of City equipment, other than items normally used in the conduct of such business meetings, such as desks, chairs, and black/whiteboards, is strictly prohibited, the presence of such equipment in approved City facilities notwithstanding.

17.3 Use of City E-mail System

The Association may use the City's e-mail system outside of work hours to post notices and results of elections, appointments of officers, to schedule and post notices of meetings, and to post notices of recreational, social and other organization events.

Per Section 2.24.100 of the Municipal Code, employees may only review and respond to such during non-work times.

17.4 Dues Deduction

Association dues and such other deductions as may be properly requested and lawfully permitted shall be deducted, in accordance with applicable state law, bi-weekly by the City from the salary of each employee who files with the City a written request that such deduction be made on their behalf.

Remittance of the aggregate amount of all deductions made pursuant to this Article shall be made to the Association by the City within thirty (30) days after such deductions are made. As soon as administratively possible, the City shall

make such remittance by electronic transfer to the financial institution(s) as designated by the Association.

17.5 New Employee Roster/Orientation

The City shall provide the Association with a list of new Association hires including name, date of hire, classification and work location within one week of start date.

The Association may prepare a new employee information packet which shall be given by the City to employees during the Department of Human Resources orientation of new employees.

17.6 Release Time When Meeting With The City

If the President of the Association attends a mutually agreed upon meeting with the City, the President and up to three (3) designated Association Representatives, shall have reasonable release time to attend such meeting. Employees shall notify their supervisor or his/her designee as soon as possible in advance of such meeting. Travel time is included within the reasonable release time.

17.7 Association/Management Committee

The parties agree that regular meetings to explore mutual problems and issues will be beneficial to the relationship between the City and the Association. Consequently the parties agree to meet as needed to discuss any issue concerning the rights of either party or the relationship between the City and the Association or the City and employees the Association represents. The purpose of the meetings is to exchange information and to solve problems and issues.

The Association may have up to three (3) representatives attend these meetings. Association representatives shall receive reasonable release time to participate in these meetings.

The specific schedule and agenda shall be mutually agreed by the parties.

Article 18 RENEGOTIATIONS

18.1 Negotiations shall begin no later than 120 calendar days prior to the termination date of the agreement.

If either party is unable to meet the timeline, it shall not result in any waiver of rights. The parties shall meet as soon as possible.

It is the intent of both parties to try and reach a successor Agreement prior to the expiration of this Agreement. However, it is by no means a mandatory obligation of the parties to do so.

Article 19 PAY DATE

Pursuant to the City's Compensation Policy, payday is normally on the Thursday following the end of the pay period, but may deviate because of a holiday in the pay period or due to an emergency. It is understood that at such time that the payday is changed City-wide, such change shall be applied to the Association.

Article 20 HRIS/FINANCIAL SYSTEM

The City contemplates implementing a new HRIS / Financial System during the term of this MOU. Accordingly, the parties agree to re-open MOU terms, as necessary, in order to implement any new system. The City agrees that the re-opener negotiations will not result in any material diminution in compensation.

City of Sunnyvale

Sunnyvale Managers Association

Deanna J. Santana, City Manager

Robert van Heusen, President

Teri Silva, Director of Human
Resources

Tony Pineda, Vice President

Date

Date

EXHIBIT A

Classifications Represented by the Sunnyvale Managers Association

<u>Job Code</u>	<u>Classification</u>
0305	Administrative Librarian
0309	Administrative Services Manager: Utility Billing
0217	Affordable Housing Manager
0206	Assistant City Engineer
0205	Assistant Director of Public Works/City Engineer
0367	Budget Analyst I
0368	Budget Analyst II
0388	City Property Administrator
0369	Civilian Fire Marshal
0316	Communications Officer
0342	Community Resources Manager
0213	Community Services Manager
0260	Economic Development Manager
0301	Employment Training Manager
0326	Environmental Programs Manager
0361	Finance Manager: Accounting
0380	Fleet Manager
0327	Golf Operations Manager
0302	Head Golf Professional
0202	Housing Officer
0338	Internal Auditor
0390	Laboratory/Pretreatment Manager
0303	Library Circulation Manager
0274	Management Analyst: Employment Development
0276	Management Analyst: Public Safety
0209	Manager of Business Operations
0211	Manager of Job Seeker Services
0332	Manager, Applications Development
0324	Manager, Bureau of Technical Services – Public Safety
0331	Manager, Information Technology Services
0204	Neighborhood Preservation Manager
0329	Operations Manager: Facilities
0330	Parks Manager
0230	Planning Officer
0375	Program Quality and Operations Manager

<u>Job Code</u>	<u>Classification</u>
0245	Public Safety Communications Manager
0246	Public Safety Records Manager
0362	Purchasing Officer
0218	Regulatory Programs Division Manager
0373	Senior Engineer
0374	Senior Environmental Engineer
0339	Senior Internal Auditor
0322	Senior Management Analyst
0275	Solid Waste Programs Division Manager
0353	Street Operations Manager
0210	Superintendent of Building Inspection
0216	Superintendent of Community Services
0212	Superintendent of Facilities Maintenance
0222	Superintendent of Parks and Golf
0270	Superintendent of Public Works Operations
0223	Superintendent of Trees and Landscape
0310	Supervising Librarian
0290	Transportation and Traffic Manager
0363	Treasury Manager
0344	Urban Landscape Manager
0315	Utility Billing Manager
0352	Wastewater Operations Manager
0201	Water and Sewer Systems Division Manager
0351	Water Operations Manager
0295	Water Pollution Control Division Manager
0395	Water Pollution Control Maintenance Manager
0396	Water Pollution Control Operations Manager
0284	Youth and Family Resources Manager

CITY OF SUNNYVALE
AND
SUNNYVALE MANAGERS ASSOCIATION
MEMORANDUM OF UNDERSTANDING

July 1, 2015 to June 30, 2019



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Exhibits

A - Classifications Represented by the Sunnyvale Managers Association

Article 1 PREAMBLE

This Memorandum of Understanding (MOU) is between the City of Sunnyvale (City) and the duly authorized representatives of the Sunnyvale Managers Association (SMA). Its purpose is to promote harmonious relations between the City, the Association, and employees (Employees) by setting forth the understanding of the parties reached as a result of meeting and conferring in good faith regarding the wages, hours, and certain other terms and conditions of employment of employees in the classifications comprising this Bargaining Unit (Unit).

Article 2 RECOGNITION

The Sunnyvale Managers Association (Association) is hereby acknowledged as the exclusively recognized employee organization for those full-time employees in the classifications listed in Exhibit A as it currently reads or as modified by agreement of the parties during the term of the MOU.

The City shall notify the Association of the development of a new or revised management classification and, upon written request from the Association within seven (7) work days from the City's notice, shall consult with the Association concerning the new classification.

Article 3 RATIFICATION

It is agreed that the provisions of this MOU are of no force or effect until ratified by the Association and duly adopted by the City Council of the City of Sunnyvale.

Article 4 TERM

The term of this Agreement shall be upon ratification of the parties and through June 30, 2019, and will thereafter continue in effect until the parties reach agreement on a successor Agreement or the City Council takes action after meeting and conferring in good faith to modify the wages, hours, and terms and conditions of employment provided hereunder.

Article 5 FULL UNDERSTANDING, MODIFICATIONS, AND WAIVERS

This Agreement sets forth the full and entire agreement of the parties regarding the matters set forth herein, and any other prior or existing understanding or agreements, including any prior memoranda of understanding, over the matters between parties, whether formal or informal, are hereby superseded or terminated in their entirety.

It is agreed and understood that, except as set forth herein, each party hereto voluntarily and unqualifiedly waives its right to negotiate, and agrees that the other party shall not be required to negotiate with respect to any subject or matter covered herein or with respect to any other matters within the scope of representation, during the term of this Agreement.

No agreement, alteration, understanding, variation, waiver, or modification of any of the terms or provisions contained herein shall in any manner be binding upon the parties hereto unless made and executed by all parties hereto, and if required, approved by the City and ratified by the membership of the Association.

The waiver of any breach, term or condition of this Agreement by either party shall not constitute a precedent in the future enforcement of all its terms and provisions.

Article 6 SEVERABILITY

In the event any provision of this MOU is declared invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of the MOU shall remain in full force and effect.

If a provision is declared invalid or unenforceable as provided above, at the written request of either party submitted to the other within ten (10) work days of such action by the court, the parties shall meet promptly to negotiate the impact of such declaration by the court.

Article 7 ORDINANCES, CODES, AND RESOLUTIONS

Any written City ordinances, codes, or resolutions currently in effect that cover subjects within the scope of representation shall not be changed during the term of this Agreement without first giving the Association the opportunity to meet and confer concerning such changes, except as otherwise provided by this Agreement.

Such meeting and conferring shall be up to and including mediation.

Article 8 SCOPE OF NEGOTIATIONS

The scope of representation shall include all matters relating to employment conditions, and employer-employee relations including but not limited to wages, hours, and other terms and conditions of employment, as provided by the Meyers-Milias-Brown Act and as may be amended.

Pursuant to the Meyers-Milias-Brown Act, as it currently exists, or may be amended, the City agrees to meet and confer with the Association in advance regarding any proposed

changes in working conditions within the scope of representation, except as provided elsewhere in this Agreement.

The City is required to comply with federal and state laws, and to the extent the City is required to meet and confer about any changes in federal or state law, it will do so; however, if there is no requirement to meet and confer, the City will implement any required policies and/or procedures.

Article 9 AUTHORIZED AGENTS

For purposes of administering the terms and provisions of this Agreement:

City's principal authorized representative shall be the City's Director of Human Resources or his/her duly authorized representative (address: 505 West Olive Avenue, Suite 200, Sunnyvale, CA 94086; telephone (408) 730-7495) except where a particular management representative is specifically designated in connection with the performance of a specified function or obligation set forth herein.

The Association's principal authorized agent shall be the President of the Sunnyvale Managers Association or his/her duly authorized representative. The Association's official mailing address is P.O. Box 70083, Sunnyvale, CA 94086.

Article 10 NON-DISCRIMINATION

The parties agree that they and each of them shall adhere to the City's policies concerning Equal Employment Opportunity (EEO) and non-discrimination, and other applicable Federal and State non-discrimination laws.

The parties agree that they and each of them shall not discriminate against any employee because of membership or non-membership in the Association, or because of any authorized activity on behalf of the Association, or because of the exercise of rights under this Agreement.

Article 11 NEGOTIATION PREPARATION

Up to three (3) Association negotiating team members and one note taker will be compensated for negotiation sessions that occur during their regular work schedules, notwithstanding leaves of absence. The City will compensate the negotiation team members for up to one (1) hour of preparation time either before or after the scheduled meeting. All other time spent on Association business will be on the member's own time. Only negotiation team members shall attend the negotiation sessions, unless mutually agreed otherwise.

Article 12 WAGES/COMPENSATION

12.1 Salaries

Pay rates for each classification within the Unit shall be assigned to a pay grade as set forth currently in Pay Plan Category D/E as defined in the City's Salary Resolution. The range for each classification extends from 85% of the Control Point up to the Control Point (100%).

12.2 Salary Adjustments

1. Effective July 1, 2015: 3.5% across the board salary adjustment.
2. Effective the first full pay period in July 2016 (July 3, 2016): 2.5% across the board salary adjustment.
3. Effective the first full pay period in July 2017 (July 2, 2017): 1.5% across the board salary adjustment.
4. Effective the first full pay period in July 2018 (July 1, 2018): 2% across the board salary adjustment.
5. Effective the same pay period of ratification by the SMA membership and City Council approval (pay day December 23, 2015): Off salary schedule pay equal to 1% of current annual salary, reportable as special compensation for employees in tier 1 and tier 2 as defined in Article 13.14 Retirement.

12.3 Interim/Acting or Out-of-Class Pay

(a) Interim/Acting Pay

Employees who are appointed by the City Manager in an acting/interim status to a higher level vacant position may receive placement within the control point of the vacant position; or a percentage over current pay as designated by the City Manager.

(b) Out-of-Class Pay for Special Assignment Work

The City Manager or designee may authorize a temporary pay adjustment for an employee given a specific temporary assignment clearly beyond the scope of the regular job description as determined by the Director of Human Resources or designee. Such assignment is to be made only as necessary to meet the business needs of the department. A request for such an assignment must be made to the City Manager or designee, in writing, from the Department Director prior to commencement of the assignment. Work in such assignment shall be at a minimum of two (2) consecutive weeks, and up to a maximum of one (1) year.

The request for special assignment shall describe the assignment, justify why it is to be performed by the designated employee, and give a specific duration for completion of the assignment with start and end date. Special assignment pay is five percent (5%) above the employee's normal pay rate. The special assignment and related compensation may be revoked at any time at the discretion of the Department Director, or the City Manager or designee.

Special assignment pay shall be based on the full period of actual hours worked during the assignment and received for the full period of time in which the employee works in the assignment, provided that such special assignment and related compensation has been authorized in advance by the Department Director, has been approved by the City Manager or designee, and has been processed by the Human Resources Department. Special assignment pay shall not be made retroactively. Special assignment pay shall not be paid for Paid Time Off, Holidays, Paid Medical Leave or any other leave during the special assignment; nor shall such leave days be considered a break in the special assignment.

The special assignment pay shall be discontinued on the date originally identified for completion of the assignment, unless an extension of specific duration is approved by the City Manager or designee prior to the end of the original assignment end date. Extension may be granted for up to an additional one (1) year for the same assignment.

12.4 Merit Increase

Upon completion of 13 pay periods of service, employees who receive an overall rating of achieves or exceeds expectations on their most recent performance evaluation shall receive an increase in salary above the rate to which they were initially assigned, up to but not exceeding the Control Point. Consideration for each subsequent increase in salary will be given following the completion of 26 pay periods from the prior increase in salary, up to but not exceeding the Control Point. Increases in salary shall be granted effective the start of the pay period in which the day after the employee completes 26 pay periods from the prior increase in salary occurs.

12.5 Change in Pay Upon Promotion

Employees who are promoted to a classification which has been assigned a Control Point greater than the classification from which the employee is being promoted shall be entitled to assignment to a pay rate in the new salary range which provides at least 5% above the employee's current pay rate, or the rate which the employee would have received with a meeting or exceeding expectations of performance within 2 pay periods had the promotion not been made, provided the increase does not exceed 95.0% of the Control Point for the new classification, except that upon recommendation of the Department Director

and approval of the City Manager, the promoted employee's pay rate may be set at up to 100% of such Control Point. Thereafter, the employee is considered for merit increases in the same manner as other employees.

12.6 Change in Pay Upon Reclassification

When a position is reclassified to a classification with a higher pay range and the incumbent employee retains the position, the employee shall be placed at a pay level commensurate with his or her skills, knowledge and experience and within the range for the new position, or a salary 5% above the employee's present salary, whichever is higher.

Article 13 INSURANCE PLANS AND RETIREMENT

13.1 Medical Insurance

Effective January of each year during the term of this agreement, the City will contribute the cost of the premium of the plan selected by the employee or the lowest cost HMO premium for single coverage available through the CalPERS Bay Area regional medical plans, whichever is less, toward the cost of premiums for medical insurance under the Public Employees Medical and Hospital Care Act (PEMHCA) for each employee and his or her eligible dependents. Additionally, the City's contribution shall be no less than the highest City contribution for any of the other represented employee units.

13.2 Cafeteria Benefits Plan

The City will contribute to a Cafeteria Benefits Plan for the cost of medical premiums only. The City's Cafeteria Benefits Plan contribution will be capped at the cost of the premium of the highest priced plan between the CalPERS Bay Area regional HMO plans or the PERS Choice PPO plan, based upon the plan level in which the employee is enrolled, and less the City Contribution as stated in Section 13.1 above.

13.3 Employee Contribution

Any difference between the total cost of the employee's medical plan (for employee only, employee plus one or employee plus family) and the amount contributed by the City will be paid by the employee.

13.4 Premium Conversion

Insurance premium contributions are paid for on a pre-tax basis; however, the City agrees to continue to provide employees with an option to pay their

insurance premium contributions on a post-tax basis, to the extent permitted by the Internal Revenue Code.

13.5 Cash In-Lieu of Medical Coverage

The City will continue to provide employees with the option to waive their medical coverage and receive payment of a portion of what otherwise would be the City contribution.

Effective with the first full pay period following ratification and approval by the City Council (December 20, 2015), payment shall be made on the following schedule:

Type of Coverage Waiving	Per Pay period Payment
Employee only coverage	\$38.00
Employee +1 coverage	\$76.00
Employee + family coverage	\$98.50

If the employee is currently a dependent of a City employee and covered by a CalPERS Health Plan, the employee is not eligible for reimbursement.

Whenever an employee changes to no coverage, the employee shall provide proof of alternate coverage and sign a waiver stating that he or she does have alternate coverage and that he or she understands that he or she will no longer receive coverage through a City sponsored CalPERS provided medical plan.

If an employee decides to increase his or her level of coverage by either reentering a City sponsored CalPERS provided medical plan or including a dependent in his or her current coverage, he or she may enroll in accordance with CalPERS procedures.

