



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, August 9, 2016

5:00 PM

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

**Special Meeting: Study Session-5 PM | Joint Study Session with Planning
Commission-6 PM | Regular Meeting-7 PM**

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

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

2 Roll Call

3 Public Comment

4 Study Session

[16-0427](#)

Civic Center Modernization Master Plan Update

5 Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Planning Commission)

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

2 Roll Call

3 Public Comment

4 Joint Study Session

[16-0617](#)

Peery Park Specific Plan

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

PRESENTATION

[16-0686](#)

County Presentation - New Cold Weather Shelter Facility at
999 Hamlin Court, Sunnyvale (Information Only)

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 [16-0763](#) Approve City Council Meeting Minutes of July 26, 2016

Recommendation: Approve the City Council Meeting Minutes of July 26, 2016 as submitted.

1.B [16-0729](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

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

1.C [16-0764](#) Amend the Employment Agreement between the City of

Sunnyvale and City Attorney John A. Nagel

Recommendation: Approve increasing the City Attorney's salary to 97.06% of the control point for an annual salary of \$216,122 effective July 17, 2016.

1.D [16-0723](#)

Approve Restated Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member

Recommendation: Authorize the City Manager to execute the Restated Joint Powers Agreement for the Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member.

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 [16-0783](#)

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 (Continued from July 26, 2016)

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.

3 [16-0769](#)

File #: 2016-7234
Location: 657-661 Vanderbilt Drive (APNs 202-07-001 through 202-07-002), 1188-1197 East Vanderbilt Court (202-07-003 through 202-07-008), 1190-1199 West Vanderbilt Court (202-07-009 through 202-07-014), 1176-1198 Hollenbeck (202-07-015 through 202-07-021), 1156-1168 Regia (202-07-22 through 202-07-028), 1154 -1170 Ribier (202-07-029 through 202-07-036), 662 Torrington (202-07-037) 1153-1193 Sesame (202-07-038 through 202-07-045)
Zoning: R-1
Proposed Project: Introduction of Ordinance to Rezone 45

contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
Applicant / Owner: John Sullivan (plus multiple owners)
Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Recommendation: Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061b)(3); and, 2) Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

- 4 [16-0670](#) Discuss Status and Provide Direction Related to Financing Options for the Silicon Valley Clean Energy Authority (SVCEA)

Recommendation: Alternatives 1 and 2: 1) Provide staff with feedback on the recommended options for supporting SVCEA's financing needs; and 2) Provide direction to City Manager with respect to negotiating an agreement to provide either a direct loan to or loan guaranty for SVCEA.

- 5 [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

Recommendation: Alternative 1: Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code related to solar access requirements.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager**INFORMATION ONLY REPORTS/ITEMS**

- | | |
|--------------------------------|--|
| <u>16-0760</u> | Tentative Council Meeting Agenda Calendar |
| <u>16-0619</u> | Information/Action Items |
| <u>16-0765</u> | Study Session Summary of June 28, 2016 - Mobile Home Park Policies |
| <u>16-0705</u> | Board/Commission Meeting Minutes |

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

16-0427

Agenda Date: 8/9/2016

Civic Center Modernization Master Plan Update



City of Sunnyvale

Agenda Item

16-0617

Agenda Date: 8/9/2016

Peery Park Specific Plan



City of Sunnyvale

Agenda Item

16-0686

Agenda Date: 8/9/2016

REPORT TO COUNCIL

SUBJECT

County Presentation - New Cold Weather Shelter Facility at 999 Hamlin Court, Sunnyvale (Information Only)

BACKGROUND

For this agenda item, staff of the County of Santa Clara Office of Supportive Housing (OSH) will present information about the County's planned retrofit of its property on Hamlin Court, to be used as the new North County site for the Cold Weather Shelter Program (CWSP). This Report to Council provides background information on this new CWSP facility and the coordination between the City and the County related to this effort.

The County has provided annual funding and in-kind support to the CWSP for many years. The CWSP is a county-wide winter shelter program operated by Home First Santa Clara County, a non-profit organization formerly known as Emergency Housing Coalition (EHC). The CWSP operates from the end of November through the end of March each year. The former National Guard Armory at Maude and Wolfe Road in Sunnyvale was used for the CWSP for over twenty years.

Following the national policy shift toward "housing first," which focuses on permanent housing for homeless people rather than nightly shelters, the Armory was redeveloped in 2014 with City and County funding (Parkside Studios and Onizuka Crossing) and now provides a combined total of 115 units of permanent, supportive rental housing for very low income households. Forty-seven of these units are now occupied by formerly homeless tenants. Since that site was redeveloped, the City has supported the County and local stakeholders in their efforts to obtain a new North County site for the CWSP.

On July 15, 2014, staff prepared a Cold Weather Shelter Update (RTC No. 14-0675) in response to the County's request for assistance in identifying a replacement facility for the North County CWSP.

On September 1, 2015, Council directed staff to work with the County of Santa Clara on a proposal for the County to establish a temporary shelter facility on City-owned property (a portion of the former Onizuka Air Station site located at 1180 Innovation Way) for the 2015-16 winter season only, until a permanent site could be obtained. The County held several community outreach meetings for the proposed temporary shelter, with the assistance of City staff. The County, with logistical support from City staff, installed a modular building at Innovation Way to serve as a temporary CWSP, as permitted by a license agreement between the City and County. This modular building had a nightly capacity of 100 beds and up to 125 beds during inclement weather episodes. The temporary facility was well received by clients, service providers, neighboring property owners, and the City, thanks to certain key operational measures agreed upon by the two agencies through a collaborative process. These measures included the use of a referral system and waiting list to fill the beds, rather than

using the old system of client queuing at the former site each afternoon, which created a number of overflow-related, unintended impacts on the neighborhood around the Armory site. Other measures included 24-hour security at the facility, outreach workers on duty to address any neighborhood impacts, and a shuttle service to assist clients in getting to the facility.

As the Innovation Way site had already been committed to another use prior to the negotiation of the license agreement, the County had to vacate that property by April 30, 2016. At that time the County moved the modular structure to its new property at 999 Hamlin Court.

EXISTING POLICY

Housing Element Policy E.6

Participate in the County Collaborative on Affordable Housing and Homeless Issues [*now called the Continuum of Care*] to support its efforts to prevent and end homelessness. Facilitate and sponsor the provision of permanent supportive housing for homeless people. Support local service providers that offer facilities and support services to homeless individuals and families, and persons at risk of homelessness.

DISCUSSION

In September 2015, the County acquired an industrial property located at 999 Hamlin Court in Sunnyvale, which included a warehouse building, with the initial intent to use the building for storage of emergency supplies. On December 15, the County Board of Supervisors (Board) directed County staff to study the feasibility of using the Hamlin property for the CWSP. In March 2016, the County completed the feasibility study.

The City does not have permitting or regulatory authority over the proposed County project due to State law that exempts counties from local (city) land use jurisdiction when developing and using properties owned by the County for county services and facilities; shelters are included in this exemption.

In May 2016, County staff notified the City that the feasibility study of 999 Hamlin Court was complete and would be presented to the Board in June. The study findings, a recommended finding of exemption from environmental review, and a request for funding to retrofit the facility, were presented to the Board at a public hearing on June 21.

The County held two outreach meetings prior to the Board of Supervisors hearing. Notices of the meeting, which included a description of the project, were sent to property owners and tenants within 2,000 feet of the site. Sunnyvale staff assisted the County in sending notices. Sunnyvale staff attended the two community outreach meetings (one morning and one evening) held on June 13. County staff explained the project and took input on the proposed use of the site as a winter shelter facility. Attendees raised concerns about lack of sidewalks in the area, security, lighting, traffic control (stop sign), and overgrown vegetation near Mathilda and US Highway 101. Attendees also made general comments and suggestions about shelter operations. Sunnyvale staff has followed up by discussing pedestrian improvement options with County staff, trimming overgrown trees so that street lights are not blocked, and meeting with nearby tenants and property owners to discuss what they can do to increase lighting on their own properties.

On June 21, the County Board of Supervisors held a public hearing on the planned retrofits to 999 Hamlin Court in order to accommodate the CWSP each winter, and associated funding request. City

staff provided the attached comment letter, dated June 20, 2016 (Attachment 1), to the County regarding this proposal. City staff invited the County staff to make a presentation to the Sunnyvale City Council on August 9, 2016.

The Board approved the project and the requested funding and directed County staff to hold monthly working group meetings open to the public to discuss issues and concerns related to the shelter facility and operations. The Board also directed staff to provide a non-agenda report to the Board addressing the concerns raised at that hearing or in the comment letters.

On July 13, the County hosted the first of these monthly meetings at 999 Hamlin Court. The discussion focused mainly on the operational plan (Attachment 2), which is similar to the one used last year at 1180 Innovation Way, and on proposed site improvements. The operational measures which worked well last year are included in the new operational plan, such as the referral program, shuttle service and 24-hour security. City housing staff attended the meeting.

The warehouse building, once retrofitted, will have a nightly capacity of 125 beds, and will not include any additional capacity during inclement weather episodes. During the rest of the year, when the CWSP does not operate, the warehouse could be used to store County emergency supplies, as stated in the County's pre-acquisition notice. County staff intends to move the modular building from the Hamlin property prior to the start of the CWSP operations so that on-site parking will be available.

City and County staff communicate frequently about the search for a replacement North County site for the CWSP and have been in close contact regarding the Hamlin Court site in particular since its acquisition by the County. City Housing staff have also been attending the CWSP planning meetings and other county-wide inter-agency meetings related to services and housing for homeless people for many years.

PUBLIC CONTACT

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

Prepared by: Katrina L. Ardina, Housing Programs Analyst

Reviewed by: Suzanne Isé, Housing Officer

Reviewed by: Trudi Ryan, Director, Community Development

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

ATTACHMENTS

1. City Letter to County dated June 20, 2016
2. CWSP Operational Plan



June 20, 2016

Ky Le
Director, Office of Supportive Housing
70 W. Hedding St.
San Jose, CA 95110
Sent via email to: megan.doyle@cob.sccgov.org

Re: Agenda Item 18: Improvements to 999 Hamlin Court for Cold Weather Shelter Program

Dear Ky:

Thank you for keeping us up to date on the Cold Weather Shelter planning efforts. On behalf of the City of Sunnyvale, please consider the following items as you proceed with the project, including when you present the information on the Cold Weather Shelter to the Board of Supervisors on June 21, 2016.

Additionally, we would like to express our appreciation for implementing our previous suggestion to conduct a thorough public outreach and engagement process prior to finalizing plans for development of this facility as a site for cold weather shelter. As you know, the outreach meetings were held at a time that did not allow for the concerns raised at the meeting to be incorporated into the staff report on this item.

I would like to bring the following key points to your attention:

- 1) The County staff is invited to attend the August 9, 2016 Sunnyvale City Council meeting to make a brief presentation about the Cold Weather Shelter project to Council.
- 2) In response to the concerns raised by neighboring property owners about inadequate street lighting along Ross Drive and Hamlin Court, City staff will trim trees in the area which are partially blocking light from some of the existing street lights. Otherwise the existing lights meet all codes and are considered sufficient for this stretch of roadway.
- 3) Regarding concerns about the lack of sidewalks or bike lanes along Ross Drive and Hamlin Court, I encourage the County staff to contact our Public Works Department to discuss possible access improvements along this route. If you are interested in completing these improvements, please contact Manuel Pineda, Public Works Director, at (408) 730-7415 to discuss further.

**ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7500**

Letter to Ky Le
June 20, 2016
Page 2 of 2

- 4) We have also looked at the suggestion to provide a stop sign at the Hamlin Court and Ross Drive intersection and note that the warrants for installation of a stop sign would not be satisfied under current conditions. We can revisit this matter after the building is in use.
- 5) Concerns were expressed about adequate parking for the facility. I encourage you to address parking so that staff, volunteers and shelter clients have sufficient spaces on-site.
- 6) During the outreach meetings, residential and commercial neighbors in the vicinity of Hamlin Court expressed concerns about the possibility of increased trespassing, loitering, inappropriate use of facilities in public parks and/or private properties, and similar nuisances due to the shelter use including during times of the year when the shelter is not open. Based on this input, we think the next step is for your staff and the selected shelter operator to meet with adjacent property owners and others with such concerns well in advance of the shelter opening, to plan effective ways to address such concerns and prevent nuisances from occurring in the vicinity of the shelter during the cold weather season and beyond, to the extent necessary.
- 7) Sunnyvale staff members were pleased with the shelter operating model during the last cold weather season, specifically the 100% referral process for reserving beds, the provision of shuttle services to assist clients in getting to and from the shelter, and the provision of a security guard and outreach worker at the property on a 24-hour basis during the season. We highly encourage you to continue using this model in the coming and subsequent winter seasons, as we believe it contributed significantly to the decline in number of complaints and nuisance incidents related to the shelter operations.

Thank you for your consideration of our concerns and I look forward to your timely response.

Sincerely,



Trudi Ryan
Director of Community Development

cc: Sunnyvale City Council
Santa Clara County Board of Supervisors
Jeff Draper, Director, Facilities and Fleet, County of Santa Clara
Gary Graves, COO, County of Santa Clara
Robert Dolci, Housing and Homeless Concerns Coordinator, County of Santa Clara

Attachment:
Cold Weather Shelter Program Community Meeting Notes provided by County Office of Supportive Housing



County Shelter at Hamlin Court CWSP OPERATIONAL PLAN FY2017

**Santa Clara County Office of Supportive Housing
3180 Newberry Drive, Suite 150, San Jose CA 95118**

County Shelter at Hamlin Court: CWSP Operation Plan

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Cold Weather Shelter Program 2016-17: County Shelter at Hamlin Court, Sunnyvale

Introduction

This emergency shelter program will provide overnight shelter and meals along with restrooms and shower facilities to individuals and families. Health, social services and other services will be provided; they are offered by various service providers. Volunteers are an integral part of the program design. The goal of this program is to meet the basic needs of homeless individuals and families on a nightly basis. All beds will be reserved, i.e., filled by referrals. If a referred client does not show up by 7:00 p.m. on a given day, the bed that was to be occupied

Management Plan

Shelter Management

HomeFirst (formerly EHC LifeBuilders) has been operating the Cold Weather Shelter Program (CWSP) since 1987. Their focus is on providing a safe environment and the basic necessities of life that will give the homeless the opportunity to change their current temporary situation to long-term self-sufficiency and permanent housing.

Hiring Standard Operation Procedures

HomeFirst is an equal opportunity employer, with the policy to provide equal opportunity in all areas of employment, including the areas of recruitment, hiring, training, development, transfer, benefits, promotion and termination.

Hiring Procedures:

1. HomeFirst will be responsible for recruitment, hiring, training, and supervision of all paid and volunteer staff at the shelter. Paid staffing levels at this shelter shall include the following:
 - a. Program Manager responsible for the staffing, budget, logistics supplies and to oversee the operation of the program.
 - b. Site Manager to oversee the day-to-day operation of the facility.
 - c. Drivers to transport food and linen to the facilities.
 - d. Three (3) Shelter Workers per shift which will be at a ratio of 1 worker per 50 homeless individuals served each night.
 - e. One (1) Lead Shelter Worker and one (1) Shelter Worker to oversee the site during the day.
 - f. Two (2) Outreach Workers to respond to community concerns involving the homeless in the neighborhood, nearby parks and businesses.
 - g. Security Guards to search bags, monitor the facility inside/out and patrol the neighborhood.
2. All staff applicants should be hired one month in advance. This will allow adequate time to get applicants backgrounds and training completed.
3. All opening positions should be should be hired by the end of November.
4. All staff will be trained and orientation will be provided to effectively operate the Shelter Outreach Program.

- a. All training will be available during the month of November. Training will include the following:
 - i. Certified CPR and first aid administration.
 - ii. Crisis intervention
 - iii. Mental Health and substance abuse
 - iv. Safety in the work place(proper utilization of all equipment and supplies
 - v. Orientation
 - vi. Volunteer Management
 - vii. Boundaries

Staff Duties and Responsibilities:

1. Greet all guest with a courteous and politely manner.
2. Responsible for the implementation of shelter rules and security of the facility
3. Provide information and referrals to shelter guests
4. Distribute clothing, linens, toiletries, and any other items supplied by the program
5. Provide general site cleanup; reports any maintenance or janitorial needs to the Shift Manager or General Manager
6. Assure safety of guests and safe operation of shelter
7. Conduct bed and facility checks
8. Assist with monitoring meals and determining meal counts where appropriate
9. Complete intake of homeless guests as required
10. Assist with set up and break down for any special events or activities
11. Handle all emergencies by contacting appropriate staff/agencies
12. Report any incidents and completes incident report
13. Represent HomeFirst and the program appropriately to volunteers, donors, outside agencies and the general public
14. Accept donations and hand out donation receipts
15. Assist with office-related tasks as needed
16. Attend meetings, workshops and trainings as requested
17. Perform other duties as assigned by supervisor

Daily Cleaning Responsibilities:

1. Empty trash cans and replace trash can liners throughout the night
2. Sweep floor after dinner-or as needed
3. Clean kitchen after dinner and breakfast-or as needed
4. Check restrooms for cleanliness-as needed
5. Clean outside perimeter throughout the night
6. Graveyard shift –Wash front door area
7. Sanitize all mats on a daily basis-Please alternate mat cleaning on a weekly basis
8. Swing Shift: Clean front desk area before shift change
9. Swing Shift: Take any excess blankets/sheets to storage area before shift change
10. Graveyard Shift: Remove all of our belongings from the building, including kitchen items
11. Clean and organize storage areas

The following areas must be checked every hour:

1. Restroom
2. Showers

3. Entry Ways (lobbies, hallways, corridors, traffic area and stairs)

Other Services:

1. Check for debris in exterior areas that are accessible by clients, to include randomly discarded cigarette butts and paper trash (not located within fenced portion of property)
2. Sweep all exterior entrances and patios, empty and replace liners, clean garbage cans and cigarette urns, clean exterior furniture as needed
3. Janitorial closets and storage spaces shall be kept clean, neat, and orderly
4. Spot clean walls
5. Clean, sanitize, and polish drinking fountains
6. Clean washers and dryers to keep them operational

Operational Guidelines

Hours of Operation

The standard hours of operation for staff are 4:00 p.m. to 9:00 a.m. Monday through Sunday.

Basic Operation

The County Shelter will house up to 125 persons per night, providing them services, hot meals, a place to clean up, and somewhere out of the elements to sleep. There are three sleep areas: family, male, and female. All beds will be reserved, i.e., filled by referrals and clients will be able to have their bed reserved for the entire 120-day period, provided they abide by the shelter rules. If clients do not show up by 7:00 p.m., those beds will be filled on a first-come, first-served basis and those clients will have to obtain a referral within 2 business days in order to continue to stay at the shelter. Clients will be able to keep some of their possessions stored on site.

Daily Schedule

4:00 p.m.: Staff arrive at the shelter to set up for the night; security arrives, too.

3 Shelter Workers, Manager, Security Guard

5:00 p.m.: Clients start being admitted into the shelter.

6:30 - 7:30 p.m.: Dinner is served

6:00 – 10:00 p.m.: Showers and donated clothing are available.

10:00 pm – 5:30 a.m.: “Lights Out”

5:30 - 7:30 a.m.: Showers are reopened and breakfast is available.

9:00 a.m.: Clients must leave the shelter.

9:00 am to 4:00 p.m.: Additional staff remain on site and monitor the neighborhood:

1 Shelter Worker, 1 Security Guard, 2 Outreach Workers, 1 Lead/Manager

Services Offered

1. Meal Service – Two meals per day are offered; dinner and breakfast.
2. Assessment, Information, and Referral – Staff members provide appropriate information and make referrals to other services as needed.
3. Distribution of Needed Supplies – Staff provides clients with toiletries and clothing that are donated by generous members of the community.

4. Medical Care – Valley Homeless Healthcare and Gardner Health Services provide clients an array of services including basic screening, primary care, dental care, immunizations, TB screening, routine acute care, medication monitoring, and referral follow-up.
5. Additional Services – Services such as haircuts, tutoring, or special workshops are available when individuals or community groups volunteer to provide them.
6. Outreach Work – Staff will monitor the clients’ comings and goings throughout the adjacent neighborhood in order to ensure the safety of both the clients and the neighborhood community and to see to it that the clients do not remain in the area.

Participant Eligibility

Individuals/households are eligible to participate in this program if they meet the following criteria:

1. Literally homeless: Living in places not meant for human habitation: cars, parks, sidewalks, and abandoned buildings.
2. Claim residency (where one stays the most time or one’s last permanent residence) in one of the following jurisdictions/areas: Cupertino, Los Altos, Los Altos Hills, Milpitas, Mountain View, Palo Alto, or Sunnyvale. If occupancy permits, residents from other areas in the County can be accepted.

Agencies Participating In This Program

1. Downtown Streets Team (outreach and referrals)
2. Emergency Assistance Network Agencies (Community Services Agency: Mountain View, Opportunity Center, Sunnyvale Community Services, West Valley Community Services: referrals)
3. Gardner Family Health Network: Mountain View (referrals)
4. HomeFirst Services of Santa Clara County (outreach, referrals and shelter services)
5. Inn Vision Shelter Network (outreach, referrals, shelter and case management services)
6. Project We Hope (referrals, shelter and case management services)
7. Valley Health Care for the Homeless (referrals, outreach and medical services)
8. County Office of Supportive Housing (management and referrals)

Outreach

1. Valley Health Care for the Homeless conducts outreach all throughout the County daily from 5:00 p.m. to 8:00 p.m. during November weekdays and during proclaimed Inclement Weather Episodes.
2. HomeFirst conducts outreach in the north County during proclaimed Inclement Weather Episodes.
3. Downtown Streets Team conducts outreach twice a week in Palo Alto and once a week in Sunnyvale.

Referral Process

1. All beds will be reserved, i.e., filled by referrals. If a referred client does not show up by 7:00 p.m. on a given day, the bed that was to be occupied is declared “open” and will be filled on a first-come, first-served basis.
2. Individuals/households meeting the eligibility criteria can be referred by:
 - a. The above participating agencies doing outreach, providing shelter or case management services; or
 - b. Any of the Emergency Assistance Network agencies; or
 - c. Any city housing or public safety departments in the County of Santa Clara.
3. Please note that all referring entities will use the appropriate referral form designed for this program. When persons are referred, they will know if a bed is available or if they will be put on a waitlist.
4. The referring agency will fill out the referral form and email/fax it to the shelter.
5. Referred clients will be able to stay at the shelter for the whole CWSP period.