Procedures for exercising this option and for reentering the City sponsored CalPERS provided medical plans shall be established by CalPERS.

Employees receiving cash in-lieu payments must provide documentation to verify their dependents' eligibility.

13.6 Dental Insurance

Dental insurance at the current benefit level will continue to be provided for employees and eligible family members. The premium is fully paid by the City.

13.7 Vision Insurance

Vision insurance at the current benefit level will continue to be provided for employees and eligible family members. The premium is fully paid by the City.

13.8 Life/AD&D Insurance

The City shall provide Basic Life and Accidental Death and Dismemberment (Life/AD&D) insurance for each employee in an amount equal to that employee's annual base salary, up to a maximum coverage of \$175,000.

Such insurance shall be at no cost to the employee, except that, insurance amounts above \$50,000 provided by the City shall be subject to tax law provisions.

At the time of hire, an employee may purchase supplemental Life/AD&D insurance in an amount equal to the employee's annual base salary, up to a maximum coverage of \$250,000.

Current employees who did not purchase supplemental Life/AD&D insurance at the time of hire, may purchase supplemental Life/AD&D insurance during open enrollment, in an amount equal to the employee's annual base salary, up to a maximum coverage of \$250,000, subject to approval by the carrier.

The supplemental life coverage is paid by the employee.

Employees who elected supplemental Life/AD&D insurance on or before December 31, 2011 but did not elect for the increased maximum coverage of \$250,000, have coverage amount equal to the employee's annual base salary, up to a combined basic and supplemental Life/AD&D insurance maximum coverage of \$175,000. Employees have the option to elect for the increased supplemental coverage up to \$250,000 during open enrollment, subject to approval by the carrier.

13.9 Long Term Disability Insurance

To maintain current benefit level the City shall provide Long Term Disability insurance that provides 67% of the employee's annual base salary to a maximum of \$11,000 per month of paid benefits, subject to the terms of the contract with the carrier. Such insurance shall be at no cost to the employee.

13.10 Employee Assistance Program

To maintain current benefit level the Employee Assistance Program will continue to be provided. Enrollment is mandatory, and the premium is fully paid by the City.

13.11 Dependent Care

The City shall continue to provide a plan in accordance with the Internal Revenue Code Section 129 which provides an option for employees to pay for dependent care expenses on a pre-tax basis.

13.12 Medical Reimbursement Account

A Section 125 medical reimbursement plan will be offered to all employees on a voluntary basis.

13.13 Commuter Transportation Benefits

The City shall provide a plan in accordance with the Internal Revenue Code Section 132(f) that provides an option for employees to pay for qualified work-related transportation expenses for mass transit, van pools, and parking on a pre-tax basis. The monthly election limit is regulated by the IRS.

13.14 Retirement

The City has contracted with CalPERS and shall provide pension benefits for miscellaneous employees, including employees in this Unit, in a manner consistent with State law and will comply with the Public Employees' Pension Reform Act (Government Code Section 7522 et seq.).

Employees' payment to their employee contribution to CalPERS shall be made pursuant to IRC Section 414(h)(2).

Tier 1 – Local Miscellaneous 2.7% at age 55

Employees hired before December 23, 2012 shall receive Local Miscellaneous 2.7% at age 55 retirement formula. Final compensation shall be calculated using the single highest year model.

The City agrees to contribute to CalPERS on behalf of employees as follows:

Effective July 1, 2015, the City shall contribute three percent (3%) of the eight percent (8%) employee contribution. Employees shall pay the remaining five percent (5%) of the employee contribution on a pre-tax basis.

Effective the first full pay period in July 2016 (July 3, 2016), the City shall contribute two percent (2%) of the eight percent (8%) employee contribution. Employees shall pay the remaining six percent (6%) of the employee contribution on a pre-tax basis.

Effective the first full pay period inclusive of City Council approval (July 17, 2016), the City shall contribute four percent (4%) of the eight percent (8%) employee contribution. Employees shall pay the remaining four percent (4%) of the employee contribution on a pre-tax basis.

The City's payment of employees' CalPERS contribution is based upon authority from CalPERS and upon tax treatment permitted by the Internal Revenue Service and revenue rulings related thereto, and by the California Franchise Tax Board. It is understood that the State Legislature or Congress may alter the statutory authority for this tax treatment, and the Franchise Tax Board, or the IRS or the United States Department of Treasury may alter the current revenue rulings, either by other rulings or regulations.

The City shall continue to report the value of the employer-paid member contributions (EPMC) as additional compensation for each employee.

Tier 2 – Local Miscellaneous 2.0% at age 60

Employees hired on or after December 23, 2012 who are also classic CalPERS members shall receive the Local Miscellaneous 2.0% at age 60 retirement formula. Final compensation shall be calculated using the single highest year model.

The City agrees to contribute to CalPERS on behalf of employees as follows:

Effective July 1, 2015, the City shall contribute three percent (3%) of the seven percent (7%) employee contribution. Employees shall pay the remaining four percent (4%) of the employee contribution on a pre-tax basis.

Effective the first full pay period in July 2016 (July 3, 2016), the City shall contribute two percent (2%) of the seven percent (7%) employee contribution. Employees shall pay the remaining five percent (5%) of the employee contribution on a pre-tax basis.

Effective the first full pay period inclusive of City Council approval (July 17, 2016), the City shall contribute four percent (4%) of the seven percent (7%) employee contribution. Employees shall pay the remaining three percent (3%) of the employee contribution on a pre-tax basis.

The City's payment of employees' CalPERS contribution is based upon authority from CalPERS and upon tax treatment permitted by the Internal Revenue Service and revenue rulings related thereto, and by the California Franchise Tax Board. It is understood that the State Legislature or Congress may alter the statutory authority for this tax treatment, and the Franchise Tax Board, or the IRS or the United States Department of Treasury may alter the current revenue rulings, either by other rulings or regulations.

The City shall continue to report the value of the employer-paid member contributions (EPMC) as additional compensation for each employee.

Tier 3 - Local Miscellaneous 2.0% @ 62

Employees hired on or after January 1, 2013 who are also new CalPERS members shall receive the Local Miscellaneous 2.0% at age 62 retirement formula. Final compensation shall be calculated using the highest 36-consecutive month model. Employees will pay fifty percent (50%) of normal cost as the employee contribution on a pre-tax basis. The normal cost is subject to change on a fiscal year basis as determined by CalPERS.

13.15 Affordable Care Act

At such time as regulations are issued implementing the Affordable Care Act (ACA), the City and the Union will meet and confer to review the impact of such regulations on the benefit plans then in force. If modifications to the health benefits, eligibility for coverage, employer or employee contribution to the cost of insurance or any other provisions of the benefit plans covered by this MOU will be modified by the ACA during the term of this agreement, it is agreed that the City and the Union will reopen the contract to meet and confer and determine how such mandated changes will be implemented. In the event of a reopener, the City will not unilaterally impose changes that would cause a reduction in City contributions toward benefits.

Article 14 LEAVES

14.1 Paid Time Off Leave (PTO), Paid Medical Leave (PML), and Workers' Compensation

(a) Employees are eligible to accrue and use Paid Time Off Leave (PTO). Such leave shall be used for vacation, medical appointment, illness/injury, family emergency, and may also be used for personal business, care of sick children or other family members, school visits, etc. Leaves not included in PTO which remain separate leaves are bereavement, jury duty, military duty, management administrative leave, workers' compensation, floating holiday, and holiday.

Except for illness or emergency, all PTO shall be pre-planned and pre-approved. The recommended advance notice is 1 week. Shorter periods of advance notice may be acceptable with Supervisor or Director's approval. The City may at any time require written verification from a physician for a non-pre-planned absence for illness, family emergency or visits to a doctor, dentist or licensed mental health practitioner.

(b) PTO begins accruing on the first day of employment and is prorated on an hourly basis for each paid hour. PTO shall not accrue during any unpaid leave except as provided in Article 14.1(i). Time off is paid provided there is adequate PTO accrued to cover the absence. Time off in excess of PTO accruals and other available leave shall be leave without pay. As employees use PTO, the time used shall be deducted from the employee's current PTO balance.

(c) The accrual rates are listed below:

TABLE A

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/yr
1-26.99	0 to 1	6.5	169
27-130.99	1+ to 5	7.5	195
131-260.99	5+ to 10	9.0	234
261-442.99	10+ to 17	10.5	273
443-650.99	17+ to 25	11.5	299
651+	25+	12.0	312

For new hire or promoted employees, the City Manager may authorize a higher accrual rate within the PTO accrual table.

(d) Eligible employees will accrue at the rates shown in Table A for the first 870 hours. After 870 hours are accrued, the employee will start accruing at the reduced rate levels of Table B.

TABLE B

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/yr
1-130.99	0 to 5	5.0	130
131-650.99	5+ to 25	6.5	169
651+	25+	8.0	208

Accruals at this level will stop at 1040 hours (maximum cap) until total accrual is reduced below 1040.

(e) If at any time the total accrual falls below 870 hours, the accrual rate will revert to the rates in Table A.

(f) No minimum usage per year is required. Accruals carry over from one payroll calendar year to the next.

(g) PTO and Separation/Retirement

PTO accrues and is prorated on an hourly basis for each paid hour during the last pay period of service. PTO shall be paid off to the employee on the employee's last day of work (pay included in final paycheck). The City Manager may, however, approve the utilization of available accrued PTO to extend the date of retirement, and in special circumstances, the date of separation.

(h) PTO and Paid Medical Leave (PML)

Effective the first full pay period following ratification by the SMA membership and City Council approval (December 20, 2015), the PML benefit will be provided as follows:

After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified (same occurrence) illness/injury, beginning with work hour 101 through 90 calendar days of illness/injury. At this time, the City will require a doctor's note and medical information in accordance with current Administrative Policy provisions. No PML will be provided until this requirement is satisfied.

To access the PML Benefit (full pay from 101 hours-90 calendar days), an employee must provide acceptable written medical documentation showing that the illness/injury is a single illness/injury, whether continuous time off has been taken or not for that illness/injury. The first 100 hours of a single illness/injury are charged to the employee's PTO bank. Hours 101 up through the maximum of calendar day 90 are eligible for coverage under the PML Benefit.

After 90 calendar days of (same occurrence) illness/injury, the employee shall be eligible to apply for Long Term Disability coverage. In addition, if, after having been off work for 100 hours on a same illness/injury and becoming eligible for PML pay, the employee continues to be unable to return to work full-time, but is able to work partial days, the employee remains eligible for PML pay for the part of the day that the employee is unable to work.

Effective July 1, 2017, the first 120 hours of a single illness/injury are charged to the employee's PTO bank. Hours 121 up through the maximum of calendar day 90 are eligible for coverage under the Paid Medical Leave Benefit.

(i) PTO and Workers' Compensation

During the first 26 pay periods of service, the employee will be eligible for Workers' Compensation benefits as provided by state law. The employee, at

this time, will have the option to use PTO or any other leave balance available to him/her, or keep it in his/her leave bank for future use upon his/her return.

After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified work-related (same occurrence) illness/injury, beginning with workday 1 through 60 calendar days of illness/injury. After 90 calendar days of (same occurrence) work-related illness/injury, the employee shall be eligible to apply for Long Term Disability coverage. Employees will accrue full seniority for the first 90 days of Workers' Compensation leave regardless of whether they use PTO to supplement Workers' Compensation benefits.

- (j) If an employee has no available leave hours, pay may be deducted for any hours short of 40 worked in a week. This policy is established pursuant to principles of public accountability.
- (k) Employees have the option to cash-out up to 80 hours of PTO effective the last pay day in October of each calendar year. To be eligible to cash out PTO, an employee must submit an irrevocable election form in the calendar year preceding the cash-out specifying the number of hours that he/she irrevocably elects to cash out. This cash-out will be allowed as long as the employee maintains a balance of 80 hours in his/her bank. If the employee elects this option, the minimum number of hours that may be cashed-out is 8.

14.2 HOLIDAY LEAVE

(a) Holidays

Employees who were on pay status both before and after each holiday shall be entitled to take leave on each of the following holidays:

New Year's Eve
New Year's Day
Martin Luther King Jr. Day
Presidents' Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve
Christmas Day

When a City holiday falls on a Saturday the holiday will be observed on the Friday; when a holiday falls on a Sunday, the holiday will be observed on Monday; or as designated by the City Council.

(b) Floating Holiday

Effective the first full pay period following ratification by the SMA membership and City Council approval (December 20, 2015), employees shall be credited with thirty (30) hours of floating holiday leave on the first day of the first pay period in the payroll calendar year.

Newly hired employees shall be credited with a pro-rata share of floating holiday hours, based upon the proportion of the payroll calendar year remaining after their date of hire. Use of floating holiday leave shall be subject to approval in advance by the employee's supervisor.

Employees separating City employment shall have their allotment of floating holiday leave for that year pro-rated based upon their date of separation.

Any employee who has used less than his/her pro-rated allotment for the portion of the calendar year worked, shall have the balance paid to him/her on his/her final paycheck.

Any employee who has used more than his/her pro-rated allotment for the portion of the calendar year worked, shall have the overage offset against any available accrued leave, on his/her final paycheck. The employee may also authorize the deduction from his/her final compensation. If the employee's final paycheck is insufficient to repay the overage, the employee shall reimburse the City immediately.

Unused floating holiday leave at the end of the payroll calendar year will be paid out in cash.

14.3 Bereavement Leave

Employees are entitled to bereavement leave where death has occurred to an employee's:

spouse or registered domestic partner, father, step-father, mother, step-mother, son, daughter, brother, sister, grandparents, or grandchildren, or to the father, mother, son, daughter, brother, or sister, grandparents or grandchildren of an employee's spouse or registered domestic partner.

Employees are entitled to bereavement leave in an amount not to exceed 40 work hours per eligible incident immediately upon employment. Except as provided herein, all bereavement leave must be used within six calendar months of the date of the eligible incident. Employees who are designated as the executor for a qualifying decedent's estate may use bereavement leave beyond the six month limitation. Any use of bereavement leave more than six months after the eligible incident requires the approval of the Human Resources Director.

The City reserves the right to require proof of death from the employee including, but not limited to: death certificates, obituaries, and funeral cards.

14.4 Jury Leave

An employee is entitled to jury leave in accordance with State Law and/or City Policy.

14.5 Military Leave

Employees assigned to active military duty are entitled to military leave in accordance with the provisions of applicable State and Federal laws and/or City policy.

14.6 Administrative Leave

Administrative Leave of forty (40) hours per payroll calendar year is subject to Department Director's approval and to the additional provisions in the Administrative Policy.

Effective the first full pay period following ratification by the SMA membership and City Council approval (December 20, 2015), administrative leave will be fifty (50) hours per payroll calendar year.

Article 15 ADDITIONAL BENEFITS

15.1 Workers' Compensation Benefits

Workers' Compensation Benefits will be provided as required by law, and in accordance with the provisions of the City's Salary Resolution.

15.2 Deferred Compensation

Employees are eligible to participate in a 457 deferred compensation plan approved by the City. A 401 (a) plan is available, and procedures for contribution to such plan will be established by the City. With respect to any employee who enrolls in either of the two deferred compensation plans (457 or 401 (a)), the City shall contribute to such plan on behalf of the employee an amount equal to 2% of the employee's gross pay per pay period. Employees shall not be entitled to receive any or all of such payment except as payment into a deferred compensation account.

15.3 Tuition Reimbursement

Employees are eligible for tuition reimbursement as provided in the City's Administrative Policy. Effective with fiscal year 2016/2017, the maximum amount an employee may receive is \$2,000 per employee per fiscal year.

No reduction of City services will result due to the tuition reimbursement program.

15.4 City-Wide Employee Emergency Leave Relief Fund

The City-Wide Employee Emergency Leave Relief Fund is available to employees pursuant to the provisions contained in the City's Salary Resolution. Donations are made based on an hour-for-hour conversion.

15.5 Direct Deposit

The City shall make available deposit of all or a portion of an employee's net pay to financial institutions of his or her choice via direct electronic paycheck deposit.

15.6 Personal Vehicle Use

An employee eligible to receive an automobile allowance under the City's administrative policy shall receive \$310 per month.

Article 16 WORKING CONDITIONS

16.1 Special Work Schedule

An employee may request an alternative work schedule based on the guidelines found in the City's Administrative Policy related to Work Schedules.

This policy specifically allows the establishment of alternative work schedules, including flextime schedules. It also requires that the City establish schedules that are attentive to the needs of individual employees while also assuring prompt, efficient and cost effective public service.

A special work schedule implemented according to the above procedure may be terminated at the end of a pay period by the City Manager, the Department Director, or upon request of the employee upon three (3) weeks written notice to each other.

The City agrees to consider the needs and desires of employees requesting a special schedule. If the City denies a request for a special schedule, then the City will give the employee(s) the reasons for the denial in writing.

16.2 Reduction-In-Force

If the City implements a reduction-in-force that affects employees in this Unit, it will be administered pursuant to the City's Administrative Policy related to Reduction-in-Force: that is, SMA members will have the bumping rights to a current or previously held classification in any Unit.

16.3 Grievance Procedure

Any employee covered by the Memorandum of Understanding may file a grievance.

(a) Purpose

To assure prompt and fair treatment of employee grievances related to employment.

(b) Definition

A grievance is defined as an alleged violation, misinterpretation or misapplication of the provisions of this Memorandum of Understanding or the City's Administrative Policy.

(c) Limitations

A grievant and representative shall be allowed reasonable time during work hours to meet regarding any grievance as provided in this article without loss of pay. It is understood that the grievant and representatives shall:

- (i) provide their supervisor(s) with advance notice and request for such time;
- (ii) that such request will not be arbitrarily denied;
- (iii) that such time shall be charged on the grievant's/representative's timecard to the designated program code, if applicable.

Time limits may be extended by written mutual agreement of the parties.

(d) Procedures

Step I

The grievant will first attempt to resolve the grievance through informal discussions with successive levels of supervision beginning with his/her immediate supervisor through his/her department head. These discussions must be initiated within ten (10) work days following knowledge of the incident upon which the grievance is based. Every attempt will be made by the parties to settle the issue at this level.

Step II

If the grievance is not resolved through the informal discussions, the employee may submit a written appeal to his/her department head within ten (10) work days after the informal meeting.

The written appeal must contain in clear, factual, and concise language:

1. A brief statement as to the date of the occurrence on which the grievance is based and the facts, as the grievant sees them;
2. The rule, regulation or act on which the grievance is based;
3. The action the grievant believes will resolve the grievance;
4. Signature of the employee.

The department head shall have ten (10) work days following receipt of the appeal to review the matter and prepare a written response. Copies shall go to all parties involved and the Human Resources Department.

Step III

If the grievance is not resolved, the grievant may, and upon approval of the Association, within five (5) work days following receipt of the department head's response, appeal to the City Manager, stating in writing the basis for the appeal. The grievant may, and upon approval of the association, have the option to request advisory arbitration. If advisory arbitration is requested the parties shall mutually agree on an arbitrator or request a list of five arbitrators from the California State Mediation and Conciliation Service. An arbitrator shall then be selected by the parties by alternately striking names. A hearing before the arbitrator shall be held as soon as practical and the arbitrator shall render a decision which shall be advisory to the City Manager.

The City Manager shall render a written decision to all parties directly involved within fifteen (15) work days following the date of the hearing with the City Manager or the optional advisory arbitration. This decision will be final.

16.4 Disciplinary Appeal Procedure

Any employee holding a regular appointment who is suspended, demoted, dismissed or had a salary reduction shall be entitled to be heard before the Personnel Board at a duly constituted meeting in accordance with the provisions contained in the City's Administrative Policy.

Article 17 ASSOCIATION PROVISIONS

17.1 Bulletin Boards

The Association shall have the use of designated bulletin board space to post material related to Association business.

The City shall determine the placement of bulletin boards and the portion of the board to be made available to the Association.

Any materials posted must be dated and initialed by the Association representative responsible for the posting.

At the time of the posting, a copy of the material must be given to the management representative designated for that bulletin board.

The Association shall remove posted material after it has served its purpose, usually within 30 days.

The Association agrees that nothing of a libelous, obscene, defamatory, or of a partisan political nature, shall be posted.

The Association agrees that this Article provides the right to post materials only on designated bulletin boards.

Any material posted in violation of this Article may be removed by the management representative designated for a particular bulletin board. If material is removed, the City shall notify the Association in writing of the removal and the reasons therefore.

17.2 Use of City Facilities and Equipment

The Association may be granted the use of City facilities subject to the following conditions:

- the meeting is during non-work hours;
- the meeting is for City employees;
- the meeting is not for organizing activities;
- the meeting is not for a membership drive;
- the Association makes a written request at least 24 hours in advance of the day it wants to use the facility, and stating the purpose of the meeting;
- and space is available.

The parties agree the City has the right to assess reasonable charges for the use of such facilities.

Use of City equipment, other than items normally used in the conduct of such business meetings, such as desks, chairs, and black/whiteboards, is strictly prohibited, the presence of such equipment in approved City facilities notwithstanding.

17.3 Use of City E-mail System

The Association may use the City's e-mail system outside of work hours to post notices and results of elections, appointments of officers, to schedule and post notices of meetings, and to post notices of recreational, social and other organization events.

Per Section 2.24.100 of the Municipal Code, employees may only review and respond to such during non-work times.

17.4 Dues Deduction

Association dues and such other deductions as may be properly requested and lawfully permitted shall be deducted, in accordance with applicable state law, bi-weekly by the City from the salary of each employee who files with the City a written request that such deduction be made on their behalf.

Remittance of the aggregate amount of all deductions made pursuant to this Article shall be made to the Association by the City within thirty (30) days after such deductions are made. As soon as administratively possible, the City shall make such remittance by electronic transfer to the financial institution(s) as designated by the Association.

17.5 New Employee Roster/Orientation

The City shall provide the Association with a list of new Association hires including name, date of hire, classification and work location within one week of start date.

The Association may prepare a new employee information packet which shall be given by the City to employees during the Department of Human Resources orientation of new employees.

17.6 Release Time When Meeting With The City

If the President of the Association attends a mutually agreed upon meeting with the City, the President and up to three (3) designated Association Representatives, shall have reasonable release time to attend such meeting. Employees shall notify their supervisor or his/her designee as soon as possible in advance of such meeting. Travel time is included within the reasonable release time.

17.7 Association/Management Committee

The parties agree that regular meetings to explore mutual problems and issues will be beneficial to the relationship between the City and the Association. Consequently the parties agree to meet as needed to discuss any issue concerning the rights of either party or the relationship between the City and the Association or the City and employees the Association represents. The purpose of the meetings is to exchange information and to solve problems and issues.

The Association may have up to three (3) representatives attend these meetings. Association representatives shall receive reasonable release time to participate in these meetings.

The specific schedule and agenda shall be mutually agreed by the parties.

Article 18 RENEGOTIATIONS

18.1 Negotiations shall begin no later than 120 calendar days prior to the termination date of the agreement.

If either party is unable to meet the timeline, it shall not result in any waiver of rights. The parties shall meet as soon as possible.

It is the intent of both parties to try and reach a successor Agreement prior to the expiration of this Agreement. However, it is by no means a mandatory obligation of the parties to do so.

Article 19 PAY DATE

Pursuant to the City's Compensation Policy, payday is normally on the Thursday following the end of the pay period, but may deviate because of a holiday in the pay period or due to an emergency. It is understood that at such time that the payday is changed City-wide, such change shall be applied to the Association.

Article 20 HRIS/FINANCIAL SYSTEM

The City contemplates implementing a new HRIS / Financial System during the term of this MOU. Accordingly, the parties agree to re-open MOU terms, as necessary, in order to implement any new system. The City agrees that the re-opener negotiations will not result in any material diminution in compensation.

City of Sunnyvale

Sunnyvale Managers Association

Deanna J. Santana, City Manager

Robert van Heusen, President

Teri Silva, Director of Human
Resources

Tony Pineda, Vice President

Date

Date

EXHIBIT A

Classifications Represented by the Sunnyvale Managers Association

<u>Job Code</u>	<u>Classification</u>
0305	Administrative Librarian
0309	Administrative Services Manager: Utility Billing
0217	Affordable Housing Manager
0206	Assistant City Engineer
0205	Assistant Director of Public Works/City Engineer
0367	Budget Analyst I
0368	Budget Analyst II
0388	City Property Administrator
0369	Civilian Fire Marshal
0316	Communications Officer
0342	Community Resources Manager
0213	Community Services Manager
0260	Economic Development Manager
0301	Employment Training Manager
0326	Environmental Programs Manager
0361	Finance Manager: Accounting
0380	Fleet Manager
0327	Golf Operations Manager
0302	Head Golf Professional
0202	Housing Officer
0338	Internal Auditor
0390	Laboratory/Pretreatment Manager
0303	Library Circulation Manager
0274	Management Analyst: Employment Development
0276	Management Analyst: Public Safety
0209	Manager of Business Operations
0211	Manager of Job Seeker Services
0332	Manager, Applications Development
0324	Manager, Bureau of Technical Services – Public Safety
0331	Manager, Information Technology Services
0204	Neighborhood Preservation Manager
0329	Operations Manager: Facilities
0330	Parks Manager
0230	Planning Officer
0375	Program Quality and Operations Manager

<u>Job Code</u>	<u>Classification</u>
0245	Public Safety Communications Manager
0246	Public Safety Records Manager
0362	Purchasing Officer
0218	Regulatory Programs Division Manager
0373	Senior Engineer
0374	Senior Environmental Engineer
0339	Senior Internal Auditor
0322	Senior Management Analyst
0275	Solid Waste Programs Division Manager
0353	Street Operations Manager
0210	Superintendent of Building Inspection
0216	Superintendent of Community Services
0212	Superintendent of Facilities Maintenance
0222	Superintendent of Parks and Golf
0270	Superintendent of Public Works Operations
0223	Superintendent of Trees and Landscape
0310	Supervising Librarian
0290	Transportation and Traffic Manager
0363	Treasury Manager
0344	Urban Landscape Manager
0315	Utility Billing Manager
0352	Wastewater Operations Manager
0201	Water and Sewer Systems Division Manager
0351	Water Operations Manager
0295	Water Pollution Control Division Manager
0395	Water Pollution Control Maintenance Manager
0396	Water Pollution Control Operations Manager
0284	Youth and Family Resources Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING RESOLUTION NO. 190-05, THE CITY'S SALARY RESOLUTION, AMENDING THE EMPLOYER PAID MEMBER CONTRIBUTIONS AND PAY SCHEDULES FOR UNREPRESENTED MANAGEMENT EMPLOYEES PAY PLAN CATEGORIES D (MANAGEMENT-CONFIDENTIAL), F (MANAGEMENT-DIRECTOR), K (MANAGEMENT-CITY ATTORNEY) AND REPRESENTED MANAGEMENT EMPLOYEES IN PAY PLAN CATEGORY E (MANAGEMENT-SMA)

WHEREAS, in August 2014, the City of Sunnyvale ("City") City Council approved a two percent salary increase for unrepresented management employees in pay plan categories D, F and K for fiscal years 2015/2016 and 2016/2017, a reduction in the employer paid member contribution ("EPMC") for CalPERS classic members, and a 1% lump sum payment effective November 2014 through November 2016; and

WHEREAS, similarly, the City and Sunnyvale Management Association ("SMA") entered into a Memorandum of Understanding ("MOU") in July 2015 that reduced the EPMC for CalPERS classic members and provided a 1% lump sum payment from December 2015 through November 2017; and

WHEREAS, the City has evaluated the recent CalPERS actuarial valuation report and new assumptions in the CalPERS rate, reflected in the City's 2016/2017 Budget, and determined that the City's short and long-term budgets can accommodate freezing EPMC contributions at 4% for management (6% for the Director of Public Safety); and

WHEREAS, the alternative concept of freezing EPMC will also help create a more attractive total compensation that will assist the City in talent acquisition; and

WHEREAS, the City recommends that the EPMC for management employees in pay plan categories D, F and K shall be fixed at 4% for classic members and at 6% for the Director of Public Safety effective July 17, 2016, and that the 1% off-salary table lump sum payment scheduled for November 2016 shall be eliminated and effective July 2, 2017, there will be a 2% across the board salary increase; and

WHEREAS, as of July 14, 2016, SMA membership have ratified a tentative agreement extending the term of the MOU by one-year through June 30, 2019, providing a 2% across the board salary increase effective in the first full pay period in July 2018, setting EPMC shall be 4% for classic members effective July 17, 2016, and eliminating the 1% off-salary table lump sum payment scheduled for November 2016 and November 2017; and

WHEREAS, the City desires to amend the City's salary resolution and pay (salary) schedules for unrepresented and represented management employees.

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

1. Resolution No. 190-05 is hereby amended by amending the pay rates (salary schedule) in Pay Plan Categories D, F, K and Pay Plan Category E, as set forth in Exhibit "A" attached and incorporated by reference.
2. Resolution No. 190-05 is hereby amended by amending the text as set forth in Exhibit "B" attached and incorporated by reference.
3. All other provisions of Resolution No. 190-05 shall remain in full force and effect.
4. The Salary Resolution amendments and pay rates noted above shall be effective July 17, 2016.

Adopted by the City Council of the City of Sunnyvale at a regular meeting held on _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Section 1

City of Sunnyvale

Draft for Unrepresented Management - 2% effective 7/2/2017

Salary Table - Regular Full-Time and Part-Time Classifications

Job Code	Job Title	Unit	Pay Categories	Range / Scale	Min. range / Step 1	Step 2	Step 3	Step 4	Step 5	Max. range / Step 6	Effective Date
0259	ASSISTANT DIRECTOR OF FINANCE	Mgmt-CONF	D	30CONF	143,263					168,545	7/2/2017
0320	ASSISTANT TO THE CITY MANAGER	Mgmt-CONF	D	20CONF	134,681					158,448	7/2/2017
0203	CITY CLERK	Mgmt-CONF	D	18CONF	109,319					128,610	7/2/2017
0282	HUMAN RESOURCES MANAGER	Mgmt-CONF	D	19CONF	120,251					141,471	7/2/2017
0334	PRINCIPAL HUMAN RESOURCES ANALYST	Mgmt-CONF	D	17CONF	99,381					116,919	7/2/2017
0285	RISK MANAGER	Mgmt-CONF	D	19CONF	120,251					141,471	7/2/2017
0321	SR MANAGEMENT ANALYST: HUMAN RESOURCES	Mgmt-CONF	D	18CONF	109,319					128,610	7/2/2017
0110	ASSISTANT CITY MANAGER	Mgmt-DIR	F	25	194,500					228,823	7/2/2017
0120	DIRECTOR OF COMMUNITY DEVELOPMENT	Mgmt-DIR	F	23	183,335					215,688	7/2/2017
0140	DIRECTOR OF EMPLOYMENT DEVELOPMENT	Mgmt-DIR	F	22ED1	161,605					190,123	7/2/2017
0185	DIRECTOR OF ENVIRONMENTAL SERVICES	Mgmt-DIR	F	24	188,834					222,158	7/2/2017
0130	DIRECTOR OF FINANCE	Mgmt-DIR	F	23	183,335					215,688	7/2/2017
0145	DIRECTOR OF HUMAN RESOURCES	Mgmt-DIR	F	22	177,995					209,405	7/2/2017
0190	DIRECTOR OF INFORMATION TECHNOLOGY	Mgmt-DIR	F	22	177,995					209,405	7/2/2017
0155	DIRECTOR OF LIBRARY & COMMUNITY SERVICES	Mgmt-DIR	F	22	177,995					209,405	7/2/2017
0170	DIRECTOR OF PUBLIC SAFETY	Mgmt-DIR	F	24PS	193,547					227,702	7/2/2017
0180	DIRECTOR OF PUBLIC WORKS	Mgmt-DIR	F	24	188,834					222,158	7/2/2017
0013	ASSISTANT CITY ATTORNEY	Mgmt-OCA	K	19K	134,681					158,448	7/2/2017
0014	DEPUTY CITY ATTORNEY	Mgmt-OCA	K	17K	109,319					128,610	7/2/2017
0012	SR ASSISTANT CITY ATTORNEY	Mgmt-OCA	K	20K	154,295					181,523	7/2/2017

Notes

CONF and Mgmt-CONF:

In addition to base pay, employees assigned to Confidential classifications receive a 3.5% confidential premium.

Assignments of Grade and Pay Ranges to Pay Plan as Referenced in the Salary Resolution

MGMT-CONF:

Category D, applies to Unrepresented Classified Management Employees

MGMT-DIR:

Category F, applies to Unclassified Department Directors

MGMT-OCA:

Category K, applies to Unclassified Management Employees appointed by the City Attorney

Pay rates for **Categories D, E, F and K** consist of the annual control point for each classification.