6. Public Safety and Emergency Medical Services can refer individuals and bring them to the site.
7. When referred individuals are confirmed by HomeFirst staff, they will be allowed to enter the shelter. Non-referred clientele will have to wait to see if there are beds available that evening.

Inclement Weather

When the Office of Supportive Housing (in collaboration with the National Weather Service) declares an “inclement weather” episode, notice is communicated via the media, outreach is done by Valley Health Care for the Homeless and other agencies/volunteers, emergency shelter beds are expanded as necessary and supplies are delivered.

Processing the Clients

At swipe-in, the Lead/Manager (Shift Supervisor) calls forward 5 clients at time. In the following order: new intake and special accommodations (clients designated by the Site Manager). As the clients swipe in, the Supervisor adds their number to the clients tracking form “At Swipe” column. Clients in each category are counted as present if they swipe-in or if they are still out but under their curfew. This ensures that if they come in at a later time, the count will not affect the overall count.

HMIS and Nightly Intakes

Only HomeFirst staff members may use computers to access the county Homeless Management Information System (HMIS).

1. All clients utilizing services at the shelter as part of the Shelter Outreach Program must be in the HMIS.
2. Staff members will determine if a client is in HMIS.
3. For “first-timers,” an intake interview will be conducted, and client information gathered on an Intake Form.
4. These interviews may be conducted by volunteers, as well as HomeFirst staff members.
5. Every effort will be made to update HMIS with all intake interview information on the night of the client’s first arrival.
6. At the very minimum, some demographic information will be entered into HMIS that night.
7. In every case, a “swipe” card will be issued to clients; every client must have a card so his or her services can be recorded in HMIS.
8. HomeFirst staff will be responsible for:
 - a. Determining the HMIS status of clients
 - b. HMIS data entry
 - c. Issuing new or replacement cards
 - d. Recording the emergency shelter service for the night.
9. All intake interview paperwork must be reviewed by the senior staff member, and signed. This allows for missing information to be obtained while the client is still on site.
10. All HomeFirst shelter staff members will be given more detailed instructions and “client flow” information at the formal HMIS training.

Shelter Rules

1. A bag search will be conducted and all clients will be wand searched, before being allowed access to the shelter.
2. Clients must provide a photo ID at the time of intake and are required to show photo ID each day before being allowed access to the shelter.

3. Weapons, of any kind, are not permitted in or around the shelter.
4. Clients may not arrive at the shelter under the influence of alcohol or drugs.
5. Alcohol or drugs are not permitted in or around the shelter.
6. All clients with vehicles must park in the shelter parking lot area.
7. Clients may not loiter on or around the shelter property, neighborhood or park, before or after shelter hours.
8. Pan handling is not permitted in or around the shelter property, neighborhood or park.
9. Syringes are to be disposed in the container provided inside of the shelter.
10. Violent or abusive behavior will not be tolerated.
11. Clients may not take recyclables from the neighborhood.
12. Clients may not store any personal items or shopping carts in or around the shelter property, park or neighborhood.
13. Clients may not arrive on the shelter property before 4:00 p.m. each day.
14. All clients must leave the shelter property by 9:00 a.m. each day.
15. Dinner is served at 6:30 p.m. Food will be served to late arrivals, only if available.
16. Once checked into the shelter, clients may not leave without permission from the supervisor on duty.
17. Clients are required to wake up at 6:00 a.m. each day and are required to pick up their mat and bedding and deposit it at the designated area.
18. Clients must assist in the cleaning of the mats and shelter, each day.
19. Showers must be taken at designated times.
20. Fire exits/Doorways must not be blocked at any time.
21. Clients are not allowed to use the staff's telephones.
22. Clients are only allowed into the kitchen area with staff supervision or with the permission of the Supervisor on duty.
23. Children under the age of 18 will be admitted with parents until referred to more appropriate services. Children under the age of 18 must be under parental supervision at all times.
24. CWSP property must not be tampered with.
25. Smoking is permitted at the times designated by staff. Clients must smoke in the designated smoking area outside the shelter.
26. Clients are allowed only one mat, one sheet and one blanket.
27. Lights are turned off at 10:00 p.m. weekdays and 11:00 p.m., weekends and holidays.
28. Male and female clients must sleep in separate areas.

Drug and Alcohol Policy

CWSP does not require absolute sobriety as a criteria for admittance but we have strict rules of behavior. If behavior violates the shelter rules, this could result in denial of services. The length of the denial will depend of the behavior. The minimum of denial will be one program day of operation.

The program will not admit persons who have consumed drugs or alcohol to the point that they are significantly impaired or are a danger to themselves or others. When someone who is inebriated comes to the shelter, staff may refuse services. If the person has someone that staff can call for transportation, staff when possible should make the call. If the person refuses to work or is unable to work with staff to find suitable transportation, HomeFirst will shuttle the person to another shelter (if there is an open bed) or provide him/her with a bus token. If the person demonstrates disruptive behavior, staff will contact the Sunnyvale Department of Public Safety, if necessary. If the police is called, staff should try to keep visual contact with the individual until the police arrive.

Residents are not allowed to have alcohol or drugs in the shelter. All alcohol and illegal drugs must be relinquished to staff at intake. If resident relinquished alcohol or if alcohol is found on the premises, staff will disposed of or destroy it immediately. Staff should never keep or return to resident. Any client found to have stored or left alcohol on shelter property or on the property in the neighborhood shall be denied shelter services for a minimum of one day.

Good Neighbor Policy

The CWSP is committed to being a good neighbor, to the surrounding community within a mile radius of the shelter program. Management is committed to meet with leaders of the local business and neighborhood associations regularly and as needed to address questions and concerns that have arisen and to monitor safety and security of the shelter and the surrounding neighborhood. **With this in mind, please refer to the “Security Plan” later in this section.**

The shelter is committed to providing daily trash pick-up in the areas surrounding the area.

Site Manager will hold regular staff meeting with shelter clients to stress the importance of respecting neighborhood property and to encourage all to pick up litter along their routes to and from the shelter.

To ensure the safety and security of our clients and surrounding neighbors, Staff will be on site at all times while the shelter is available for the program. HomeFirst will contract with a private security firm to assist in providing a safe secure program.

Once a resident checks into the shelter for the night, they may not leave and return without prior permission. Violation of this policy by any resident will result in denial of services for a minimum of one day to the end of the program.

Security Plan

HomeFirst Security and Outreach Workers will patrol the local neighborhood during the day to monitor and prevent clients from staying in the area and acting inappropriately, according to a schedule that will be communicated to the local businesses. If they view any inappropriate behavior, they will address it appropriately. They will check in with the security or management personnel of the local businesses on a regularly scheduled basis, according to the days/times agreed upon with those businesses. If there are any shelter client issues that need to be addressed, the shelter management will resolve the issues appropriately and report to the respective business on how the issue was resolved. If necessary, the Sunnyvale Department of Public Safety will be contacted to address any problems that warrant their attention.

Shelter staff will respond to all calls regarding any shelter client issues that need to be addressed and take the necessary/appropriate steps to resolve the issues. If desired, the staff will report back to the business involved on the status of the issues.

County staff will facilitate regular meetings with interested members of the community and the shelter staff to discuss and resolve any issues involving the shelter clients.

Loitering Policy

Loitering on shelter property is not allowed and will be a violation of shelter rules. Likewise, loitering on any private property around the shelter will be a violation. The shelter will work closely with the Sunnyvale Department of Public Safety to address any loitering issues that may arise.

Discharges - Gross Violations

Definition: Gross violations are resident's behaviors that pose a threat to the health and/or safety of the staff or residents or that is problematic behavior.

Examples: Verbal or physical abuse of staff or residents, verbal threats, destruction of shelter property, possession of a weapon in the shelter, stealing, and substance use or dealing within the shelter.

Process for Handling Gross Violations

1. When the resident commits a gross violation, the shelter Staff may issue the resident a discharge notice. The notice must include:
 - a. Reason(s) for the discharge
 - b. Resident's right to request a reasonable accommodation if the resident feels that his/her ability to comply with the shelter rules or ability to meet the deadline for appealing is limited by the resident's documented physical or mental health disabilities
 - c. Resident's right to appeal and the process and deadline for appealing
 - d. Resident's right to have an advocate represent resident in the appeal process
 - e. Signature of person in charge
 - f. Date that the notice was issued
 - g. The time and date that the resident is expected to leave the shelter even if a request for appeal is filed
2. The resident has a right to appeal the discharge, but does not have the right to remain at the shelter during the appeal process.
3. Upon discharge, the CWSP shall provide the resident with written notice of the conditions or process for re-admission to the shelter, if possible. The shelter must also make reasonable efforts to provide appropriate referral to another shelter or appropriate housing placement for resident.

Santa Clara County CWSP - Appeal Process

The purpose of the appeal process is to ensure that shelter clients' rights and the rights of HomeFirst and HomeFirst's staff are protected. Furthermore, this process ensures that the winter armories in Santa Clara County have in place a mechanism for due process when a resident is discharged from the shelter.

Grievances

1. If the resident files an internal grievance and is unsatisfied with the result, the resident may appeal the decision internally according to the internal grievance process. See the *Santa Clara County Shelter Grievance Process*.
2. **Internal appeal:** If the resident is unhappy after receiving the written findings from the internal grievance process, the resident may make a written request to the person in charge at the shelter for an internal appeal. The internal appeal consists of shelter management, other than the person who completed the initial investigation and made written findings, evaluating the initial grievance and written findings with input from the shelter staff and residents involved and a review of the relevant documents. Written decision of the internal appeal must be provided to the resident who filed the initial grievance within 72 hours of the internal appeal request.
3. **External appeal:** External appeals can only be requested once the resident has exhausted every step of the shelter's internal appeal process. If the resident is unsatisfied with the result of a completed internal appeal, the resident has 24 hours to make a verbal request to the Santa Clara County

Housing and Homeless Concerns Coordinator's Office at (408) 793-0566. The Coordinator or a designated person will contact the shelter to confirm that the internal appeal process has been completed. The Coordinator will help the resident complete a written request for an external appeal. A written decision to resident and the shelter will be provided at the conclusion of the meeting. The Coordinator will retain copies of all written external appeal decisions. Residents must be allowed to be represented by a third-party advocate in the grievance process.