City of Sunnyvale
Salary Table - Regular Full-Time and Part-Time Classifications

Job Code	Job Title	Unit	Pay Categories	Range / Scale	Min. range / Step 1	Step 2	Step 3	Step 4	Step 5	Max. range / Step 6	Effective Date
0305	ADMINISTRATIVE LIBRARIAN	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0309	ADMINISTRATIVE SERVICES MANAGER: UTILITY BILLING	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0217	AFFORDABLE HOUSING MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0206	ASSISTANT CITY ENGINEER	Mgmt-SMA	E	19MA	131,471					154,673	7/1/2018
0205	ASSISTANT DIRECTOR OF PUBLIC WORKS/CITY ENGINEER	Mgmt-SMA	E	21	155,504					182,946	7/1/2018
0258	ASSISTANT TO THE DIRECTOR OF PARKS AND RECREATION	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0367	BUDGET ANALYST I	Mgmt-SMA	E	16	94,863					111,601	7/1/2018
0368	BUDGET ANALYST II	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0388	CITY PROPERTY ADMINISTRATOR	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0369	CIVILIAN FIRE MARSHAL	Mgmt-SMA	E	28	141,880					166,917	7/1/2018
0316	COMMUNICATIONS OFFICER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0342	COMMUNITY RESOURCES MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0213	COMMUNITY SERVICES MANAGER	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0341	DEPUTY CHIEF PUBLIC SAFETY	Mgmt-PSMA	E	20PS	186,162					219,015	7/1/2018
0260	ECONOMIC DEVELOPMENT MANAGER	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0301	EMPLOYMENT TRAINING MANAGER	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0326	ENVIRONMENTAL PROGRAMS MANAGER	Mgmt-SMA	E	18MA	117,013					137,650	7/1/2018
0361	FINANCE MANAGER: ACCOUNTING	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0380	FLEET MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0327	GOLF OPERATIONS MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0302	HEAD GOLF PROFESSIONAL	Mgmt-SMA	E	15	87,835					103,335	7/1/2018
0202	HOUSING OFFICER	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0338	INTERNAL AUDITOR	Mgmt-SMA	E	16	94,863					111,601	7/1/2018
0390	LABORATORY/PRETREATMENT MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0303	LIBRARY CIRCULATION MANAGER	Mgmt-SMA	E	15	87,835					103,335	7/1/2018
0274	MANAGEMENT ANALYST: EMPLOYMENT DEVELOPMENT	Mgmt-SMA	E	16	94,863					111,601	7/1/2018
0276	MANAGEMENT ANALYST: PUBLIC SAFETY	Mgmt-SMA	E	16	94,863					111,601	7/1/2018
0209	MANAGER OF BUSINESS OPERATIONS	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0211	MANAGER OF JOB SEEKER SERVICES	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0332	MANAGER, APPLICATIONS DEVELOPMENT	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0324	MANAGER, BUREAU OF TECHNICAL SERVICES - PUBLIC SAFETY	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0331	MANAGER, INFORMATION TECHNOLOGY SERVICES	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0204	NEIGHBORHOOD PRESERVATION MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018

City of Sunnyvale
Salary Table - Regular Full-Time and Part-Time Classifications

Job Code	Job Title	Unit	Pay Categories	Range / Scale	Min. range / Step 1	Step 2	Step 3	Step 4	Step 5	Max. range / Step 6	Effective Date
0329	OPERATIONS MANAGER: FACILITIES	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0330	PARKS MANAGER	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0230	PLANNING OFFICER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0375	PROGRAM QUALITY AND OPERATIONS MANAGER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0236	PUBLIC SAFETY CAPTAIN	Mgmt-PSMA	E	19PS	166,218					195,550	7/1/2018
0245	PUBLIC SAFETY COMMUNICATIONS MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0246	PUBLIC SAFETY RECORDS MANAGER	Mgmt-SMA	E	29	90,463					106,427	7/1/2018
0362	PURCHASING OFFICER	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0218	REGULATORY PROGRAMS DIVISION MANAGER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0275	SOLID WASTE PROGRAMS DIVISION MANAGER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0373	SR ENGINEER	Mgmt-SMA	E	26	118,981					139,853	7/1/2018
0374	SR ENVIRONMENTAL ENGINEER	Mgmt-SMA	E	26	118,981					139,853	7/1/2018
0339	SR INTERNAL AUDITOR	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0322	SR MANAGEMENT ANALYST	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0353	STREET OPERATIONS MANAGER	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0210	SUPERINTENDENT OF BUILDING INSPECTION	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0216	SUPERINTENDENT OF COMMUNITY SERVICES	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0212	SUPERINTENDENT OF FACILITIES MAINTENANCE	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0222	SUPERINTENDENT OF PARKS AND GOLF	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0270	SUPERINTENDENT OF PUBLIC WORKS OPERATIONS	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0223	SUPERINTENDENT OF TREES AND LANDSCAPE	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0310	SUPERVISING LIBRARIAN	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0290	TRANSPORTATION AND TRAFFIC MANAGER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0363	TREASURY MANAGER	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0344	URBAN LANDSCAPE MANAGER	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0315	UTILITY BILLING MANAGER	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0352	WASTEWATER OPERATIONS MANAGER	Mgmt-SMA	E	17	102,444					120,521	7/1/2018
0201	WATER & SEWER SYSTEMS DIVISION MANAGER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0351	WATER OPERATIONS MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0396	WATER POLLUTION CONTROL OPERATIONS MANAGER	Mgmt-SMA	E	19	123,966					145,843	7/1/2018
0395	WPC MAINTENANCE MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018
0295	WPCP DIVISION MANAGER	Mgmt-SMA	E	20	138,842					163,343	7/1/2018
0284	YOUTH AND FAMILY RESOURCES MANAGER	Mgmt-SMA	E	18	114,975					135,264	7/1/2018

EXHIBIT B

CITY OF SUNNYVALE SALARY RESOLUTION

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5.530. PREMIUM CONVERSION.

5.540. POST RETIREMENT MEDICAL BENEFITS.

5.550. LIFE INSURANCE.

5.560. DEPENDENT CARE REIMBURSEMENT ACCOUNT.

5.561. HEALTH CARE REIMBURSEMENT ACCOUNT.

5.600. WORKERS' COMPENSATION BENEFITS.

5.700. RETIREMENT SYSTEMS.

5.710. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS).

5.711. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. QUALIFIED EMPLOYEES.

5.715. PUBLIC AGENCY RETIREMENT SYSTEM (PARS).

5.720. TIER 1 – 3%-AT-50 SAFETY PLAN.

5.721. TIER 2 – 3%-AT-55 SAFETY PLAN.

5.722. TIER 3 – 2.7%-AT-57 SAFETY PLAN.

5.730. TIER 1 – 2.7%-AT-55 MISCELLANEOUS PLAN.

5.731. TIER 2 – 2%-AT-60 MISCELLANEOUS PLAN.

5.732. TIER 3 – 2%-AT-62 MISCELLANEOUS PLAN.

5.740. CalPERS CONTRIBUTION.

5.750. SOCIAL SECURITY. FICA PORTION.

5.800. PUBLIC SAFETY NONMANAGEMENT. DIFFERENTIAL.

6.000. SPECIAL PROVISIONS.

6.100. WORK SCHEDULES.

6.150. FLEX SCHEDULES. DESIGNATED CATEGORY B EMPLOYEES.

6.200. ALTERNATE SCHEDULES. MANAGEMENT EMPLOYEES.

6.300. DEFERRED COMPENSATION.

6.400. YOUTH PARTICIPATION INCENTIVES.

6.500. AUTOMOBILE ALLOWANCE.

6.600. RELOCATION ASSISTANCE.

6.700. EXECUTIVE MORTGAGE ASSISTANCE PROGRAM.

7.000. ADMINISTRATION. CLASSIFIED SERVICE AND UNCLASSIFIED MANAGEMENT.

7.100. HOURLY RATES.

7.105. SALARY RATES.

7.110. CONTROL POINTS AND SALARY RANGES. MANAGEMENT.

7.115. DIFFERENTIAL PAY. MANAGEMENT.

7.120. MERIT INCREASE. NONMANAGEMENT.

7.130. MERIT INCREASE. MANAGEMENT.

7.140. PROMOTION. NONMANAGEMENT.

- 7.150. PROMOTION. MANAGEMENT.
- 7.160. PROVISIONAL APPOINTMENT.
- 7.170. GRANT-FUNDED EMPLOYMENT.
- 7.180. TERM LIMITED EMPLOYMENT
- 8.000. UNCLASSIFIED SERVICE. RECREATION, CASUAL, SEASONAL, AND
SPECIAL PROJECT. ADMINISTRATION.
- 8.100. REDUCED TIME JOB STATUS PROGRAM. CATEGORY G.
- 9.000. PAY BASIS.
- 10.000. EFFECTIVE DATE.

CITY OF SUNNYVALE

SALARY RESOLUTION

1.000. PAY PLAN SCHEDULES. The schedule of pay for each classification in the Classified Service and in the Unclassified Service enumerated by pay category in Sections 2.000, 2.100, 2.200, 2.450, 2.500, 2.600, 2.700, and 2.900 consists of hourly pay rates for each available step in each classification. The schedule of pay for Unclassified and Classified Management classifications enumerated by pay category in Sections 2.300, 2.400, and 2.800 consists of the annual control point for each classification. Pay Plan Schedules A through L apply to employee categories as follows:

The section in which each classification is assigned to a pay range is indicated in parentheses () following the definition of the category.

Pay Plan Category A applies to employees represented by the Communications Officers Association (COA) (Section 2.000).

Pay Plan Category B applies to employees represented by the Sunnyvale Employees Association (SEA) (Section 2.100).

Pay Plan Category C applies to employees represented by the Public Safety Officers Association (PSOA) (Section 2.200).

Pay Plan Category D applies to unrepresented **Classified Management** employees. This category represents first-line supervisors, mid-management, and staff level employees who plan and implement established City programs, budgets, and policy (Section 2.300).

Pay Plan Category E applies to employees represented by the Sunnyvale Managers Association (SMA). This category represents first-line supervisors, mid-management, and staff level employees who plan and implement established City programs, budgets, and policy (Section 2.300).

Pay Plan Category F applies to employees in Unclassified **Department Director** positions who report directly to the City Manager. These classes are the highest level management positions at the department level. Employees in these positions are responsible for overall direction of their respective department operations within the context of City policy (Section 2.400).

Pay Plan Category G applies to unrepresented **Classified Confidential** employees (Section 2.450). [Note: For purposes of wage increases/decreases, benefits and leaves, Category G employees receive the same treatment as Category B employees, except as provided in Section 3.110 and Section 3.310.].

Pay Plan Category J applies to the **Unclassified** classifications listed under the **Job Training Partnership Act (JTPA)** (Section 2.700).

Pay Plan Category K applies to employees in unrepresented **Unclassified Management** classifications appointed directly by the City Attorney (Section 2.800).

Pay Plan Category L applies to **Classified Regular Part-time** employees represented by the Service Employee International Union (SEIU) (Section 2.900).

The Pay Ranges and Rates for each Subclass of a classification for which subclasses have been established shall be as set forth for the applicable classification.

The effective dates for each Pay Plan are indicated on the respective Pay Plan Schedules as set forth in Exhibit "A" (posted Salary Tables).

1.050. RETROACTIVE PAYMENT. SEPARATED/RETIRED EMPLOYEES. Retroactive salary adjustments which occur as a result of a collective bargaining settlement will be provided to those employees who are actively employed by the City at the time of the Memorandum of Understanding adoption by the City Council, and to those employees who have retired between the effective date for retroactivity and date of adoption by the City Council. Any employees who have separated or have been terminated prior to this adoption will not be eligible for any retroactive adjustments. Retroactivity will be provided for salary adjustment only. To be eligible for any other salary adjustment as a result of MOU provisions, the employee must be employed as of the established effective date of such action.

1.100. MANDATED DEDUCTIONS. Any state or federally mandated deductions are made in accordance with applicable law.

All employees hired after April 1986 shall be covered by Medicare. The employee and the City will each contribute the mandated percentage of the employee's wage toward the cost of Medicare.

Unemployment insurance is provided to employees at no cost to the employee.

2.000 THROUGH 2.900. ASSIGNMENT OF PAY RANGES AND RATES TO PAY PLAN. All Pay Ranges and Rates are contained in Exhibit "A" (posted Salary Tables) and incorporated by this reference.

3.000. LEAVE BENEFITS. The enumerated leave benefits are part of the Pay Plan or applicable Memoranda of Understanding.

3.010. LEAVE AUTHORIZATION. All leaves, with the exception of those of Category K members, must be approved in advance by the City Manager or designated Management representative under established procedure. Leaves of Category K members must be approved in

advance by the City Attorney.

3.020. LEAVE BENEFITS. TO WHOM APPLICABLE. Except as otherwise provided for herein, leave benefits are applicable to employees in Pay Plan Categories A, B, C, D, E, F, G, K and L.

3.030. LEAVE PAYMENT. All leave time shall be paid at the hourly straight time rate. Only one type of paid leave shall be paid at any given time and when paid shall be to the exclusion of any other paid time.

3.040. LEAVE SUBSTITUTION. No leave may be substituted for the authorized leave once the employee is on leave except as provided in the Administrative Policy; nor may any leave be authorized in addition to another leave for the same period.

3.100. PAID TIME OFF LEAVE (PTO) AND PAID MEDICAL LEAVE (PML).
MANAGEMENT.

(a) Employees in Categories D, F and K are eligible to accrue and use Paid Time Off Leave (PTO). Such leave shall be used for vacation, medical appointment, disability/illness, family emergency, and may also be used for personal business, care of sick children or other family members, school visits, etc. Leaves not included in PTO which remain separate leaves are bereavement, jury duty, military duty, management administrative leave, workers' compensation, floating holiday, and holiday.

Except for illness or emergency, all PTO shall be pre-planned and pre-approved. The minimum advance notice is 1 week. The City may at any time require written verification from a physician for a non-pre-planned absence for illness, family emergency or visits to a doctor, dentist or licensed mental health practitioner.

(b) PTO begins accruing on the first day of employment and is prorated on an hourly basis for each paid hour. PTO shall not accrue during any unpaid leave, except in Section 3.100.
(k) that employees use PTO or any other leave balance available to him/her to supplement workers' compensation benefits as provided by state law. Time off is paid provided there is adequate PTO accrued to cover the absence. Time off in excess of PTO accruals and other available leave shall be leave without pay. As employees use PTO, the time used shall be deducted from the employee's current PTO balance.

- (c) The accrual rates are listed below:

TABLE A

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/yr	Days/yr
1-26.99	0 to 1	6.5	169	21
27-130.99	1+ to 5	7.5	195	24
131-260.99	5+ to 10	9.0	234	29
261-442.99	10+ to 17	10.5	273	34
443-650.99	17 to 25	11.5	299	37
651+	25+	12.0	312	39

- (d) Eligible employees will accrue at the rates shown in Table A for the first 870 hours (21.75 weeks, 108.75 work days). After 870 hours are accrued, the employee will start accruing at the reduced rate levels of Table B.

TABLE B

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/Yr	Work Days/Yr
1-130.99	0 to 5	5.0	130	16
131-650.99	5+ to 25	6.5	169	21
651+	25+	8.0	208	27

Accruals at this level will stop at 1040 hours (maximum cap) until total accrual is reduced below 1040.

- (e) If at any time the total accrual falls below 870 hours, the accrual rate will revert to the rates in Table A.

- (f) No minimum usage per year is required. Accruals carry over from one payroll calendar year to the next.

- (g) For a newly-hired Category F employee, the City Manager may authorize an initial accrual rate higher than that provided in the above and/or an initial credit of hours. Such provision will be documented in the offer letter to the employee.

- (h) For a newly-hired Category K employee, the City Attorney may authorize an initial accrual rate higher than that provided in the above and/or an initial credit of hours. Such provision will be documented in the offer letter to the employee.

- (i) PTO and Separation/Retirement. PTO accrues and is prorated on an hourly basis

for each paid hour during the last pay period of service. PTO shall be paid off to the employee on the employee's last day of work (pay included in final paycheck). The City Manager may, however, approve the utilization of available accrued PTO to extend the date of retirement, and in special circumstances, the date of separation.

(j) PTO and Paid Medical Leave. After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified (same occurrence) disability, beginning with work hour 121 through 90 calendar days of disability. At this time, the City will require a doctor's note and medical information in accordance with current Administrative Policy provisions. No disability leave will be provided until this requirement is satisfied.

To access the Paid Medical Leave (full pay from 16-90 calendar days), an employee must provide acceptable written medical documentation showing that the disability is a single disability, whether continuous time off has been taken or not for that disability. The first 120 hours of a single disability are charged to the employee's PTO bank. Hours 121 up through the maximum of calendar day 90 are eligible for coverage under the Disability Leave Benefit.

After 90 calendar days of (same occurrence) disability, the disabled employee shall be eligible to apply for Long Term Disability coverage as outlined in Section 3.630. In addition, if, after having been off work for 121 hours on a same disability and becoming eligible for disability leave pay, the disabled employee continues to be unable to return to work full-time, but is able to work partial days, the employee remains eligible for disability pay for the part of the day that the employee is unable to work.

(k) PTO and Workers' Compensation. Employees will be eligible for Workers' Compensation benefits as provided by state law. The employee, at this time, will have the option to use PTO or any other leave balance available to him/her, have it paid off, or keep it in his/her leave bank for future use upon his/her return.

After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified work-related (same occurrence) disability, beginning with workday 1 through 60 calendar days of disability. After 60 calendar days of (same occurrence) work-related disability, the disabled employee shall be eligible to apply for Long Term Disability coverage as outlined in Section 3.630.

(l) If an employee has no available leave hours, pay may be deducted for any hours short of 40 worked in a week. This policy is established pursuant to principles of public accountability.

(m) Employees in Categories D, F and K will have the option to cash-out up to 80 hours

of PTO once at the end of each payroll calendar year. This cash-out will be allowed as long as the employee maintains a balance of 80 hours in his/her bank. If the employee elects this option, the minimum number of hours that may be cashed-out is 8.

**3.110. PAID TIME OFF LEAVE (PTO) AND PAID MEDICAL LEAVE (PML).
CONFIDENTIAL EMPLOYEES.**

(a) Employees in Category G are eligible to accrue and use Paid Time Off Leave (PTO). Such leave shall be used for vacation, medical appointment, illness or injury, family emergency, and may also be used for personal business, care of sick children or other family members, school visits, etc. Leaves not included in PTO which remain separate leaves are bereavement, jury duty, military duty, floating holiday, holiday, and workers' compensation leave. Except for illness or emergency, all PTO shall be pre-planned and pre-approved. The minimum advance notice is 1 week. The City may at any time require written verification from a physician for a non-preplanned absence for illness, family emergency or visits to a doctor, dentist or licensed mental health practitioner.

(b) PTO begins accruing on the first day of employment and is prorated on an hourly basis for each paid hour. PTO shall not accrue during any unpaid leave. Time off is paid provided there is adequate PTO accrual to cover the absence. Time off in excess of PTO accruals and other available leave shall be leave without pay. As employees use PTO, the time used shall be deducted from the employee's current PTO balance.

(c) The accrual rates are listed below:

Service Period Pay Periods	Years	Hrs/pp	Accrual Rate Hrs/Yr	Days/Yr*
1-26	0 to 1	5.5	143	17.875
27-130	1+ to 5	6.5	169	21.125
131-260	5+ to 10	8.0	208	26.000
261-650	10+ to 25	9.5	247	30.875
651+	25+	11.0	286	35.750

*Based on an eight hour/day schedule.

(d) Accruals will stop at 700 hours (maximum cap) until total accrual is reduced below 700.

(e) No minimum usage per year is required. Accruals carry over from one payroll calendar year to the next.

(f) PTO and Separation/Retirement. PTO accrues and is prorated on an hourly basis for

each paid hour during the last pay period of service. PTO shall be paid off to the employee on the employee's last day of work (pay included in final paycheck). The City Manager may, however, approve the utilization of available accrued PTO to extend the date of retirement, and in special circumstances, the date of separation.

(g) PTO and PML. After 26 consecutive pay periods of service, the City shall provide full pay for medically certified same illness or injury, beginning with work hour 121 through 90 calendar days of same illness or injury. At this time, the City will require a doctor's note and medical information in accordance with current Administrative Policy provisions. No Paid Medical Leave will be provided until this requirement is satisfied.

To access the Paid Medical Leave Benefit, an employee must provide acceptable written medical documentation showing that the illness or injury is a single illness or injury, whether continuous time off has been taken or not for that illness or injury. The first 120 hours of a single illness or injury are charged to the employee's PTO bank. Hours 121 up through the maximum of calendar day 90 are eligible for coverage under the Paid Medical Leave Benefit.

After 90 calendar days of Paid Medical Leave, the employee shall be eligible to apply for Long-Term Disability coverage as outlined in Section 3.630. In addition, if, after having been off work for 120 hours on a same illness or injury and becoming eligible for Paid Medical Leave, the employee continues to be unable to return to work full-time, but is able to work partial days, the employee remains eligible for Paid Medical Leave for the part of the day that the employee is unable to work.

(h) PTO and Workers' Compensation. During the first 26 pay periods of service, the employee will be eligible for Workers' Compensation benefits as provided by state law. The employee, at this time, will have the option to use PTO or any other leave balance available to him/her, have it paid off, or keep it in his/her leave bank for future use upon his/her return.

After 26 consecutive pay periods of service, the City shall provide full pay for a medically certified work-related same illness or injury, beginning with workday 1 through 90 calendar days of illness or injury. After 90 calendar days of a work-related same illness or injury, the employee shall be eligible to apply for Long-Term Disability coverage as outlined in Section 3.630.

(i) Employees in Category G will have the option to cash-out up to 80 hours of PTO once at the end of each payroll calendar year. This cash-out will be allowed as long as the employee maintains a balance of 80 hours in his/her bank. If the employee elects this option, the minimum number of hours that may be cashed-out is 8.

3.200. BEREAVEMENT LEAVE. Employees in Categories D, F and K are entitled to bereavement leave where death has occurred to an employee's spouse or registered domestic partner, father, mother, son, daughter, brother, sister, grandparents or grandchildren, or to the father, mother, son, daughter, brother, sister, grandparents or grandchildren of an employee's spouse or registered domestic partner. The City reserves the right to require proof of death from the employee. Employees in Categories D, F and K shall be entitled to bereavement leave in an amount not to exceed 40 work hours per eligible incident immediately upon employment.

3.300. HOLIDAY LEAVE. Employees in Categories B, C (except those scheduled to work holidays), D, E, F and K who were on pay status both before and after each holiday shall be entitled to take leave on each of the following holidays and be paid at the straight time rate, except as provided in Section 3.320.

CITY OBSERVED HOLIDAYS

Independence Day	Christmas Eve	Martin Luther King, Jr. Birthday
Labor Day	Christmas Day	President's Holiday
Thanksgiving Day	New Year's Eve	Memorial Day
Day After Thanksgiving	New Year's Day	

When a City holiday falls on a Saturday the holiday will be observed on the Friday; when a holiday falls on a Sunday, the holiday will be observed on Monday; or as designated by the City Council.

3.310. FLOATING HOLIDAY LEAVE. Employees in Categories D, F, G and K shall be credited with 20 hours of floating holiday leave at the beginning of each payroll calendar year. New employees shall be credited with a pro-rata share based upon the proportion of the payroll calendar year remaining after their date of hire. Use of floating holiday leave shall be subject to the approval of the employee's supervisor.

Employees terminating City employment shall have their allotment of floating holiday leave for that year pro-rated based upon their date of separation. Employees who have used less than their pro-rated allotment for the portion of the payroll calendar year worked shall have the balance paid to them on their final paycheck. Employees who have used more than their pro-rated allotment for the portion of the payroll calendar year worked, shall have the overage deducted from their final paycheck.

Further, employees in Categories D, F, G and K who have unused floating holiday hours at the end of the payroll calendar year have the option of having all of the unused hours either paid in cash or added to their PTO balance if such addition does not exceed the maximum accrual allowed for PTO.

3.320. SPECIAL SCHEDULE. HOLIDAY LEAVE. Holiday leave for employees on a Special Schedule is paid in accordance with policies set forth in the Special Schedule Agreement, applicable MOU, or in the Administrative Policy Manual as the same exists or is amended hereafter.

3.400. JURY LEAVE. An employee is entitled to jury leave subject to conditions and limitations contained in the applicable MOU, or in the Administrative Policy Manual, as the same exists or is amended hereafter.

3.500. MILITARY LEAVE. Employees assigned to active military duty are entitled to military leave in accordance with the provisions of applicable State and Federal laws and the Administrative Policy Manual as the same exists or is amended hereafter. This leave is granted on a fiscal year basis.

3.550. MILITARY RESERVISTS. EXTENSION OF BENEFITS AND SUPPLEMENTAL SALARY.

(a) A person is eligible for the benefits established in this section if he or she meets all of the following qualifications:

- (1) Is an active probationary or regular part-time or full-time employee of the City in Pay Plan Categories A, B, C, D, E, F, G, K or L;
- (2) Is a member of the Armed Forces, Naval Militia or National Guard;
- (3) Is called to active duty per Executive Order 13223 issued on September 14, 2001;
- (4) Returns to City employment within 60 days after the end of active duty status; and
- (5) Remains as an employee of the City for at least six months following his or her return to City employment.

Eligible employees will be required to sign an agreement with the City which details their rights and obligations with respect to these benefits and supplemental salary prior to their initial receipt of benefits beyond the mandatory 30 days of benefits otherwise provided by law. Employees who elect not to return to City service shall be required to repay the City for the cost of the supplementary salary and benefits plus interest at the 26-week T-bill rate at the time that the final supplementary compensation was provided and for the period that exceeded the mandatory 30 days of benefits otherwise provided by law.

(b) The City will continue to pay a bi-weekly check to eligible employees equal to base salary, plus any other compensation the employee would have received had he/she been actually

working. The employee then will reimburse the City the amounts paid for military service plus allowances, including Basic Allowance for Housing.

(c) Eligible employees will be required to send copies of their military pay stubs to the Department of Human Resources for purposes of reconciliation. The payments will be reconciled by the Payroll unit of the Accounting Division of the Department of Finance. If the Payroll unit has not received the copies within three weeks after the end of the month, future checks will be withheld until the information is provided.

(d) All employees who receive the benefits and supplemental salary under this section will be eligible to remain covered under their current retirement, medical, dental, employee assistance, and vision plans while Executive Order 13223 remains active or until such time as Council takes action to amend or discontinue such benefits and supplemental salary. The City will provide eligible employees, along with the supplemental salary, the amount that the City currently contributes toward the benefits plans. If the employee is currently paying a deduction toward these plans, the employee will continue to make those payments.

3.600. PAID MEDICAL LEAVE. NONMANAGEMENT ENTITLEMENT. Employees in Categories B and C qualify for Paid Medical Leave (PML) after completion of twenty-six (26) consecutive pay periods from the date of original appointment; provided, however, that employees may be authorized up to 40 hours of interim PML from the date of employment for the first 26 pay periods; provided, however, that at the conclusion of the 26th pay period the interim PML shall terminate, including any unused amount. The total allowable paid interim PML leave for employees in Categories B and C for work- related and non-work related illness or injury combined is 40 hours.

3.610. PAID MEDICAL LEAVE. NONMANAGEMENT PROVISIONS. For employees in Categories B and C upon completion of the 26th consecutive pay periods of service; the City shall provide regular salary for Paid Medical Leave (PML), less any coverage provided by any other insurance program for the first 90 calendar days of illness or injury.

3.620. PAID MEDICAL LEAVE. AUTHORIZATION. Paid Medical leave may be authorized by Management staff in accordance with procedures set forth in the applicable MOU or Administrative Policy Manual as the same now exists or is hereafter amended.

3.625. STATE DISABILITY INSURANCE (SDI), INCLUDING PAID FAMILY LEAVE INSURANCE (PFLI). Category L employees are eligible for SDI benefits in accordance with the applicable MOU. Benefits are provided due to non-work related disability. The cost is paid by employee. SDI includes Paid Family Leave Insurance. These programs are administered

by the State of California.

3.630. LONG TERM DISABILITY. For employees in Categories A, B, D, E and K, the City shall provide, after completion of 26 consecutive pay periods of service, income protection insurance which will take effect after 90 calendar days from the original date of disability and which, subject to standard policy provisions, exclusions and limitations, will pay 2/3 of the employee's salary while the employee is disabled and unable to work. For employees in Category F, income protection insurance is provided as of the first of the month after date of hire. Eligibility and procedural limitations are set forth in the Administrative Policy Manual and the current Long Term Disability contract as the same now exists or is hereafter amended. For employees in Category C, the Public Safety Officers Association shall contract with a long-term disability insurance provider and make long-term disability insurance available to represented employees in accordance with provisions of the MOU.

3.640. PAID MEDICAL LEAVE REQUIREMENT WAIVER. For employees in Categories D, E, F and K, the requirement of 26 pay periods of service for eligibility for City-provided Paid Medical Leave, i.e., full pay for a medically certified (same occurrence) illness/injury beginning with work hour 121 through 90 calendar days for Categories D, F and K; work hour 101 through 90 calendar days for Category E; and work hour 121 through 90 calendar days for Category E effective July 1, 2017, may be waived by the City Manager in the case of catastrophic and/or life-threatening illness/injury.

3.700. MEDICAL APPOINTMENT LEAVE. For employees in Category C, medical appointment leave for employee appointments with medical doctors and dentists may be authorized after the employee has completed 26 consecutive pay periods of service. This leave will not exceed 2 hours during a standard daily work schedule.

3.800. VACATION LEAVE. Casual / Temporary employees hired prior to August 30, 1992 with 2,500 hours of City employment which is continuous or separated by no more than 26 pay periods of service are entitled to .1 hour of vacation leave for each hour of work. Casual/Temporary employees hired after August 30, 1992 are not entitled to vacation leave accrual.

3.810. VACATION LEAVE. ACCUMULATION. USE. For Casual / Temporary employees hired prior to August 30, 1992, vacation leave may be accumulated up to 50 hours. Accumulated leave time unused at the end of the payroll calendar year will be paid at the employee's current pay rate on one of the last paychecks of the payroll calendar year. Casual/Temporary employees who have accumulated 50 hours of vacation leave at any time shall

not accrue additional vacation leave or be compensated for any unused vacation leave in excess of 50 hours.

Accrued vacation leave for all categories of employees shall be paid off to the employee on the employee's last day of work and will be included in the employee's final paycheck. The City Manager may, however, approve the utilization of available accrued vacation to extend the date of retirement, and in special circumstances, the date of separation.

3.900. MANAGEMENT. ADMINISTRATIVE LEAVE FOR MANAGEMENT. Employees in Categories D and K shall be credited with 50 hours of Administrative Leave at the beginning of the first pay period of the payroll calendar year. Employees in Category F shall be credited with 70 hours. All employee categories must complete 6 months of employment to meet eligibility. Use of Administrative Leave for Category F is subject to the City Manager's approval, Categories D to Department Director's approval and to the additional provisions in the Administrative Policy. Provisionally appointed managers not previously holding a regular management position are ineligible for Administrative Leave.

3.950. EMPLOYEE EMERGENCY LEAVE RELIEF FUND. The Employee Emergency Leave Relief Fund is a program that allows any City employee who has leave hours accrued, the opportunity to donate a portion of his/her accrued leave to benefit another employee needing paid emergency leave. To benefit from this fund, the receiving employee must be eligible to accrue City paid leave time, must have used all available accrued leave and must have a personal emergency that requires the employee to be on leave from work responsibilities to attend to the emergency. The employee must request in writing to the City Manager that this Employee Relief Fund be enacted. The City Manager will have administrative authority to accept or reject the employee's request. The City Manager will also have the administrative authority in defining all procedures to be followed in setting up and utilizing this fund.

4.000. OVERTIME PAY. WHO IS ENTITLED. All employees of the City shall be entitled to overtime pay, except those in Management positions in Categories D, E, F and K which are hereby designated as exempt from the provisions of the Fair Labor Standards Act.

4.010. OVERTIME AUTHORIZATION. All overtime must be approved in advance by the City Manager or designated Management representative under established procedure.

4.020. OVERTIME COMPUTATION. Overtime, when applicable, shall be paid at the rate of 1½ times the straight-time rate, except as otherwise provided for in an applicable MOU or herein.

4.030. OVERTIME PAY. WHEN APPLICABLE. An employee in Category C on tour of fire duty who has worked more than 24 hours of fire tour duty shall be entitled to overtime pay.

Employees in Categories C (other than those assigned to a tour of fire duty), only for hours worked in excess of 80 hours in a biweekly pay period. Casual/Temporary employees and regular part-time employees in Category L shall be entitled to overtime pay in accordance with the Fair Labor Standards Act (FLSA). Casual / Temporary employees who meet the FLSA exempt requirements are designated as such.

Employees assigned to a special schedule shall be entitled to overtime only for hours worked in excess of 40 hours in a work week as defined in the applicable MOU and Administrative Policy Manual, or as provided in the written special schedule agreement. See also Section 6.150 regarding flex time for designated Category B employees.

4.100. COMPENSATORY TIME. Employees in Category G shall have the same accumulation and use options as employees in Category B.

4.200. CALL-BACK PAY. OVERTIME. WHEN APPLICABLE. For full-time employees and for Category C employees the call-back provisions apply when an employee has gone off duty and left the job site. Overtime pay for call-back duty shall not continue into the next work schedule nor shall it be counted toward fulfillment of a work period.

4.300. CONFIDENTIAL PREMIUM PAY. The City shall provide a 3.5% premium on all paid hours for employees in Category D, G, and K.

5.000. WAGE SUPPLEMENTS. Wage supplements shall consist of payments to the employee outside the standard pay schedule for paid work time, and which are paid by the City either in part or in total as provided for herein or in applicable Memoranda of Understanding.

5.010. INTERIM/ACTING PAY. MANAGEMENT. Employees who are appointed by the City Manager in an acting/interim status to a vacant position in Pay Plan Categories D and F may receive placement within the control point of the vacant position; or a percentage over his/her current pay as designated by the City Manager.

5.020. Y-RATING PAY. Y-rating may be authorized by the City Manager or his/her designee when an employee is allocated to a classification with a lower salary range. If the current salary of the employee is more than the maximum of the revised allocated classification, the employee may be Y-rated and he/she will continue to receive the former rate of pay until the maximum salary of the new classification is raised to an amount higher than the rate of pay received in the former classification.

5.100. UNIFORMS. The City shall provide uniforms for Category B employees assigned to meter reading, public facility maintenance, public safety records, and others as designated by the City Manager.

5.200. WORK EQUIPMENT. The City shall provide mattresses, sheets, pillows, pillow cases and blankets at the fire stations and safety gear in all departments as required by law.

5.210. SAFETY GLASSES. The City shall provide employees in Categories A, B, C, D, E and L prescription safety glasses, provided (a) that safety glasses are required on the job; (b) the employee provides the prescription at no cost to the City; and (c) the glasses are provided by an optical firm approved by the City.