4. Residents have a right to request a reasonable accommodation in the grievance process.

Facility Plan

Site Plan

DRAFT

Floor Plan

DRAFT

Transportation Plan

Hamlin Court Shuttle Plan

Route Sites	From Shelter: Drop-off Process/Description	Departure Time
1. Light Rail Bus Routes Cal-Train	The Shuttle bus will begin in a 30 minute route from the shelter and will make this route several times if needed to all public transportations. The Bus Routes will have several drops off on Bus Line 26 and other requested lines.	6:00 AM 6:30 AM 7:00 Am 7:30 AM
2. SSA, Mountain View CSA Mountain View Sunnyvale Community Service Agency	The community center drop-off will start during business hours of operation in the morning hours. The Shuttle will leave in a 1hr route.	8:00 AM 9:30 AM 10:30 AM
3. Our Daily Bread(M.W.F) Senior Nutrition Program(M-F) First United Methodist	Our Daily Bread and Senior Nutrition Program provide lunches on the days specified. First United Methodist Church provides other supportive services.	11:00 AM 12:00 noon 1:00 PM
4. Other Schedule Community Events approved by Program Manager Sunnyvale Library	When there are job fairs and other events in the community to support the homeless.	
Route Sites	Pick – Up Locations	Return Time
5. Light Rail Bus Routes Cal-Train	Driver will return to drop-off location to transport back to the shelter.	2:00 PM 2:30 PM
6. SSA, Mountain View CSA Mountain View Our Daily Bread Senior Nutrition Program First United Methodist Sunnyvale Community Service Agency	Driver will return to drop-off location to transport back to the shelter	3:00 PM 5:00 PM

Summary of VTA Routes

Light Rail

The Lockheed / Martin Station is a 1.5 mile walk up Ross, left on Mathilda then down to the station. Clients can get to the Terminal by **taking the shelter shuttle or** walking/turning left on Mathilda, and then left onto 5th Street. There are sidewalks and crosswalks throughout and will take between 10 to 15 minutes to get there.

Bus Routes

The **nearest bus stop is located at the corner of Ross and Mathilda, a short walk from the shelter.**

Line 26 - Sunnyvale/Lockheed Martin Transit Center to Eastridge Transit Center. The route is Mathilda and 5th up Fair Oaks, Wolf, Campbell, Bascom, Curtner, Tully, and Capital Expressway to Eastridge Mall.

Line 54 - De Anza College to Sunnyvale/Lockheed Martin Transit Center. The route is Mathilda, Olive, Hollenbeck, to Stevens Creek.

Line 120 - Fremont BART to Lockheed Martin Transit Center/Moffett Park. The route is 237 to 880 to Mission Blvd. to Stevenson and ending at the Fremont BART Station.

Line 121 - Gilroy Transit Center to Lockheed Martin Transit Center/Moffett Park. The route is Mathilda, Lawrence Expwy, Great America, 101, Cochran, Monterey Highway, to Gilroy Train Station.

Line 122 - South San Jose to Lockheed Martin/Moffett Industrial Park. The route is Mathilda, Lawrence Expwy, 101, Capital Expwy, Snell, to Santa Theresa VTA Station.

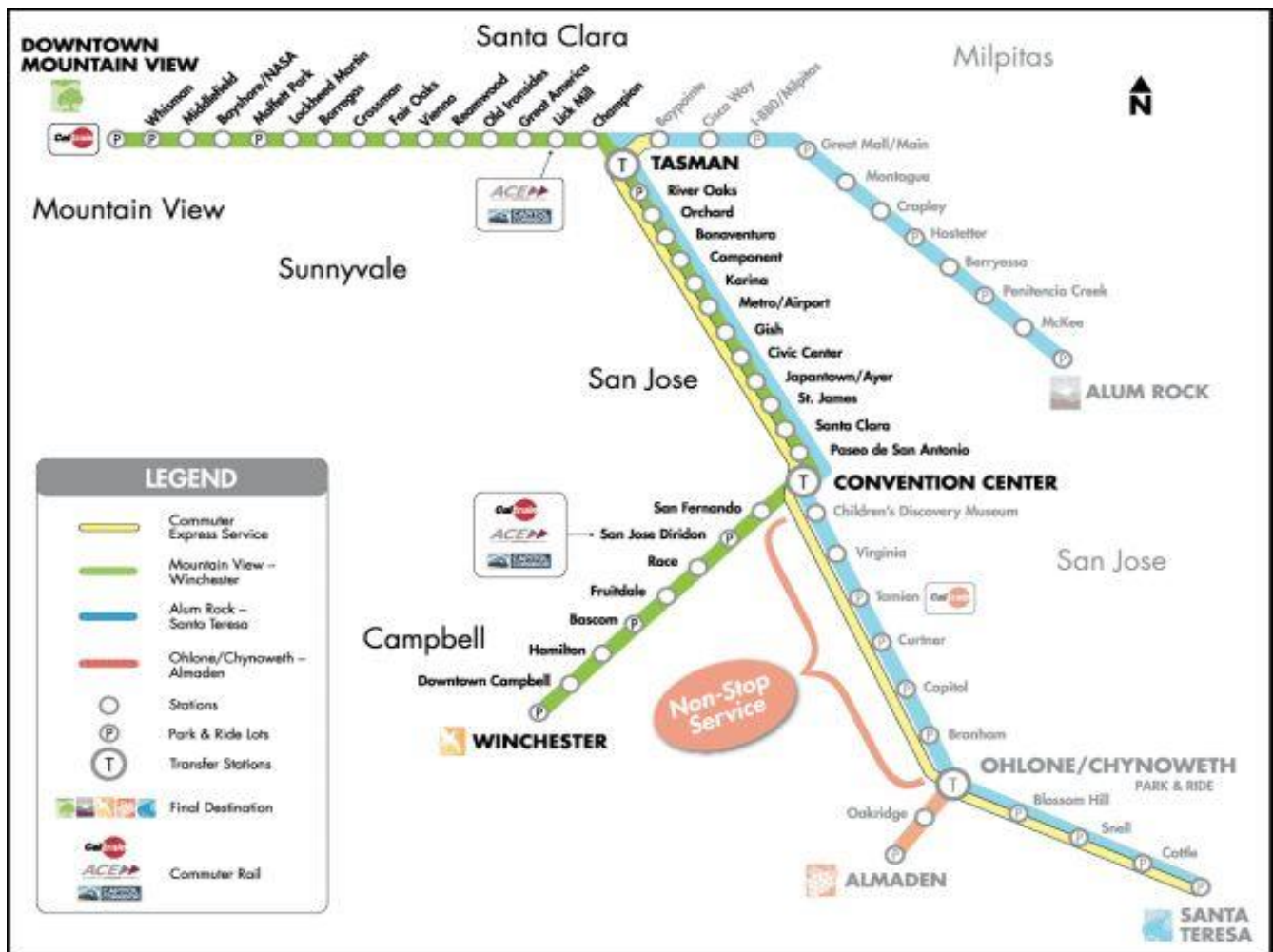
Line 321 - Great Mall/Main Transit Center to Lockheed Martin/Moffett Industrial Park. The route is Mathilda, Lawrence Expwy, Great America, Montague Expwy, Great Mall to the Great Mall Transit Station.

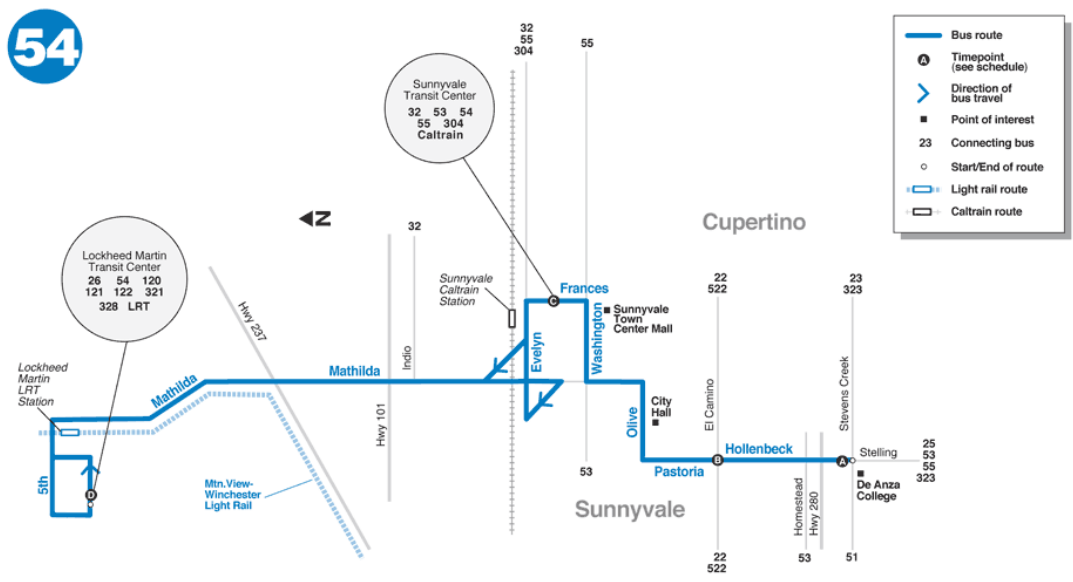
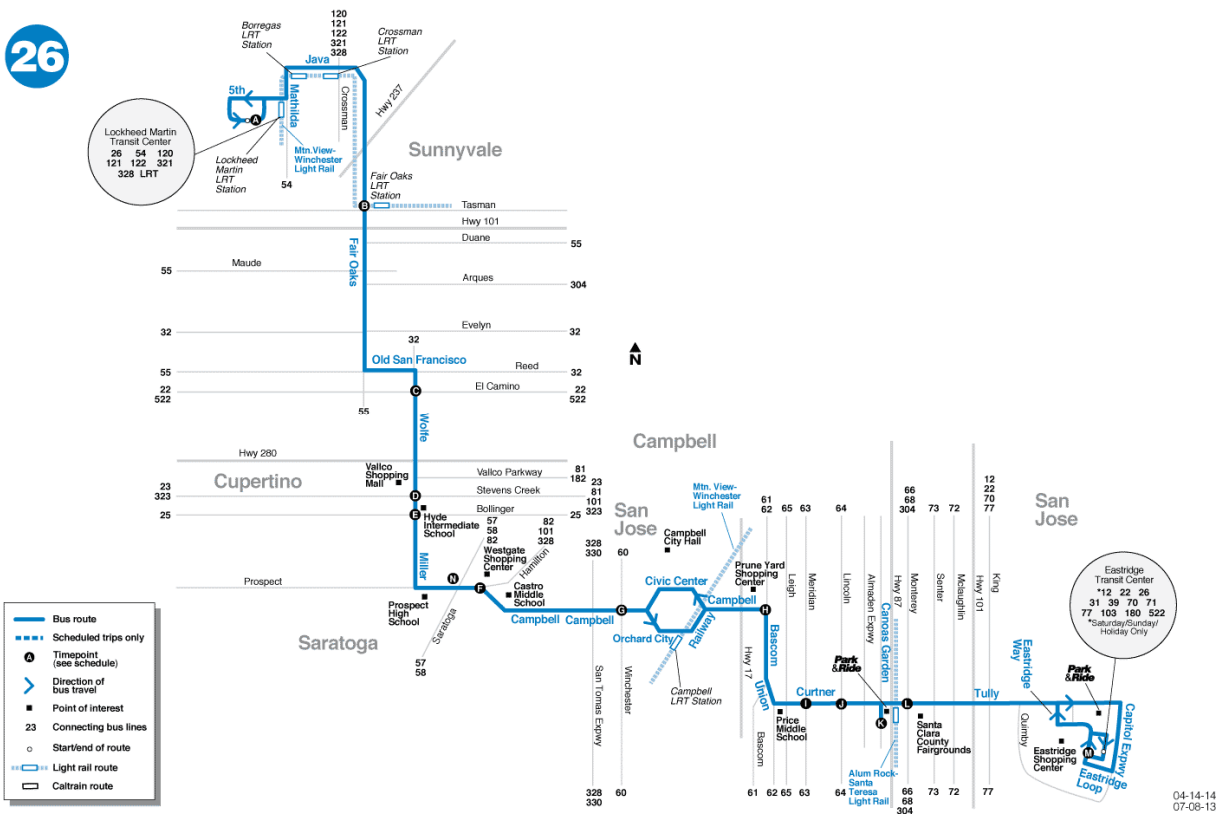
Line 328 - Almaden Expy. & Via Valiente to Lockheed Martin/Moffett Park. The route is Mathilda, Lawrence Expwy, Prospect, San Thomas Expwy, Camden, Coleman, Almaden Expwy, to Via Valiente.