5.220. SAFETY FOOTWEAR. Employees in Category L in classifications required by the City to wear safety footwear shall be eligible to receive an annual allowance in accordance with the provisions of the applicable MOU. Employees hired after the start of the fiscal year shall be eligible for a pro-rated allowance.

The Human Resources Risk Manager may authorize additional classifications to receive the safety footwear allowance if it is determined that safety footwear is required for the work being performed.

5.300. TRAINING ASSISTANCE. The City shall reimburse employees in Categories A, B, C, D, E, F, K, L, those in the Public Safety Cadet program, and employees in the classification of Crime Prevention Assistant for all or part of the cost of tuition and books for courses approved in advance by the City, provided the course is completed successfully and documentation of costs and certificates of completion are presented according to Administrative Policy or applicable MOU. The amount of reimbursement based on relatedness to the employee's present position may be taxable in accordance with state and federal law.

5.500. HEALTH INSURANCE. ELIGIBILITY AND EFFECTIVE DATES.

(a) Medical. Participation in the medical insurance plan is available to employees in all full-time and regular part-time Categories and to members of the City Council at the time of appointment in accordance with the provisions of the plan selected, with the effective date the first day of the month following enrollment.

(b) Dental. Employees in Categories D, E, F, K and members of the City Council are eligible for dental coverage at the time of appointment, with an effective date of the first day of the month following enrollment. Employees in Categories B and L shall become eligible for dental coverage, in accordance with the provisions of the plan selected, upon completion of 13 pay periods of service with the effective date on the first of the month following enrollment. For

employees in Category C, the Public Safety Officers Association shall contract with a dental provider and make dental insurance available to represented employees in accordance with the provisions of the respective MOU. Effective January 1, 2010, employees and members of the City Council may elect to enroll in an enhanced “voluntary buy-up” dental plan. The cost of the voluntary buy-up plan is solely funded by employee / City Council member contributions.

(c) Vision. Employees in all full-time and regular part-time Categories and members of the City Council are eligible for vision coverage at the time of appointment, with an effective date of the first day of the month following enrollment. Effective January 1, 2010, employees and members of the City Council may elect to enroll in an enhanced “voluntary buy-up” vision plan. The cost of the voluntary buy-up plan is solely funded by employee/City Council member contributions.

(d) Employee Assistance Plan (EAP). Employees in all full-time and regular part-time Categories are covered by the employee assistance program at the time of appointment in accordance with the provisions of the plan.

5.501. CASH IN-LIEU. MEDICAL COVERAGE.

(a) Employees in Categories D, F, K and members of the City Council have the option of reducing their medical coverage and receiving payment of a portion of the City contribution. However, if the employee is currently a dependent of a City employee and covered by a CalPERS Health Plan, the employee is not eligible for reimbursement.

To be eligible for this plan, an employee must either:

- (1) Change from full family to employee plus one or employee only;
- (2) Change from employee plus one to employee only;
- (3) Change from any level coverage to no coverage; or
- (4) A new employee may choose no coverage. Payment shall be made based on the following schedule:

<u>Current</u>	<u>New</u>	<u>Monthly</u>
Employee + 2	No coverage	\$213.42
Employee + 2	Employee only	\$131.08
Employee + 2	Employee +1	\$ 48.75
Employee + 1	No coverage	\$164.67
Employee + 1	Employee	\$ 82.33
Employee only	No coverage	\$ 82.33

NEW employee	No coverage	\$ 82.33
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Whenever an employee changes to no coverage, the employee shall provide proof of alternate coverage and sign a waiver stating that she or he does have alternative coverage and that he or she understands that he or she will no longer receive coverage through a City- sponsored CalPERS provided medical plan.

If an employee decides to increase his or her level of coverage by either reentering a City sponsored CalPERS provided medical plan or including a dependent in his or her current coverage, he or she must enroll during the annual open enrollment period, unless a qualifying event occurs.

See the Department of Human Resources for additional information on what constitutes a qualifying event.

Procedures for exercising this option and for reentering the City sponsored CalPERS provided medical plans shall be established by the City.

5.502. CASH REIMBURSEMENT. CITY RETIREE COUNCIL MEMBERS.

Members of the City Council who are City retirees and are enrolled in the CalPERS medical program as a retiree, are eligible to receive a reimbursement equal to the difference of the current City contribution to medical insurance included under Section 5.505 and the current cost of the CalPERS medical premium.

In addition, if Members of the City Council who are City retirees and have an alternative dental plan, and they waive City coverage, the City will reimburse the cost of dental insurance up to the amount specified under Section 5.506 (f).

5.505. CITY CONTRIBUTION. MEDICAL INSURANCE. Effective January 1, 2016, the City will contribute the following amounts toward the cost of premiums for medical insurance under the Public Employees Medical and Hospital Care Act (PEMHCA) for each employee in the respective categories listed below, and his or her eligible dependents, and for each annuitant in CalPERS formerly in the respective categories listed below and his or her eligible dependents:

- (a) Category A. The cost of the premium or \$472.98 per month, whichever is less.
- (b) Categories B and G. The cost of the premium or \$757.97 per month, whichever is less.
- (c) Category C. The cost of the premium or \$467.46 per month, whichever is less.
- (d) Category L. The cost of the premium or \$416.90 per month, whichever is less.
- (e) Categories D, E, F and K. The cost of the premium or \$757.97 per month, whichever is less. Effective January 1st each year, the City's contribution will be the lesser of the

cost of the premium or the lowest cost HMO premium for single coverage of the lowest cost HMO plan available through the CalPERS Bay Area regional medical plans. Additionally, the City's contribution shall be no less than the highest City contribution for any of the employee represented units; including COA, PSOA, SEA and SEIU.

(f) Members of the City Council. The City's contribution will be the lesser of the cost of the premium or the minimum monthly contribution pursuant to Government Code Section 22892 of the Public Employees Medical and Hospital Care Act (PEMHCA). For calendar year 2015, the amount is \$122.00 and for calendar year 2016, the amount is \$125.00.

5.506. CITY CONTRIBUTION. DENTAL INSURANCE.

(a) Category A. The City's contribution is up to a maximum of \$140.55 per month, pursuant to the provisions of the COA MOU.

(b) Category B. The City's contribution is included under Section 5.515 (b) below.

(c) Category C. The City's contribution is up to a maximum of \$140.55 per month, pursuant to the provisions of the PSOA MOU.

(d) Category L. The City's contribution is included under Section 5.515 (d) below.

(e) Categories D, E, F and K. The City will contribute the premium for employee only, employee plus one dependent, or employee plus family coverage.

(f) Members of the City Council. The City will contribute the premium for council member only coverage. Dependent coverage is available at the council member's cost.

5.507. CITY CONTRIBUTION. VISION INSURANCE.

(a) Category A. The City's contribution is included under Section 5.515 (a) below.

(b) Category B. The City will contribute the premium for employee only or employee plus one dependent coverage.

(c) Category C. The City's contribution is included under Section 5.515 (c) below.

(d) Category L. The City will contribute the premium for employee only or employee plus one dependent coverage.

(e) Categories D, E, F and K. The City will contribute the premium for employee only, employee plus one dependent, or employee plus family coverage.

(f) Members of the City Council. The City will contribute the premium for council member only coverage. Dependent coverage is available at the council member's cost.

5.515. CITY CONTRIBUTION. CAFETERIA BENEFITS PLAN.

(a) Category A. Effective September 27, 2015, the City will contribute \$142.02 per month, the difference between \$615.00 and the amount stated in 5.505 (a) above. Effective

calendar year 2016, the City will contribute \$242.02 per month, the difference between \$715.00 and the amount stated in 5.505 (a) above. Effective calendar year 2017, the City will contribute \$342.02 per month, the difference between \$815.00 and the amount stated in 5.505 (a) above.

(b) Category B. The City will contribute a maximum of \$588.69 per month toward a Cafeteria Benefits Plan for employees and dependent medical coverage and a minimum of \$196.21 per month for employees with employee only medical coverage.

(c) Category C. The City will contribute \$47.54 per month, the difference between \$515.00 per month and the amount stated in 5.505 (c) above.

(d) Category L. The amount the City contributes towards the Cafeteria Benefits Plan shall be made based on the number of hours in paid status as provided in the SEIU MOU.

(e) Categories D, E, F and K. The City will contribute to a Cafeteria Benefits Plan for the cost of medical premiums only. The City's Cafeteria Benefits Plan contribution will be capped at the cost of the premium of the highest priced plan between the CalPERS Bay Area regional HMO plans or the PERS Choice PPO plan, effective January 1 each year, less the City Contribution as stated in Section 5.505 (e) above, and shall be based upon the plan level in which the employee is enrolled (i.e., employee only, employee plus one dependent, or employee plus family).

(f) Members of the City Council. The City will contribute to a Cafeteria Benefits Plan for the cost of medical premiums only. The City's Cafeteria Benefits Plan contribution will be capped at the cost of the premium of the highest priced plan between the CalPERS Bay Area regional HMO plans or the PERS Choice PPO plan, effective January 1 each year, less the City Contribution as stated in Section 5.505 (f) above, and shall be based upon the plan level in which the council member is enrolled (i.e., council member only, council member plus one dependent or council member plus family).

5.520. MAXIMUM CITY CONTRIBUTION. HEALTH INSURANCE.

(a) Category A. Including the amounts specified in Sections 5.505 (a) and 5.515 (a), the City's maximum contribution is \$615.00 per month (\$283.85 per pay period) effective September 27, 2015, \$715 per month (\$330.00 per pay period) effective calendar year 2016, and \$815 per month (\$376.15 per pay period) effective calendar year 2017. The City's maximum contribution is payable towards the employee assistance program insurance, employee and dependent medical insurance, employee and dependent vision insurance, optional life insurance or any combination thereof.

(b) Category B. Including the amounts specified in Sections 5.505(b) and 5.515(b) the

City's maximum monthly contribution is \$1154.29 (\$532.75 per pay period). For employees with employee only medical coverage, the City's maximum monthly contribution is \$761.81 (\$351.60 per pay period). The City's health insurance contribution is payable towards the cost of employee and dependent medical insurance, employee and dependent dental insurance, family coverage vision insurance, optional life / AD&D insurance or any combination thereof. In addition, the City pays the full premium for the employee assistance program.

(c) Category C. Including the amounts specified in Sections 5.505 (c) and 5.5150 (c), the City's maximum contribution is \$515.00 per month (\$237.69 per pay period) towards the employee assistance program insurance, employee and dependent medical insurance, employee and dependent vision insurance, optional life insurance or any combination thereof.

(d) Category L. Including the amounts specified in Sections 5.505 (d) and 5.515 (d), the City's maximum contribution is up to \$923.42 per month (\$426.19 per pay period) towards employee and dependent medical insurance, employee and dependent dental insurance, family coverage vision insurance, or any combination thereof. The actual City maximum is pro-rated based on the number of hours in paid status as provided in the SEIU MOU. In addition, the City pays the full premium for the employee assistance program.

(e) Categories D, E, F and K. In addition to the amounts contributed by the City as specified in Sections 5.505 (e), 5.508 (e), 5.510 (e) and 5.515 (e), the City pays the full premium for the employee assistance program.

(f) Members of the City Council. For calendar year 2010, the maximum monthly City contribution, as described in Sections 5.505 (f), 5.506 (f), 5.507 (f) and 5.515(f), ranges from \$630.55 to \$1554.28. The actual amount is based upon the plan level in which the council member is enrolled in medical coverage (e.g.; council member only, council member plus one dependent or council member plus family).

5.525. EMPLOYEE CONTRIBUTION. HEALTH INSURANCE. To the extent that any full or part-time employee or member of the City Council elects health insurance coverage that exceeds the amount stated in Section 5.520, the employee/member of the City Council shall pay the difference.

5.530. PREMIUM CONVERSION. If applicable, pursuant to IRS Code §125, regular full-time and regular part-time employees shall pay their contribution toward health insurance on a pre-tax basis, unless the employee chooses to pay on a post-tax basis and notifies the Department of Human Resources of this request in writing.

5.540. POST RETIREMENT MEDICAL BENEFITS.

(a) Categories D, E, F and K. Employees who retire from City service under the provisions of the City's contract with CalPERS (minimum of age 50 and 5 years of service) are eligible for post-retirement medical benefits as stated below:

(a.1) Group A – Retirement date prior to January 1, 2008.

The City shall contribute an amount equal to that which is stated in Section 5.505 (e) for the cost of retiree medical premiums. Additionally, the City's Retiree Health Reimbursement Program will provide the retiree a monthly reimbursement amount equal to the difference between the City Contribution, as stated in Section 5.505 (e) and the retiree's premium for his/her selected medical plan.

(a.2) Group B – Retirement date on or after January 1, 2008 with an appointment date prior to July 1, 2007.

The City shall contribute an amount equal to that which is stated in Section 5.505 (e) for the cost of retiree medical premiums. Additionally, the City's Retiree Health Reimbursement Program will provide the retiree a monthly reimbursement amount equal to the difference between the City Contribution, as stated in Section 5.505 (e) and the retiree's premium for his/her selected medical plan, subject to a cap based on the cost of the premium of the highest price plan between the CalPERS Bay Area regional HMO plans or the PERS Choice PPO plan effective January 1st of each year.

(a.3) Group C – Retirement date on or after January 1, 2008 with an appointment date on or after July 1, 2007.

The City shall contribute an amount equal to that which is stated in Section 5.505 (e) for the cost of retiree medical premiums. Additionally, the City's Retiree Health Reimbursement Program (RHR) will provide the retiree a monthly reimbursement amount equal to the difference between the City Contribution, as stated in Section 5.505 (e) and the retiree's premium for his/her selected medical plan, subject to the cap indicated in (a.3) above and according to the following vesting schedule:

Vesting Schedule

City of Sunnyvale Management Years of Service	% of RHR paid to Retiree
5	50%
6	55%
7	60%
8	65%
9	70%
10	75%
11	80%
12	85%
13	90%
14	95%
15+	100%
Combined Years of Service 5 years management service with City of Sunnyvale and 15 years or more of non- management City service	100%

5.550. LIFE INSURANCE. The City shall provide life insurance equal to one times annual base salary for employees in Categories D, F and K. In addition, the employee has the option of buying additional insurance of one times his/her annual base salary up to the maximum allowable coverage. Coverage is subject to the terms and conditions of the insurance policy and to current tax law provisions.

5.560. DEPENDENT CARE REIMBURSEMENT ACCOUNT. Employees in Categories B, C, D, F, K and L are provided with an option to pay for dependent care expenses on a pre-tax basis, as provided in the Internal Revenue Code.

5.561. HEALTH CARE REIMBURSEMENT ACCOUNT. Employees in Categories A, B, C, D, F, K and L are provided with an option to pay for health care expenses on a pre-tax basis, as provided in the Internal Revenue Code.

5.600. WORKERS' COMPENSATION BENEFITS. The City self-insures for Workers' Compensation benefits. Workers' Compensation benefits will be provided as required by law. Employees who are injured on the job are to comply with the legal requirements governing the use of Workers' Compensation benefits. Employees in Categories B, D, F and K, who are eligible for temporary disability payments under Workers' Compensation law, shall receive salary

continuation from the City's disability program for the first 60 calendar days of temporary disability. Pursuant to current tax laws, a portion of salary continuation, in lieu of temporary disability payments, is exempt from federal and state withholding taxes. The amount of tax-free salary continuation is up to 2/3 of an employee's average wage, subject to minimums and maximums set by state law. Employees who remain temporarily totally disabled after 90 calendar days shall receive temporary disability payments directly from the City's Workers' Compensation third party administrator.

5.700. RETIREMENT SYSTEMS. The City shall provide a retirement system to eligible employees and to members of the City Council who elect to join the California Public Employees' Retirement System, in accordance with the provisions of the City Charter, and as specifically described herein.

5.710. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS). The City shall contract with the State of California Public Employees' Retirement System (CalPERS) for retirement plans for qualified Safety and Miscellaneous employees. Both plans shall include the 1959 Survivor Benefits. Miscellaneous and Safety employees, and members of the City Council who have elected CalPERS membership, receive the 1959 Survivor Benefit at the increased benefit level (Third Level). Miscellaneous and Safety employees are eligible for the optional Military Buy-Back benefit (Military Service Credit as Public Service).

5.711. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM. QUALIFIED EMPLOYEES. Qualified employees are those in Categories A, B, C, D, E, F, G, K, L and those employees in any other Category who are required by CalPERS to be covered. In addition, members of the City Council are qualified to participate in the California Public Employees Retirement System and may elect optional membership in CalPERS.

5.715. PUBLIC AGENCY RETIREMENT SYSTEM (PARS). In appropriate situations for employees hired on or after July 1, 1996, who retire in good standing, City agrees to provide a supplemental retirement benefit through the Public Agency Retirement System (PARS) so that the employee's retirement benefit equals what the employee would have received from CalPERS had the employee been hired by the City prior to July 1, 1996 as outlined in the CalPERS Circular Letter No. 200-002 (circular letter available in the Department of Human Resources).

5.720. TIER 1 – 3%-AT-50 SAFETY PLAN. The City shall provide qualified Safety employees with the basic "3%-at-50" plan with the one-half continuance option under the California Public Employees' Retirement System (CalPERS). Final compensation shall be

calculated using the single highest year model.

5.721. TIER 2 – 3%-AT-55 SAFETY PLAN. The City shall provide qualified Safety employees with the basic “3%-at-55” plan with the one-half continuance option under the California Public Employees’ Retirement System (CalPERS). This benefit will apply to Safety employees hired after February 19, 2012. Final compensation shall be calculated using the single highest year model.

5.722. TIER 3 – 2.7%-AT-57 SAFETY PLAN. The City shall provide qualified safety employees hired beginning January 1, 2013 who are not current CalPERS members or who are not members of a reciprocal retirement system as defined by CalPERS the safety 2.7% at age 57 retirement formula with the one-half continuance option under CalPERS. Final compensation shall be calculated using the average of the three highest years model.

5.730. TIER 1 – 2.7%-AT-55 MISCELLANEOUS PLAN. The City shall provide qualified Miscellaneous employees and members of the City Council with the “2.7%-at-55” plan under the California Public Employees’ Retirement System (CalPERS). Final compensation shall be calculated using the single highest year model.

5.731. TIER 2 – 2%-AT-60 MISCELLANEOUS PLAN. The City shall provide qualified Miscellaneous employees and members of the City Council hired/appointed beginning in the last full pay period in December 2012 the Local Miscellaneous 2.0% at age 60 retirement formula. Final compensation shall be calculated using the single highest year model. Employees hired on or after January 1, 2013 who are current CalPERS members or who are members of a reciprocal retirement system, as defined by CalPERS shall also receive the 2% at 60 retirement plan.

5.732. TIER 3 – 2%-AT-62 MISCELLANEOUS PLAN. The City shall provide qualified Miscellaneous employees and members of the City Council hired/appointed beginning January 1, 2013 who are not current CalPERS members or who are not members of a reciprocal retirement system as defined by CalPERS the Local Miscellaneous 2.0% at age 62 retirement formula. Final compensation shall be calculated using the average of the three highest years model.

5.740. CalPERS CONTRIBUTION.

(a) ~~Effective August 31, 2014, employees in categories D, F (except for the Director of Public Safety), and K who are also in Tier 1, shall be responsible for contributing 4% of the member contribution, and the City shall contribute 4%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member~~

~~Contribution (EPMC) of 4% as additional compensation.~~

~~Effective first full pay period of July 2015, employees shall be responsible for contributing 5% of the member contribution, and the City shall contribute 3%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 3% as additional compensation.~~

~~Effective first full pay period of July 2016, employees shall be responsible for contributing 6% of the member contribution, and the City shall contribute 2%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 2% as additional compensation.~~

Effective July 17, 2016, employees in categories D, F (except for the Director of Public Safety), and K who are also in Tier 1, shall be responsible for contributing 4% of the member contribution, and the City shall contribute 4%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 4% as additional compensation.

(b) ~~Effective August 31, 2014, employees in categories D, F and K in Tier 2 shall be responsible for contributing 3% of the member contribution, and the City shall contribute 4%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 4% as additional compensation.~~

~~Effective first full pay period of July 2015, employees shall be responsible for contributing 4% of the member contribution, and the City shall contribute 3%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 3% as additional compensation.~~

~~Effective first full pay period of July 2016, employees shall be responsible for contributing 5% of the member contribution, and the City shall contribute 2%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 2% as additional compensation.~~

Effective July 17, 2016, employees in categories D, F and K in Tier 2 shall be responsible for contributing 3% of the member contribution, and the City shall contribute 4%; such payment shall be made pursuant to IRC Section 414(h)(2). The City will report the value of the Employer Paid Member Contribution (EPMC) of 4% as additional compensation.

(c) Employees in categories D, F and K in Tier 3 shall be responsible for paying 50% of the normal cost toward their retirement.

(d) ~~Effective August 31, 2014, the Director of Public Safety shall be responsible for~~

~~paying 3% of the member contribution, and the City shall contribute 6%; such payment shall be made pursuant to IRC Section 414(h)(2). In addition, the City shall continue to pay to CalPERS a total of 2.25% of the employee's salary to fund the cost of the single highest year retirement benefit. The City will report the value of the Employer Paid Member Contribution (EPMC) of 6% as additional compensation.~~

~~Effective first full pay period of July 2015, the Director of Public Safety shall be responsible for paying 4% of the member contribution, and the City shall contribute 5%; such payment shall be made pursuant to IRC Section 414(h)(2). In addition, the City shall continue to pay to CalPERS a total of 2.25% of the employee's salary to fund the cost of the single highest year retirement benefit. The City will report the value of the Employer Paid Member Contribution (EPMC) of 5% as additional compensation.~~

~~Effective first full pay period of July 2016, the Director of Public Safety shall be responsible for paying 5% of the member contribution, and the City shall contribute 4%; such payment shall be made pursuant to IRC Section 414(h)(2). In addition, the City shall continue to pay to CalPERS a total of 2.25% of the employee's salary to fund the cost of the single highest year retirement benefit. The City will report the value of the Employer Paid Member Contribution (EPMC) of 4% as additional compensation.~~

Effective July 17, 2016, the Director of Public Safety shall be responsible for paying 3% of the member contribution, and the City shall contribute 6%; such payment shall be made pursuant to IRC Section 414(h)(2). In addition, the City shall continue to pay to CalPERS a total of 2.25% of the employee's salary to fund the cost of the single highest year retirement benefit. The City will report the value of the Employer Paid Member Contribution (EPMC) of 6% as additional compensation.

(e) For employees in other Categories who are required by the CalPERS to be covered, such as City Council members who elect to enroll in CalPERS and eligible casual employees, the employee shall be responsible for the full normal member contribution to CalPERS.

5.750. SOCIAL SECURITY. FICA PORTION. All employees not covered by CalPERS shall be covered by Social Security/FICA. The employee and the City will each contribute the mandated percentage of the employee's wages toward the cost of Social Security/FICA. No Social Security/FICA will be withheld for retired CalPERS members who return to work as a temporary employee.

5.800. PUBLIC SAFETY NONMANAGEMENT. DIFFERENTIAL. When salaries are

set for Public Safety Officer II, the following classifications of Public Safety Non Management will be adjusted, since they are tied to differentials established by the Public Safety Officer II, to maintain the appropriate relationships:

Public Safety Officer-in-Training	Step 1 is set at 10% below Step 1 of Public Safety Officer II; Step 2 is 5% above Step 1
Public Safety Officer I	Step 1 is set at 5% above Step 1 of Public Safety Officer-in-Training; Steps 2 through 4 are set at 5% above each previous step

6.000. SPECIAL PROVISIONS. Those provisions which are in a non-pay category, but which confer a benefit on an employee, are provided in accordance with the provisions in the Administrative Policy Manual.

6.100. WORK SCHEDULES. Employees in the Civil Service are to work in accordance with the schedules, shifts, tours of duty and work periods or cycles established by their respective departments in accordance with the provisions of the applicable MOU or the Administrative Policy Manual as the same now exists or is hereafter amended.

6.150. FLEX SCHEDULES. DESIGNATED CATEGORY B EMPLOYEES. Category B employees, designated under the terms of the applicable MOU as exempt under the Fair Labor Standards Act, may have their work schedules adjusted, at the discretion of their managers, in order to minimize the cost of overtime pay. Such adjustments shall be made in accordance with the provisions of the applicable MOU.

6.200. ALTERNATE SCHEDULES. MANAGEMENT EMPLOYEES. Alternate schedules for individual employees in Categories D, E, F, and K may be authorized by the City Manager and the City Attorney in accordance with the Administrative Policy Manual.

6.300. DEFERRED COMPENSATION. Employees in Categories A, B, C, D, E, F, K and L and members of the City Council shall be entitled to participate in a 457 deferred compensation plan approved by the City. For employees in Categories D, E, F and K, a 401 (a) plan is available and procedures for contribution to such plan will be established by the City. With respect to any employee in Categories D, F and K who enrolls in any of the two deferred compensation plans (457 or 401 (a)), the City shall contribute to such plan on behalf of the employee an amount equal to 2% of the employee's gross pay per pay period. Such employees shall not be entitled to receive any or all of such payment except as payment into a deferred compensation account.

6.400. YOUTH PARTICIPATION INCENTIVES. Incentive Payments may be made in accordance with 29 USC § 2854, to provide incentives for recognition and achievements of the participants in the youth activities through the Department of Employment Development.

6.500. AUTOMOBILE ALLOWANCE. Any Management employee authorized and assigned exclusive use of a City vehicle on a 24-hour basis may, at the option of the employee, receive a car allowance, payable monthly, in lieu of the assignment and authorization to use such City vehicle. Such car allowance is only available while the employee is actively at work (i.e., not absent from work for more than one month, irrespective of reason). When not actively at work, the automobile allowance will cease the first of the month following the last date the employee is actively at work. A Management employee in Category D, E who is not assigned exclusive use of a City vehicle and who ordinarily does not have access to pool vehicles at his or her work site and who averages 300 or more miles per month of City business travel in his or her own personal vehicle, excluding normal travel to and from work, shall be eligible for a car allowance. This option shall not be available in the event the City Manager or the employee's Department Director determines that the vehicle assigned is a special purpose vehicle or a vehicle especially equipped so that it cannot be adequately replaced by the employee's private vehicle. Effective July 1, 2007, the monthly vehicle allowance for Department Directors will be \$450.00 and for designated management employees \$310.00. The City Manager may authorize a change in this allowance in accordance with the change in the IRS standard mileage rate.

6.600. RELOCATION ASSISTANCE. Employees in Categories D, E and K may be offered up to \$5,000 of relocation assistance, including expenses incurred in connection with the final trip for employee and immediate family to the area, provided that their primary residence at the time they receive their offer of employment with the City is located outside a 50 mile radius of the City and they move to a location within Santa Clara County within 1 year of appointment. In addition, these employees are also eligible for interim living expenses, at the maximum rate of \$100 per day for a period not to exceed 30 days, incurred while searching for a new residence. Category F employees may be offered up to the full cost of relocation assistance, including interim living expenses, if they move into the City limits within 1 year of appointment. Such assistance may be taxable to the employee. This assistance must be documented in the offer letter to the employee.

6.700. EXECUTIVE MORTGAGE ASSISTANCE PROGRAM. Category F employees are eligible for benefits provided pursuant to the Executive Mortgage Assistance Program. Provisions of the program have been approved through separate resolution and may be

amended as necessary.

7.000. ADMINISTRATION. CLASSIFIED SERVICE AND UNCLASSIFIED MANAGEMENT. The Pay Plan for all City employees shall be administered by the City Manager in accordance with policies stated herein and in the Administrative Policy Manual and any applicable MOU. The City Manager shall issue such rules and procedures as are necessary to put the policies into effect.

7.100. HOURLY RATES. Employees in Categories A, B, C, G and L at the time of appointment are ordinarily assigned the hourly rate in the first step of the pay range. In cases where it is necessary to attract qualified personnel the employee may be assigned the hourly rate in the second or third step of the pay range. Under extraordinary circumstances, employees may be assigned to a higher step than the first step of the pay range, upon recommendation of the Department Director and approval of the City Manager.

7.105. SALARY RATES. The minimum rate at which employees in Categories D, E, F and K may be hired is 85.0% of the Control Point for that classification; the maximum is 100% of Control Point. Appointments made above 95.0% of Control Point require recommendation of the Department Director, and approval of the City Manager for all, but Category K. Determinations on Category K employees are made by the City Attorney.

7.110. CONTROL POINTS AND SALARY RANGES. MANAGEMENT. Control Points for Management classifications are as established in Sections 2.300, 2.400 and 2.800. The range for each classification extends from 85.0% of the Control Point up to the Control Point (100%).

7.115. DIFFERENTIAL PAY. MANAGEMENT. In the event that a pay differential of less than 15% is identified between the Control Point for a Management classification and the top step base salary for a direct-report non-management classification, a department director may recommend a pay differential of up to 15%. The differential will not be applied automatically, and an identifiable need for such differential must exist prior to providing the differential pay. All differentials require review by the Director of Human Resources and approval of the City Manager.

7.120. MERIT INCREASE. NONMANAGEMENT. Upon completion of 13 pay periods, employees in Categories A, B, C and G may be assigned the next step in the pay range to which the classification is assigned. Such merit increases shall not be approved unless the employee's work performance is acceptable. Consideration for each subsequent one step merit adjustment is given at 26 pay period intervals until the employee's hourly pay rate reaches the top

step of the pay range. Increases may be granted effective with the pay period immediately following the anniversary date.

Upon completion of 6 months of continuous City service, employees in Category L may be assigned the next step in the pay range to which the classification is assigned. Such merit increase shall not be approved unless the employee's work performance is acceptable. Consideration for each subsequent one step merit adjustment is given upon completion of intervals of 12 months of continuous service until the employee's hourly pay rate reaches the top step of the pay range. Increases may be granted effective with the pay period immediately following completion of the requisite hours.

7.130. MERIT INCREASE. MANAGEMENT. Upon completion of 13 pay periods of service, employees in Categories D, F and K who receive an overall rating of achieves or exceeds expectations on their most recent performance evaluation may receive an increase in salary above the rate to which they were initially assigned, up to but not exceeding the Control Point.

The pay rate for employees in Categories D, F and K hired or appointed to management positions prior to June 1, 2013 will be considered for adjustment beyond that granted after the first 13 pay periods of service at the beginning of each new fiscal year after employment. The pay rate adjustment is subject to an overall rating of achieves or exceeds expectations on the employee's most recent performance evaluation. Increases of more than 5% require approval of the City Manager.

The pay rate for employees in Categories D, F and K hired or appointed to management positions on or after to June 1, 2013 will be considered for adjustment beyond that granted after the first 13 pay periods of service following the completion of 26 pay periods from the prior increase in salary, up to but not exceeding the Control Point. Increases in salary shall be granted effective with the pay period immediately following the completion of 26 pay periods. Increases of more than 5% require approval of the City Manager.

7.140. PROMOTION. NONMANAGEMENT. Upon promotion to a full-time non-management classification having an assigned pay range greater than the classification from which the employee is being promoted, employees in Categories A, B, C and G shall be entitled either to that hourly pay step in the pay range of the higher class which is at least 5% above the employee's current hourly step rate, or that step the employee would have received within 2 pay periods had the promotion not been made, provided the increase does not exceed the rate contained in the top salary step. Thereafter, the employee will be considered for merit increases in the same manner as other probationary employees.

Upon promotion to a regular part-time classification having an assigned pay range greater than the classification from which the employee is being promoted, the employee shall be entitled to that hourly pay step in the pay range of the higher classification which is at least 5% above the employee's current hourly step rate, provided the increase does not exceed the rate contained in the 5th salary step. Thereafter, the employee will be considered for merit increases in the same manner as other probationary employees.

7.150. PROMOTION. MANAGEMENT. Employees in Category D and E who are promoted to a classification which has been assigned a Control Point greater than the classification from which the employee is being promoted shall be entitled to assignment to a pay rate in the new salary range which provides at least 5% above the employee's current hourly rate, or the rate which the employee would have received with a meeting or exceeding expectation of performance within 2 pay periods had the promotion not been made, provided the increase does not exceed 95.0% of the Control Point for the new classification, except that upon recommendation of the Department Director and approval of the City Manager, the promoted employee's pay rate may be set at up to 100% of such Control Point. Employees in Category K who are promoted in similar circumstances shall likewise receive an increase, subject to the determination of the City Attorney. Thereafter, the employee is considered for merit increases in the same manner as other Management employees.

7.160. PROVISIONAL APPOINTMENT. The pay periods of service of a probationary or regular employee shall not be affected by a provisional appointment. Merit pay increases are to be considered as though the employee had not accepted the provisional appointment.

7.170. GRANT FUNDED EMPLOYMENT.

(a) The City may hire employees in grant-funded (limited duration) positions where the position is funded by grant funds or similar types of non-City funding sources.

(b) Job classification titles for grant-funded positions shall be distinct from job classification titles for regular positions.

(c) Prospective employees shall be informed of the duration of the appointment in the job announcement and at the time of employment, and shall be advised of and acknowledge in writing the impact of the grant-funded (limited duration) status, including that the City has the authority to terminate employment at the completion of the grant or for reduction or loss of grant funding.

(d) Unless otherwise stated by the funding source or agency, if the appointment is for a

period of twelve months or more, employees in grant-funded positions shall receive the same benefits as regular employees. Employees who will be working a full-time schedule in a management classification will be included in the Sunnyvale Managers Association bargaining unit; employees who will be working a full-time schedule in a non-management classification will be included in the Sunnyvale Employees Association bargaining unit; and employees who will be working a schedule of 1,092 -1,716 hours per fiscal year will be included in the Services Employees International Union bargaining unit.

(e) If the appointment is for less than twelve months, employees shall be employed in the unclassified service as temporary employees. Temporary employees are unrepresented, are eligible for only those benefits applicable to this category of employment, and are limited to 900 hours of work in the fiscal year.

(f) Should an employee who was originally hired to fill a grant-funded position of twelve months or more be later appointed to a regular position, his/her hire date will be the date that service commenced in the grant-funded position.