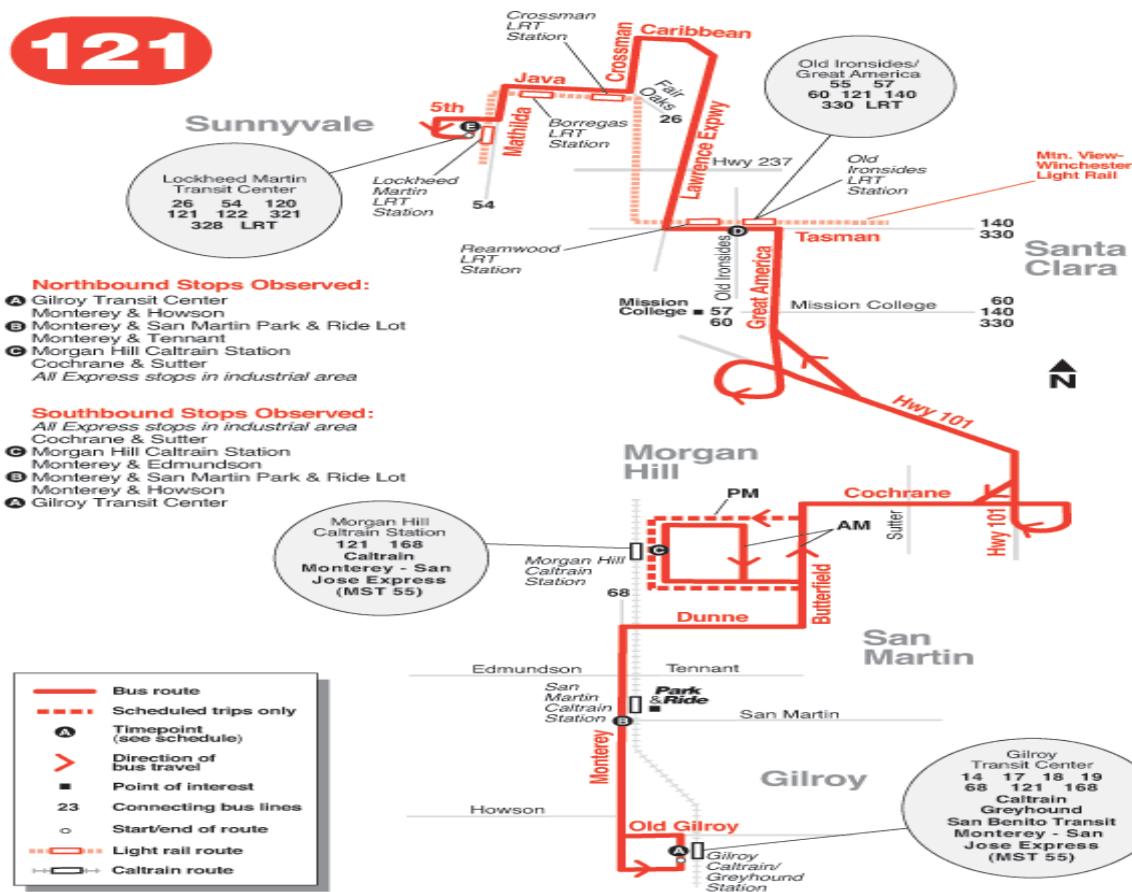
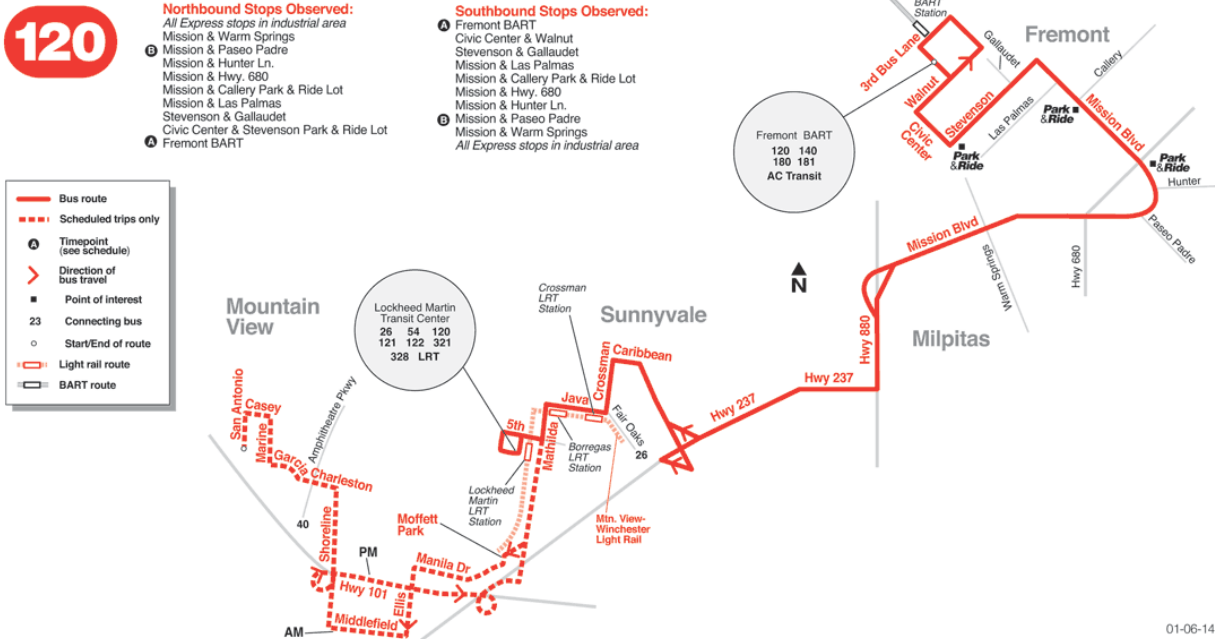
Summary of VTA Route Schedules

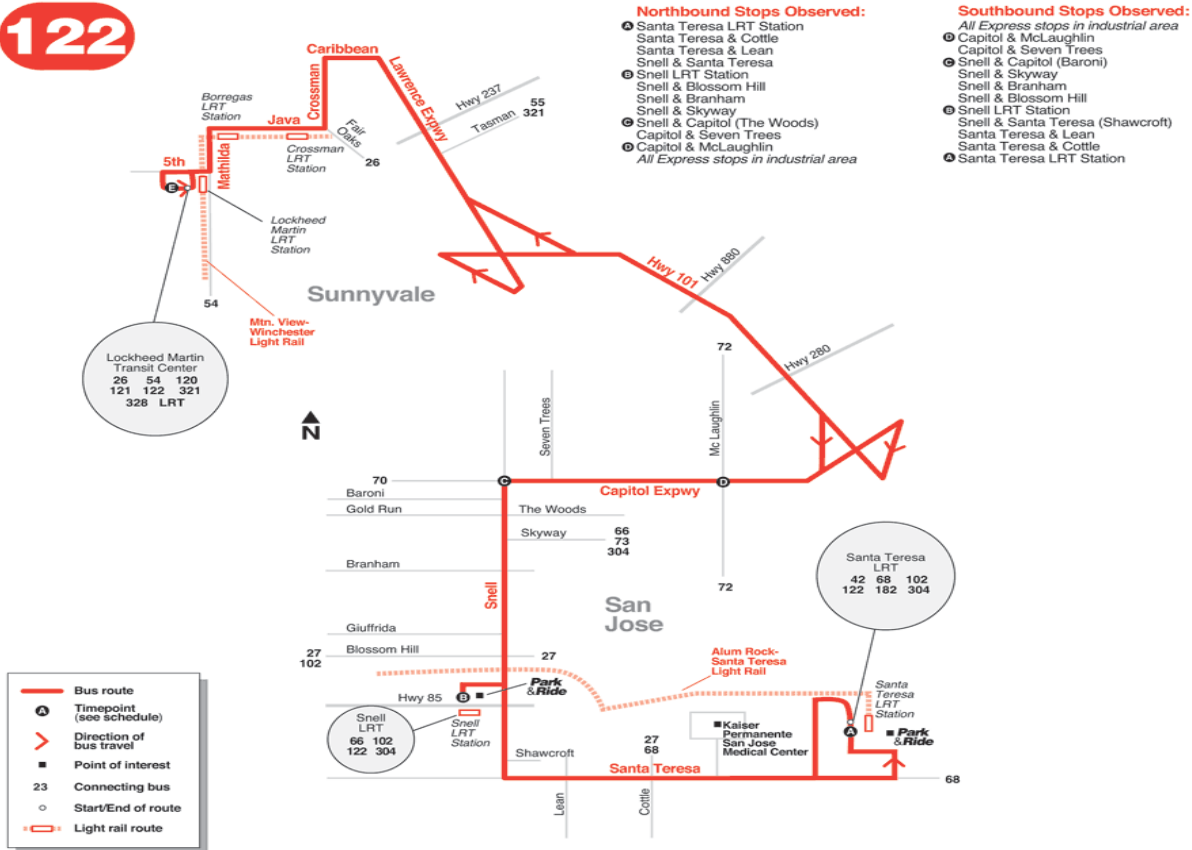
Route	Monday - Friday			Saturday			Sunday		
#	First	Last	Frequency	First	Last	Frequency	First	Last	Frequency
MV LR	5:21 AM	11:03 PM	30 Mins	7:08 AM	11:03 PM	30 mins	7:08 AM	11:02 PM	30 mins
26	6:56 AM	9:34 PM	30 mins	7:55 AM	8:35 PM	30 mins	7:55 AM	8:35 PM	30 mins
54	6:38 AM	8:53 PM	30 mins	8:43 AM	7:52 PM	30 mins	9:38 AM	6:57 PM	30 mins
120	6:52 AM	6:13 PM	30 mins	NA	NA		NA	NA	
121	5:34 AM	18:12	30 mins	NA	NA		NA	NA	
122	6:45 AM	4:48 PM	Only 2 runs	NA	NA		NA	NA	
321	8:46 AM	5:50 PM	Only 2 runs	NA	NA		NA	NA	

Route Maps

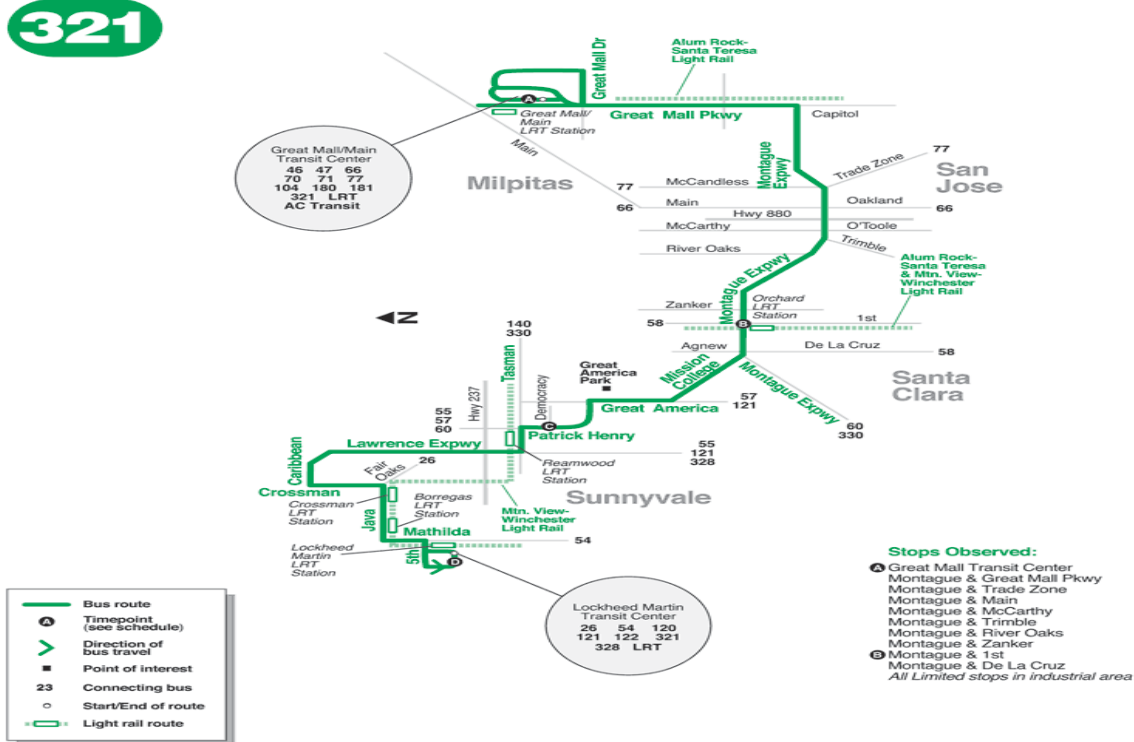






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01-06-14

APPENDIX

County of Santa Clara
Office of Supportive Housing
3180 Newberry Dr. Suite 150
San Jose, CA 95118
(408) 793-0550 Main
(408) 266-0124 Fax



Cold Weather Shelter Program Frequently Asked Questions

Revised: June 22, 2016

Where is the shelter?

The Inclement Weather Episode shelter for the homeless will be located at 999 Hamlin Court. This is a facility owned by Santa Clara County. It is near the intersection of Mathilda and Ross Avenues.

How long are people allowed to stay at the Shelter?

From the Monday after Thanksgiving until the end of March: on an annual basis. This timeframe can be altered if an Inclement Weather Episode is declared either before or after the usual beginning and ending dates.

How many beds does the shelter have?

The shelter will house up to 125 persons; male, female individuals, including families. Each population will have a separate section in the shelter, with on-site security for the safety of all present in the shelter.

What are the hours of operation?

The shelter will operate from 5:00 p.m. until 7:00 a.m. Quiet hours will be from 10:00 p.m. until 6:00 a.m. Shelter staff will be on site from 4:00 p.m. to 7:00 a.m. and Outreach staff will be on site or in the local neighborhood during the daytime. Clients will be able to come on site beginning at 4:00 p.m.

Is there a fee to stay at the Shelter?

There is no fee charged for staying at the shelter.

What are the requirements for being referred to and staying at the Shelter?

Men and women wishing to stay at the Shelter must be homeless; 18 years or older (or accompanied by a parent or legal guardian).

What agency will be managing the Shelter and providing services there?

HomeFirst Services of Santa Clara County will manage/operate the services at the facility. They will coordinate the referral process and services being provided by other agencies, community groups, church groups, and volunteers. Among the services that will be provided are: breakfast and dinner, TB testing and other medical/dental services, and information and referral services.

Where do sheltered clients go during the day?

Some shelter clients are employed and they go to work during the day. Others are looking for work or are training for new jobs, while others go to parks or ride public transportation. As clients leave, staff and security will monitor their leaving behavior. If he/she becomes aware of any

problem, he/she will address it appropriately. Outreach staff will patrol the neighborhood to prevent any clients from staying in the area. If this staff person views any inappropriate behavior, he/she will act appropriately.

What types of measures will be taken to prevent loitering and/or trespassing on private properties in the vicinity?

At intake, on-site staff will present the clients with and explain the shelter rules. Staff will oversee the clients as they arrive and leave the Shelter. Outreach workers on staff will patrol the neighborhood during the day to monitor and prevent clients from staying in the area and acting inappropriately. If they view any inappropriate behavior, they will address it appropriately. If necessary, the Sunnyvale Department of Public Safety will be contacted to address any problems.

What types of public safety measures will be taken to prevent crimes (theft, drug use/sales, harassment, violence, etc.) from occurring in surrounding neighborhoods/ parks?

On-site staff will oversee the clients as they arrive and leave the Shelter. If necessary, the Department of Public Safety will be contacted to address any problems. Also, the service collaboration that is a part of the Cold Weather Shelter Program includes outreach work being done by Valley Health Care for the Homeless Project and the CWSP agency that will be providing services on site.

Will the onsite parking be adequate for shelter staff and volunteers plus those shelter clients who have cars? Yes

How many spaces will be provided? At least 25; on-street parking is also available.

How many staff and volunteers are expected on a daily basis? 10

What type of environmental review is the County completing on this project?

County Staff from its Planning and Facilities & Fleet Departments have determined that the project qualifies for two Categorical Exemptions under Section 15300 of the CEQA Guidelines—Class 3 (New Construction or Conversion of Small Structures) and Class 4 (Minor Alterations to Land). The project is also exempt under the general rule under CEQA Guidelines 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Will there be any public hearing regarding any planning/zoning permits required for this project? No public hearing is required by the County for planning/zoning permits. The County held community meetings on June 13, 2016 and will present information on this program to the Board of Supervisors on June 21, 2016; all are invited to participate.

What is the relationship between the City of Sunnyvale and the County on this project?

Does the City decide if this is approved or can the County take action on its own? This is the County's project and the County is involving the City as appropriate and is keeping the City staff informed on all developments.

Who can neighbors call 24/7 if there are urgent concerns or problems regarding the facility and/or its clients?

The County staff person's office # is 408-793-0566. When the Program Manager is selected, that person's number will be made available.

How will overflow demand be managed?

If no beds are available, individuals will be transported to another shelter or given a bus token. No camping in the vicinity will be allowed. Individuals refused entry will be given a bus token and

their departure will be monitored by the staff. Outreach workers will monitor the area adjacent to the shelter to ensure the safety of the neighbors and businesses.

What type of traffic safety measures/controls will be provided to avoid vehicle/ pedestrian conflicts during peak hours of client arrival/departure?

On-site staff will oversee the clients as they arrive and leave the Shelter. Staff will monitor client behavior at the nearby bus stops. **The shelter shuttle will pick up clients from the bus stop (at Ross and Mathilda) and bring them to the shelter. The shuttle will also be available every morning to take clients to the bus stop and other locations.** If there are any behavioral issues, staff will address it and if necessary contact VTA officials. Staff will also patrol the nearby neighborhood to ensure that clients do not remain in the area and monitor them for any inappropriate behavior.

Will other services/vehicles, like the County mobile health unit (dental van) and/or any mobile shower and mobile laundry trucks be coming to the site?

The County mobile medical van and mobile dental van will make weekly visits to the County Winter Shelter site and clients from this site can access those services. The shelter occupants will launder their clothes at public laundry facilities.

What is the County's budget for the operation of this shelter?

The County has budgeted up to \$650,000 for 120 shelter/service days. Capital improvements that are needed to convert the warehouse into shelter operations **were approved at the Board of Supervisors meeting on June 21, 2016. Those improvements are budgeted at \$3,000,000.**

Will information be available on a dedicated Website?

All program information will be posted on the Office of Supportive Housing website.

What is an Inclement Weather Episode?

The **County Office of Supportive Housing (OSH)** shall activate inclement weather episodes if:

- There is a forecasted overnight low of 38 degrees or lower with a probability of rain less than 50%; **or**
- There is a forecasted overnight low of 42 degrees or lower with a probability of rain of 50% or greater.

During such episodes, the County's OSH will activate, direct, coordinate and monitor inclement weather episode outreach and service activities.

CONTACT INFORMATION FOR THE COLD WEATHER SHELTER PROGRAM: FY16-17

JUNE 22, 2016

Purpose/Service	Contact/Department	Contact Information
Any questions or concerns regarding the County Shelter site	Bob Dolci – Homeless Concerns Coordinator, Office of Supportive Housing	robert.dolci@hhs.sccgov.org (408) 793-0566
Supervisory District 3 – Office of Dave Cortese	County Supervisor– District 3	dave.cortese@bos.sccgov.org (408) 299-5030
Reporting Homeless Concerns	Agencies Collaborating in the Cold Weather Shelter Program	<p>HomeFirst Linda Jones: ljones@homefirstscc.org Kelcy Fleming: (408)</p> <p>InnVision Shelter Network, Hotel de Zink Frances Robertson: frobertson@ivsn.org (650) 853-8672</p> <p>Project WeHOPE Shelter Alicia Garcia: wehopeshelter@projectwehope.com (650) 779-5049</p> <p>Downtown Streets Team (650) 690-5551</p> <p>Sunnyvale Community Services (408) 738-4321 info@svcommunityservices.org</p> <p>City of Sunnyvale Housing Division (408) 730-7250 (Answer Point line)</p> <p>San Jose Main Homeless Helpline (408) 510-7600 Or email outreach@homefirstscc.org to report your concerns.</p>
Emergency	Public Safety Dept.	Direct: 9-1-1 To access 9-1-1 from cellular phones (Emergency): (408) 277-8911
Non-emergency		(408) 730-7100
County Sheriff's Office	West Valley Patrol Division	(408) 299-2311

1st Warning of Violation

Person Involved: _____

Swipe # _____

This warning is issued because you violated the following shelter rules:

- ☐ Disruptive behavior
- ☐ Entrance to restricted areas
- ☐ Failure to clean-up
- ☐ Loitering in the parking lot
- ☐ Refusal to leave the property
- ☐ Intentional damage of property
- ☐ Entrance to restricted areas
- ☐ Refuse to pick up blankets
- ☐ Refuse to pick up mats
- ☐ Problems with hygiene
- ☐ Indecent Exposure
- ☐ Profanity
- ☐ Sitting on Grass
- ☐ Loitering surrounding Building
- ☐ Excessive noise
- ☐ Failure to attend house meetings
- ☐ Refusal to follow directives
- ☐ Vehicle violation
- ☐ Other Violations

Description of violation listed above:

_____ You may request a case conference
 to discuss this warning with a person in charge at the shelter.

Any Further infraction could result in further disciplinary action including discharge from the shelter.

Staff Signature _____

Date: _____

2nd Warning

Person Involved: _____ **Swipe #** _____

This warning is issued because you violated the following shelter rules:

- ☐ Disruptive behavior
- ☐ Entrance to restricted areas
- ☐ Failure to clean-up
- ☐ Loitering in the parking lot
- ☐ Refusal to leave the property
- ☐ Intentional damage of property
- ☐ Entrance to restricted areas
- ☐ Refuse to pick up blankets
- ☐ Refuse to pick up mats
- ☐ Problems with hygiene
- ☐ Indecent Exposure
- ☐ Profanity
- ☐ Sitting on Grass
- ☐ Loitering surrounding Building
- ☐ Excessive noise
- ☐ Failure to attend house meetings
- ☐ Refusal to follow directives
- ☐ Vehicle violation
- ☐ Other Violations

Description of violation listed above:

You may request a case conference to discuss this warning with a person in charge at the shelter.

Any Further infraction could result in further disciplinary action including discharge from the shelter.

Staff Signature _____

Date: _____ Date Issued: _____

Discharge Notice for Minor Violation

Person Involved: _____ **Swipe #** _____

Reason for Discharge: (includes information on prior warnings notice given)

Discharge Time: _____ **Date:** _____

Appeal process:

- ◆ You may file a written request for internal appeal with the person in charge at the shelter.
- ◆ If you do not appear at the appeal, shelter manager will move forward with the appeal without your input.
- ◆ Written decision of the internal appeal must be provided to you within 72 hours of your filing of the written request for an internal appeal.
- ◆ You may an advocate represent you in the appeal process.
- ◆ You may request a reasonable accommodation if you feel that your ability to comply shelter rules are limited by your documented physical or mental health disabilities.
- ◆ You may remain at the shelter during the internal and external appeals.

Staff Signature: _____

Gross Violation Discharge

Date Issued: _____ **Time:** _____

Person Involved: _____ **Swipe #** _____

Major Violations of the shelter rules:

- ☐ Verbal abuse of staff
- ☐ Physical abuse of staff
- ☐ Verbal abuse of resident
- ☐ Physical abuse of resident
- ☐ Verbal threats
- ☐ Possession of a weapon in the shelter
- ☐ Stealing
- ☐ Substance dealing within the shelter
- ☐ Illegal use of drugs
- ☐ Drinking alcohol
- ☐ Others gross violations

Reason for discharge:

You must exit the building: _____

Time **Date**

Appeal process:

- ◆ You may file a written request for an internal appeal within 72 hours with the person in charge.
- ◆ You may have an advocate represent you in the appeal process.
- ◆ You may request an accommodation if your ability to comply with the shelter rules is limited by the resident's documented physical or mental health .
- ◆ You have the right to appeal the discharge, but you may not remain in the shelter.
- You will be eligible for re-admission to the shelter starting on _____.
- Condition for reason for re-admission _____

Grievance Process

Date: _____

Time: _____

Your Name: _____ Person filing the report: _____

Please describe your grievance

Name(s) of other residents involved: _____

Name(s) of staff involved: _____

**** Give this form to a staff person in charge at the shelter.**

Received by: _____ Date: _____

Shelter Manager Investigation and findings of the grievance:

Signature _____ Date: _____

Staff

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Internal Appeal Decision of Discharge

Date: _____ **Your Name:** _____ **Swipe #:** _____

Shelter Manager making decision: _____

Type of Decision Being Appealed: ☐ Admission ☐ Discharged

☐ Minor ☐ Gross

Final Decision:

Reason/Basis for Decision:

Evidence

considered: _____

- ◆ You must exit the building by _____ unless you were discharged for a minor violation and you are appealing.
- ◆ If you disagree with the result of the internal appeal, you can request an External appeal by calling the Santa Clara County homeless concerns coordinator at (408) 299-5117 within 24 hours of receiving the internal appeal decision.
- ◆ You may/may not (circle one) remain at the shelter while while you appeal.

Staff signature: _____ **Date:** _____

INCIDENT REPORT

Date and Time of Filing

Report_____

Date and Time of

Incident_____

Person Filing

Report_____

Incident Involved (check as many as necessary):

- ☐ HOMEFIRST Employee
- ☐ Guest(s) and/or Resident
- ☐ Volunteer
- ☐ Physical Injury
- ☐ Maintenance
- ☐ Property Damage

Name Person(s) Involved in

Incident:_____

Location of Incident:_____

What

Happened:_____

Person(s) Notified (check as many as necessary):

- ☐ Program Manager
- ☐ Case Manager
- ☐ Property Management
- ☐ Police
- ☐ Fire
- ☐ Ambulance

Name of Person(s)

Notified:_____

Copy



City of Sunnyvale

Agenda Item

16-0763

Agenda Date: 8/9/2016

SUBJECT

Approve City Council Meeting Minutes of July 26, 2016

RECOMMENDATION

Approve the City Council Meeting Minutes of July 26, 2016 as submitted.



City of Sunnyvale

Meeting Minutes - Draft 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 PM | 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

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 6:01 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

Councilmember Meyering arrived at 6:05 p.m.

3 Public Comment

None.

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

Councilmember Meyering left the meeting at 6:33 p.m.

[16-0741](#) 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 6:47 p.m.

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

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

Successor Agency Chair Hendricks called the meeting to order at 6:50 p.m.

2 Roll Call

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

3 Public Comment

None.

4 Consent Calendar

Board Member Meyering pulled Item 4.B.

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

MOTION: Agency Vice Chair Larsson moved and Board Member Griffith seconded the motion to approve the Redevelopment Successor Agency Special Meeting Minutes of June 30, 2016 as submitted.

AMENDMENT: Board Member Meyering moved to amend the motion so that comments of dissenting people with regard to the prior votes that took place in that meeting be incorporated.

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

The main motion carried by the following vote:

Yes: 5 - Chair Hendricks
Vice Chair Larsson
Board Member Griffith
Board Member Martin-Milius
Board Member Davis

No: 1 - Board Member Meyering

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

MOTION: Agency Vice Chair Larsson moved and Board Member Griffith seconded the motion to 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.

The motion carried by the following vote:

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

5 Adjourn Special Meeting

Chair Hendricks adjourned the meeting at 6:55 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 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; Council voted unanimously to give legal counsel approval to defend the litigation.

Vice Mayor Larsson reported the Council met in Closed pursuant to California Government Code Section 54957: Public Employee Performance Evaluation; Title: City Attorney; nothing to report.

ORAL COMMUNICATIONS

Councilmember Martin-Milius provided an update on Energize Sunnyvale and iGreen Sunnyvale.

Vice Mayor Larsson announced vacancies on boards and commissions and an application deadline.

Maria Pan addressed the Council.

CONSENT CALENDAR

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

A member of the public requested to pull Item 1.H.

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

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

Public Hearing opened at 8:20 p.m.

Russ Melton, speaking on both 1.A and 1.B, recommended approval of the minutes and requested clarification on whether absences from Closed Sessions are excused or unexcused and suggested the Vice Mayor's Closed Session report could include a report of the attendance at the Closed Session.

Public Hearing closed at 8:22 p.m.

MOTION: Councilmember Meyering moved to deny approval of the minutes until comments by dissenting voters are included in the minutes.
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 28, 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 [16-0695](#) Approve City Council Meeting Minutes of July 12, 2016

MOTION: Councilmember Meyering moved to deny approval of the minutes until comments by dissenting voters are included in the minutes.
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 28, 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 [16-0676](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Public Hearing opened at 8:23 p.m.

No speakers.

Public Hearing closed at 8:23 p.m.

MOTION: Councilmember Meyering moved to deny the claims until bills are readily made available to Councilmembers.

The motion died due to lack of a second.

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

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

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

Public Hearing opened at 8:24 p.m.

John Cordes, Sunnyvale Bicycle and Pedestrian Advisory Commission member, spoke in support of appointing David Simons to the Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee.

Public Hearing closed at 8:24 p.m.

MOTION: Councilmember Meyering moved that the vacancy be filled with the same process for boards and commissions of the City, in that a notice is posted that an opening is coming up and applications are accepted from all residents who might be interested and Council personally interviews those individuals and has a public vote.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 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.

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

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)

Director of Finance Tim Kirby and City Attorney John Nagel provided information.

Public Hearing opened at 8:30 p.m.

No speakers.

Public Hearing closed at 8:30 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Allow Blocka Construction to withdraw its bid in conformance with State law; and 2) Reject the bid received from Mountain Cascade Inc.

The motion carried by the following vote:

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

No: 0

1.G [16-0659](#) 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)

Director of Public Works Manuel Pineda provided information.

Public Hearing opened at 8:33 p.m.

No speakers.

Public Hearing closed at 8:33 p.m.

MOTION: Councilmember Meyering moved to deny the contingency amount due to lack of oversight.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 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.

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

Public Hearing opened at 7:11 p.m.

Enrique Argueno spoke in support of the staff recommendation.

Public Hearing closed at 7:12 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve 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.

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

- 1.1 [16-0746](#) Adopt Ordinance No. 3089-16 Awarding Nonexclusive Franchise for Taxicab Service to My Ekadea, Inc. dba California Cab Company

Adopt Ordinance No. 3089-16.

PUBLIC HEARINGS/GENERAL BUSINESS

- 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.

Assistant Director of Public Works Craig Mobeck provided the staff report.

Public Hearing opened at 7:20 p.m.

No speakers.

Public Hearing closed at 7:20 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve 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.

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** [16-0491](#) 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

Assistant Director of Public Works Craig Mobeck provided the staff report.

Public Hearing opened at 7:23 p.m.

No speakers.

Public Hearing closed at 7:23 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve 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.

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** [16-0601](#) 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

Director of Finance Tim Kirby provided the staff report. City Attorney John Nagel and Neighborhood Preservation Manager Christy Gunvalsen provided additional information.

Public Hearing opened at 7:26 p.m.

George Sarkissian stated he has communicated with City staff about many code enforcement issues and requested to discuss them with City Council.

Public Hearing closed at 7:38 p.m.

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to direct staff to continue this matter to a date certain of August 9 for further consultation with the City Attorney's office and other relevant staff, as appropriate.

The motion carried by the following vote:

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

No: 0

- 5** [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

Director of Environmental Services John Stufflebean responded to Council questions.

Public Hearing opened at 7:46 p.m.

No speakers.

Public Hearing closed at 7:46 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 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.

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

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

Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 7:58 p.m.

Leslie Lawton, President, Sunnyvale Historical Society, stated she and Historical Museum Director Laura Babcock are available to answer any questions.

Charlie Olson requested Council uphold Alternative 3 and leave the orchard alone.

Public Hearing closed at 7:59 p.m.

Public Hearing re-opened at 8:01 p.m.

Zachary Kaufman spoke against having the Butcher House in the orchard.

Public Hearing closed at 8:01 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve 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.

The motion carried by the following vote:

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

No: 0

- 7 [16-0762](#) 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

Director of Human Resources Teri Silva provided the staff report.

Public Hearing opened at 8:10 p.m.

No speakers.

Public Hearing closed at 8:10 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Davis seconded the motion to approve 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 to the report); (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for SMA, Unrepresented Management, and Department Directors (Attachment 5 to the report); and (3) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for the Director of Public Safety (Attachment 6 to the report).

AMENDMENT: Councilmember Meyering moved to amend the motion to include a requirement that the City inform the Santa Clara County Superior Court Grand Jury that the City's prior filed response is going to be changed so that the City will not be

requiring full employee contribution.

The motion to amend died due to the 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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Davis reported his attendance at the Executive Board meeting of the Association of Bay Area Governments.

Councilmember Martin-Milius reported her attendance at a meeting of the Silicon Valley Clean Energy Authority.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

Assistant City Manager Kent Steffens noted the Information Only item in the agenda packet regarding the status of the branch library.

INFORMATION ONLY REPORTS/ITEMS

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

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 8:35 p.m.



City of Sunnyvale

Agenda Item

16-0729

Agenda Date: 8/9/2016

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
825	07-10/16 through 07-16-16	\$6,945,397.22
826	07/17/16 through 07-23-16	\$3,867,871.14

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: Walter C. Rossmann, Assistant City Manager on behalf of Deanna J. Santana, City Manager

ATTACHMENT

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

7/25/2016

City of Sunnyvale

LIST # 825

Page 1

List of All Claims and Bills Approved for Payment
For Payments Dated 7/10/2016 through 7/16/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
xxx282398	7/12/16	AMS.NET INC	0006310	Software Licensing & Support	14,250.00	0.00	14,250.00	\$14,250.00
xxx282399	7/12/16	ABTECH TECHNOLOGIES INC.	M606253-IN	Hardware Maintenance	9,770.00	0.00	9,770.00	\$39,353.00
			M606260-IN	Hardware Maintenance	29,583.00	0.00	29,583.00	
xxx282400	7/12/16	ACKERLY ENTERTAINMENT	JULY/14/2016	Excursions	350.00	0.00	350.00	\$350.00
xxx282401	7/12/16	AMFASOFT CORP	APRILLIU-01	DED Services/Training - Training	5,220.00	0.00	5,220.00	\$6,732.50
			EDMARTIN-02	DED Services/Training - Training	550.00	0.00	550.00	
			HENANA-02	DED Services/Training - Training	550.00	0.00	550.00	
			KIMLAN-02	DED Services/Training - Training	412.50	0.00	412.50	
xxx282402	7/12/16	ANDERSON PACIFIC ENGINEERING	WPCPCHLRINE #12	Construction Services	155,422.47	0.00	155,422.47	\$155,422.47
xxx282403	7/12/16	BELKORP AG LLC	261638	Parts, Vehicles & Motor Equip	461.28	0.00	461.28	\$461.28
xxx282404	7/12/16	BERT S ESPINOSA	BLJUN2016	Medical Services	3,750.00	0.00	3,750.00	\$3,750.00
xxx282405	7/12/16	BIBLIOTHECA ITG LLC	SI0014811-US	Library Periodicals/Databases	1,283.91	0.00	1,283.91	\$5,010.28
			SI0014812-US	Library Periodicals/Databases	3,726.37	0.00	3,726.37	
xxx282406	7/12/16	BOUND TREE MEDICAL LLC	82190887	Inventory Purchase	459.91	0.00	459.91	\$2,450.04
			82202185	Inventory Purchase	1,990.13	0.00	1,990.13	
xxx282407	7/12/16	CNB POLYGRAPH SERVICES	SH062216	Investigation Expense	3,849.01	0.00	3,849.01	\$3,849.01
xxx282408	7/12/16	CALIFORNIA MUNICIPAL TREASURERS ASSN	2016-217	Membership Fees	195.00	0.00	195.00	\$195.00
xxx282409	7/12/16	CENTURY GRAPHICS	44696	Clothing, Uniforms & Access	682.75	0.00	682.75	\$682.75
xxx282410	7/12/16	CHRISP CO	DUANEBIKELN #R	Construction Project Contract Retainage	5,265.75	0.00	5,265.75	\$5,265.75
xxx282411	7/12/16	CITY OF SAN JOSE - WORK2FUTURE	MAY2016	Contracts/Service Agreements	4,809.70	0.00	4,809.70	\$4,809.70
xxx282412	7/12/16	CITYGATE ASSOCIATES LLC	24008	Consultants	8,392.13	0.00	8,392.13	\$8,392.13
xxx282413	7/12/16	COASTAL TRACTOR	IV89598	Parts, Vehicles & Motor Equip	1,866.42	0.00	1,866.42	\$2,196.69
			IV89694	Parts, Vehicles & Motor Equip	330.27	0.00	330.27	
xxx282414	7/12/16	COMCAST	07/07-08/06/16	Miscellaneous Services	71.24	0.00	71.24	\$71.24
xxx282415	7/12/16	COUNTY OF SAN MATEO	07/01-08/31/15	Contracts/Service Agreements	60,000.00	0.00	60,000.00	\$60,000.00
xxx282416	7/12/16	CRESCENT TERRACE INC	DRAW#1	Customer Loans Disbursed	26,375.00	0.00	26,375.00	\$26,375.00
xxx282417	7/12/16	DAPPER TIRE CO INC	43369393	Inventory Purchase	448.69	0.00	448.69	\$448.69

List of All Claims and Bills Approved for Payment
For Payments Dated 7/10/2016 through 7/16/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
xxx282418	7/12/16	DENNYS RESTAURANT	131776	Prisoner Meals	10.86	0.00	10.86	\$10.86
xxx282419	7/12/16	DEPT OF FORESTRY & FIRE PROTECTION	135204	Training and Conferences	188.00	0.00	188.00	\$1,060.00
			135218	Training and Conferences	168.00	0.00	168.00	
			135284	Training and Conferences	168.00	0.00	168.00	
			135806	Training and Conferences	368.00	0.00	368.00	
			135830	Training and Conferences	168.00	0.00	168.00	
xxx282422	7/12/16	EMPIRE SAFETY & SUPPLY	0081960-IN	Inventory Purchase	1,397.22	0.00	1,397.22	\$1,397.22
xxx282423	7/12/16	FAST RESPONSE ON-SITE TESTING INC	13082	Occupational Health and Safety Services	85.00	0.00	85.00	\$85.00
xxx282424	7/12/16	FEDERAL EXPRESS CORP	5-452-44968	Mailing & Delivery Services	7.19	0.00	7.19	\$14.12
			5-460-22389	Mailing & Delivery Services	6.93	0.00	6.93	
xxx282425	7/12/16	FERRARA FIRE APPARATUS INC	INV00000W77659	Parts, Vehicles & Motor Equip	82.02	0.00	82.02	\$82.02
xxx282426	7/12/16	FITGUARD INC	0000116637	Professional Services	499.69	0.00	499.69	\$499.69
xxx282427	7/12/16	FOUNDATION FOR CALIFORNIA COMMUNITY	NOVA-1624	DED Services/Training - Training	1,791.02	0.00	1,791.02	\$2,239.33
			NOVA-1624	Professional Services	448.31	0.00	448.31	
xxx282428	7/12/16	FREMONT UNION HIGH SCHOOL DISTRICT	16-473	Real Property Rental/Lease	3,793.00	0.00	3,793.00	\$3,793.00
xxx282429	7/12/16	FREMONT UNION HIGH SCHOOL DISTRICT	V061516	DED Services/Training - Training	445.50	0.00	445.50	\$891.00
			V061616	DED Services/Training - Training	445.50	0.00	445.50	
xxx282430	7/12/16	GARDENLAND POWER EQUIPMENT	394013	Parts, Vehicles & Motor Equip	12.75	0.00	12.75	\$12.75
xxx282431	7/12/16	GEOSYNTEC CONSULTANTS INC	16160891	Consultants	17,374.34	0.00	17,374.34	\$17,374.34
xxx282432	7/12/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1091712	Inventory Purchase	3,524.32	0.00	3,524.32	\$3,524.32
xxx282433	7/12/16	GROOVE ACADEMY OF DRUMMING	6292016	Rec Instructors/Officials	586.95	0.00	586.95	\$586.95
xxx282434	7/12/16	GROVER LANDSCAPE SERVICES	0244535	Professional Services	13,620.75	0.00	13,620.75	\$13,620.75
xxx282435	7/12/16	HAWKINS TRAFFIC SAFETY SUPPLY	INV003345	Miscellaneous Equipment Parts & Supplies	660.62	0.00	660.62	\$660.62
xxx282436	7/12/16	IMPERIAL SPRINKLER SUPPLY	2596212-00	Materials - Land Improve	7,158.95	0.00	7,158.95	\$7,158.95
xxx282437	7/12/16	INNOVATIVE INTERFACES INC	INV-INC10212	Software As a Service	6,301.30	0.00	6,301.30	\$106,011.24
			INV-INC10212	Software Licensing & Support	12,328.70	0.00	12,328.70	
			INV-INC10213	Software As a Service	3,150.65	0.00	3,150.65	
			INV-INC10213	Software Licensing & Support	6,164.35	0.00	6,164.35	
			INV-INC10214	Software As a Service	18,493.04	0.00	18,493.04	

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			INV-INC10214	Software Licensing & Support	36,182.20	0.00	36,182.20	
			INV-INC10215	Contracts/Service Agreements	23,391.00	0.00	23,391.00	
xxx282438	7/12/16	JETMULCH INC	4956-OL	Materials - Land Improve	12,139.76	0.00	12,139.76	\$12,139.76
xxx282439	7/12/16	JOANNE BOND COACHING	3306	City Training Program	2,091.00	0.00	2,091.00	\$2,091.00
xxx282440	7/12/16	JOHNSON ROBERTS & ASSOC INC	129071	Investigation Expense	52.00	0.00	52.00	\$52.00
xxx282441	7/12/16	KENNETH R BRUCE	4	Rec Instructors/Officials	1,400.00	0.00	1,400.00	\$1,400.00
xxx282442	7/12/16	KIEFER CONSULTING INC	14362	Software Licensing & Support	9,215.36	0.00	9,215.36	\$9,215.36
xxx282443	7/12/16	KIMLEY HORN & ASSOC INC	7472561	Consultants	6,147.50	0.00	6,147.50	\$17,927.50
			7721979	Consultants	1,695.00	0.00	1,695.00	
			7810244	Consultants	2,160.00	0.00	2,160.00	
			7986752	Consultants	7,925.00	0.00	7,925.00	
xxx282444	7/12/16	KOHLWEISS AUTO PARTS INC	01OW3320	Inventory Purchase	796.35	15.93	780.42	\$821.15
			01OW3492	Inventory Purchase	14.52	0.29	14.23	
			01OW3883	Parts, Vehicles & Motor Equip	26.50	0.00	26.50	
xxx282445	7/12/16	KRONOS INC	11068736	Software Licensing & Support	11,842.89	0.00	11,842.89	\$11,842.89
xxx282446	7/12/16	LANDTEC NORTH AMERICA INC	0130202-IN	Misc Equip Maint & Repair - Labor	175.00	0.00	175.00	\$593.08
			0130202-IN	Misc Equip Maint & Repair - Materials	418.08	0.00	418.08	
xxx282447	7/12/16	LAW ENFORCEMENT PSYCHOLOGICAL SERV INC	1606641	Investigation Expense	2,875.00	0.00	2,875.00	\$2,875.00
xxx282448	7/12/16	LELAND SAYLOR & ASSOCIATES INC	0027047	Engineering Services	1,085.00	0.00	1,085.00	\$1,085.00
xxx282449	7/12/16	LEXIPOL LLC	16563	Contracts/Service Agreements	15,155.00	0.00	15,155.00	\$15,155.00
xxx282450	7/12/16	MTI TECH SERVICES	133	Software Licensing & Support	1,100.00	0.00	1,100.00	\$1,100.00
xxx282