7.180. TERM LIMITED EMPLOYMENT.

(a) Term limited appointments are designed for limited duration projects, and shall not be used to displace regular bargaining unit represented positions. There shall be no adverse effect on the bargaining units, as all bargaining unit members shall continue to receive full protections under existing MOUs. The intent behind Term Limited positions is to avoid layoffs – i.e., avoid hiring and then laying off employees retained to perform work of a limited duration. The assignment of regular employees to perform work related to the limited duration project with Term Limited employees used to provide backfill for the work of regular employees shall not be considered displacement of regular bargaining unit represented positions.

(b) Term Limited positions are different from Grant Funded employment as described in 7.170 above, in that Term Limited appointments shall be tied to a budget for a specific project or projects of limited anticipated duration.

(c) Term Limited appointments must be approved by the City Manager.

(d) Term Limited appointments are “at-will” and may be terminated at any time with or without cause. Further, the City has the authority to terminate employment at the completion of the specified term, or prior to the specified term due to lack of funding or other budgetary constraints, or lack of work.

(e) Term Limited appointments shall specify their duration, and shall not exceed two

years, except under special circumstances approved by the City Manager, in which case the term may be extended by no more than 1 year. Such positions are not intended to replace regular, budgeted positions. Duration in position is counted from hire date and is not based on work hours.

(f) Term Limited positions shall be subject to membership in the applicable bargaining unit and shall receive the full benefits applicable to their bargaining unit, except as limited by their “at-will” status.

(g) Prospective employees shall be informed of the duration of the appointment in the job announcement and at the time of employment, and shall be advised of and acknowledge in writing the impact of the Term Limited status, including that the City has the authority to terminate employment at the completion of the term, or prior to the specified term due to lack of funding or other budgetary constraints, or lack of work. Prospective employees shall also be advised of and acknowledge in writing their status as at-will employees and the City’s ability to terminate their employment for any reason with or without cause.

(h) At the request of any bargaining unit, the City will meet with bargaining unit representatives no less than twice a year to hear and resolve any concerns about the Term Limited program.

There shall be no more than twenty-seven (27) Term Limited employees in the SEA bargaining Unit. However, a regular SEA employee in an out of class assignment (either within or outside of the bargaining unit) shall not count against the twenty-seven (27).

8.000. CASUAL/TEMPORARY PAY RATE ASSIGNMENTS AND STEP INCREASES. Pay rate assignments and pay step increases for Casual/Temporary employees shall be administered by the City Manager in accordance with the policies stated herein. The City Manager shall promulgate such rules and procedures as are necessary to put said policies into effect.

Casual/Temporary employees at the time of appointment are ordinarily assigned the hourly rate in the first step of the pay range; however, the department may assign employees to a higher step based on qualifications and experience, and/or specific job functions, or in cases where it is necessary to attract qualified personnel. Casual/Temporary employees may be considered for an initial merit step increase after completion of 1040 hours of service and additional merit step increases upon completion of intervals of 2080 hours of service up to top step. However, a merit increase shall not be approved unless the employee's work performance is rated satisfactory or better. In situations where the above hour criteria for merit increases is not reasonable given the nature of a Casual/Temporary assignment, individual departments may assign a

Casual/Temporary employee to the next step in the series upon completion of a minimum of 12 months of service in the current job classification and step, and a minimum number of hours worked as established by the department.

8.100. REDUCED TIME JOB STATUS PROGRAM. CATEGORY G. Designated classifications within Category G may work a reduced time work job share schedule pursuant to the provisions of the Reduced Time Job Status Program.

9.000. PAY BASIS. An eligible employee may be paid under multiple pay ranges or scheduled amounts in any given pay period, in addition to working out of class, on special assignment or under special circumstances.

10.000. EFFECTIVE DATE. Unless otherwise specifically indicated, all provisions herein contained shall be effective as of the date of posting. This version of the Salary Resolution supersedes any prior versions and amendments thereto.

Posted: ~~April 5, 2016~~July 26, 2016

RESOLUTION NO. ____-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE FOR PAYING AND REPORTING THE
VALUE OF EMPLOYER PAID MEMBER
CONTRIBUTIONS TO THE CALIFORNIA PUBLIC
EMPLOYEES' RETIREMENT SYSTEM FOR
UNREPRESENTED AND REPRESENTED MANAGEMENT
(SUNNYVALE MANAGERS ASSOCIATION) EMPLOYEES**

WHEREAS, the governing body of the City of Sunnyvale (the City) has the authority to implement Government Code Section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the City has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the City has identified the following conditions for the purpose of its election to pay EPMC;

1. This benefit shall apply to all employees of unrepresented management employees in pay plan categories D (Management-Confidential), F (Management-Director), except for the Director of Public Safety, and K (Management-City Attorney) and represented management employees in Sunnyvale Managers Association.
2. This benefit shall consist of paying the following percentage of the normal member contributions as EPMC:
 - a) Tier 1: Effective July 17, 2016, four percent (4%) employer paid, and reporting the same percent (value) of compensation earnable [excluding Government Code Section 20636(c)(4)] as additional compensation; and
 - b) Tier 2: Effective July 17, 2016, four percent (4%) employer paid, and reporting the same percent (value) of compensation earnable [excluding Government Code Section 20636(c)(4)] as additional compensation; and
3. All other provisions of Section 5.740 (CalPERS Contribution) of City's Salary Resolution shall remain in full force and effect.
4. The effective date of this Resolution is July 17, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it hereby elects to pay and report the value of EPMC as set forth above.

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

RESOLUTION NO. ____-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE FOR PAYING AND REPORTING THE
VALUE OF EMPLOYER PAID MEMBER
CONTRIBUTIONS TO THE CALIFORNIA PUBLIC
EMPLOYEES' RETIREMENT SYSTEM FOR THE
DIRECTOR OF DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the governing body of the City of Sunnyvale (the City) has the authority to implement Government Code Section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the City has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the City has identified the following conditions for the purpose of its election to pay EPMC;

1. This benefit shall apply to all employees in the Director of the Department of Public Safety (DPS Director) classification.
2. This benefit shall consist of paying the following percentage of the normal member contributions as EPMC:
 - a) Effective July 17, 2016, six percent (6%) employer paid, and reporting the same percent (value) of compensation earnable [excluding Government Code Section 20636(c)(4)] as additional compensation; and
3. All other provisions of Section 5.740 (CalPERS Contribution) of the City's Salary Resolution shall remain in full force and effect.
4. The effective date of this Resolution is July 17, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it hereby elects to pay and report the value of EPMC as set forth above.

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



City of Sunnyvale

Agenda Item

16-0070

Agenda Date: 7/26/2016

Tentative Council Meeting Agenda Calendar



City of Sunnyvale

Tentative Council Meeting Agenda Calendar

Tuesday, August 9, 2016 - City Council

Study Session

- 16-0427** 5 P.M. SPECIAL COUNCIL MEETING (Study Session)
Civic Center Modernization Master Plan Update
- 16-0617** 6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with
Planning Commission)
Peery Park Specific Plan

Presentation

- 16-0686** PRESENTATION - County Presentation, Cold Weather Shelter

Public Hearings/General Business

- 16-0670** Discuss Status and Potential Actions Related to Financing for the
Silicon Valley Clean Energy Authority (SVCEA)
- 16-0766** Introduce an Ordinance to Amend Chapter 19.56 (Alternative
Energy Systems) of the Sunnyvale Municipal Code related to the
Solar Access Requirements Study Issue (2016-7279), and Find
that the Action is Exempt from CEQA.

Tuesday, August 23, 2016 - City Council

Study Session

- 16-0082** 5 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews (as necessary)
- 16-0688** 6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with
the Planning Commission)
Draft Environmental Impact Report and Land Use and
Transportation Element

Presentation

- 16-0060** PRESENTATION - Update from Foothill-De Anza Community
College District

Public Hearings/General Business

- 16-0662** Introduce an Ordinance to Amend Sunnyvale Municipal Code Title 12 Chapter 12.24 (Water & Sewers), Adopt a Resolution to Amend the Fee Schedule to Include Penalties for Water Theft and Unreported Water Consumption from Hydrant Water Meters, and Find that the Actions are Exempt from CEQA .
- 16-0698** Approve a Draft Memorandum of Understanding (MOU) among the City of Sunnyvale and the San Jose Water, Corp., and Find that the Action is Exempt from CEQA pursuant to CEQA Guideline Section 15262
- 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
- 16-0646** City-wide Residential Food Scraps Collection Program
- 16-0663** Adopt a Resolution for the Certification of the Programmatic Environmental Impact Report and Approval of the Master Plan for the Sunnyvale Clean Water Program
- 16-0664** Adopt a Resolution Declaring Three City-Owned Industrial Properties Located at 1050 & 1060 Innovation Way and 1484 Kifer Road as Surplus Property and Authorizing for Sale the Subject Properties in Compliance with Government Code Section 54222
- 16-0750** Approval for Contracting Crossing Guard Services
- 16-0754** Presentation on the City's Fire Incident Report Regarding Twin Pines Fire

Tuesday, September 13, 2016 - City Council

Study Session

- 16-0687** 6 P.M. SPECIAL COUNCIL MEETING (Study Session)
El Camino Real Presentation of Alternatives

Special Order Of The Day

- 16-0470** SPECIAL ORDER OF THE DAY - Falls Prevention Awareness
Day

Public Hearings/General Business

- 16-0084** Appoint Applicants to Boards and Commissions (as necessary)
- 15-0717** Consider Multi-family Residential Transportation Demand
Management Programs (Study Issue)
- 16-0616** Approve City Position on Proposed League of California Cities'
2016 Annual Resolutions

Tuesday, September 20, 2016 - City Council

Presentation

- 16-0757** 5:30 P.M. WORKSHOP: City Logo & Brand
Location: West Conference Room

Public Hearings/General Business

- 15-0588** Peery Park Specific Plan and Environmental Impact Report

Tuesday, October 4, 2016 - City Council

Special Order Of The Day

- 16-0085** SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for
Board and Commission Members (as necessary)
- 16-0471** SPECIAL ORDER OF THE DAY - October is National Arts and
Humanities Month

Public Hearings/General Business

- 15-0603** Lawrence Station Area Plan and Final Environmental Impact
Report
- 16-0615** Adopt a Position on State and Local Ballot Measures for the

November 8, 2016 Election

16-0732

File #: 2016-7431

Location: 662-678 Vanderbilt Drive (Assessor Parcel Numbers 202-06-026 through 202-06-030), 1202-1204 Sesame Drive (202-08-003 through 202-08-006), 1218-1234 Sesame Court (202-08-001, 202-08-002 and 202-06-043 through 202-06-048) and 661-677 Winggate Drive (202-06-034 through 202-06-042)
Zoning: R-1

Proposed Project: Introduction of Ordinance to Rezone 28 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Tuesday, October 25, 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

16-0067 Agenda items pending - to be scheduled

Tuesday, November 1, 2016 - City Council

Public Hearings/General Business

16-0192 Quarterly General Plan Amendment Initiation

16-0475 Discussion and Possible Action to Adopt a Resolution of Findings and Introduce Ordinances for Adoption by Reference of the 2016 California Building Codes with Local Amendments and to Consider Finding that the Action is Exempt from the California Environmental Quality Act

16-0713 Discussion and Possible Action to Adopt a Resolution of Findings and Introduce Ordinances for Adoption by Reference of the 2016 California Fire Codes with Local Amendments and to Consider Finding that the Action is Exempt from the California Environmental Quality Act

Tuesday, November 15, 2016 - City Council

Public Hearings/General Business

16-0521 Appoint Applicants to Boards and Commissions (as necessary)

16-0744 Priority and Unmet Needs for Human Services and
Recommendation to Council

Tuesday, December 6, 2016 - City Council

Study Session

16-0520 6:45 P.M. SPECIAL COUNCIL MEETING (Study Session)
Discussion of Upcoming Selection of Mayor for 2017-2018 and
Vice Mayor for 2017

Special Order Of The Day

16-0522 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for
Board and Commission Members (as necessary)

Public Hearings/General Business

15-0605 Land Use and Transportation Element and Environmental Impact
Report

Tuesday, December 13, 2016 - City Council

Closed Session

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

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

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

16-0072 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

Friday, February 3, 2017 - City Council

Public Hearings/General Business

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)

Thursday, September 9, 9999 - 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)

16-0510 File # - 2015-7624
Location: 767 N. Mathilda Ave. (APN: 165-43-021)
Zoning: Industrial and Service (MS)
Proposed Project:
Conditional Use Permit: To develop a 3.44 acre site into a 6-story, 238-room hotel (Hilton Garden Inn) with surface parking. Project includes a Variance for solar shading.
Applicant / Owner: Architectural Dimensions / Sinogap, LLC
Environmental Review: Initial Study / Mitigated Negative Declaration
Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

16-0585 Authorization of Additional Property Assessed Clean Energy (PACE) Financing Programs to Support Property Upgrades and Find that the Actions are Exempt from Environmental Review under CEQA Guidelines Section 15378(b)(45)

16-0755 Review and Approve Recommendations for Crossing Guard Services



City of Sunnyvale

Agenda Item

16-0507

Agenda Date: 7/26/2016

Information/Action Items

2016 INFORMATION/ACTION ITEMS
COUNCIL DIRECTIONS TO STAFF

No.	Date Assigned	Directive/Action Required	Dept	Due Date	Date Completed
1.	8/18/15	Look for potential matching funds for the Lawrence/Wildwood project and adjust TIF assumptions as needed	DPW	January 2017	
2.	5/3/16	Hold a study session in Oct/Nov to discuss ways implementation of the Climate Action Plan could be accelerated and how this would affect other City priorities (coordinate with affected departments). Follow up with further discussion at the Council priority setting session in Jan 2017	ESD	Oct/Nov 2016	
3.	6/21/16	Inform the Arts Commission and Parks and Recreation Commission about the City's enhanced Sister City relationship and consider opportunities for future collaboration	LCS	7/20/16	

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.	6/28/16	Rent Stabilization for Mobile Home Parks	Davis/ Griffith/ Martin-Milius	CDD	



City of Sunnyvale

Agenda Item

16-0605

Agenda Date: 7/26/2016

REPORT TO COUNCIL

SUBJECT

Status on the Branch Library Project and Deferral of Fair Oaks Park Project (Information Only)

BACKGROUND

In 2013, the City released a Request for Qualifications for solicitation of parties interested in purchasing the Raynor Activity Center property. The goal of the sale of the property was to re-purpose an underutilized City asset and to use the proceeds to fund a new branch library located at Lakewood Park. Seven proposals were received with Stratford School ranking the highest. A lawsuit was filed against the City in January 2014 alleging that the City did not properly perform environmental review under the California Environmental Quality Act prior to the sale of the Raynor property, and that the Park Preservation Act was not properly followed by the City. Both the Superior Court and the Sixth Appellate District Court ruled in favor of the City on both causes of action. The sale of Raynor Park closed escrow on June 2, 2016, which made the funds available to proceed with the branch library project.

DISCUSSION

Initially the sale of the Raynor Activity Center was scheduled to occur in 2014, however the ensuing litigation delayed construction of the new library. Due to the uncertainty of the timeframes associated with the delay, during the 2015 Capital Project Budget cycle, staff identified three other major projects to move forward with, including: Washington Community Swim Center, Fair Oaks Park Renovation and Enhancement, and Lakewood Park Renovation and Enhancement. These are all major projects requiring significant staff hours with a combined budget of approximately \$22 million that will require the development of conceptual design options, council and commission actions, and appropriate community outreach.

As the litigation has been resolved and the sale of the Raynor property is complete, the new Lakewood Branch Library Facility project has again become a priority. In order to accommodate this project into the current workload plan, staff must defer one of the other major projects previously mentioned since there is not enough capacity to work on more than three major projects at one time (it must be noted that staff is working on approximately 75 capital projects that are currently active.) Staff has reviewed the workload plan and as a result believes it is best to defer the Fair Oaks Park project by approximately 12-18 months so the Lakewood Branch Library project can begin. Staff felt it was best to continue work on the Washington Community Swim Center since a design consultant has already been selected.

Staff also determined that since the new library is being designed and constructed separately from the overall improvements at Lakewood Park project, it is ideal to work on both projects simultaneously so all locations and improvements can be coordinated amongst the two projects. As an example, the library project already anticipated incorporating the Lakewood Park recreation

building. Having a combined building will allow space to be used for community meetings, study groups or programming throughout the day. Although not currently in the budget, as part of a future action staff will propose for Council consideration allocating the appropriate funding from the Park Dedication Fund for the recreation building portion of the project.

Although the overall reconstruction of Fair Oaks Park will be delayed, the City has already moved on a number of improvements at Fair Oaks Park due to several Housing grants that were received. These improvements include: an auxiliary restroom, parking lot repairs, landscaping improvements and new skate park lighting. Based on this progress at Fair Oaks Park, staff will proceed in this direction and make the appropriate updates during the 2017 Capital Project Budget cycle.

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: Craig Mobeck, Assistant Director of Public Works

Reviewed by: Manuel Pineda, Director of Public Works

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

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager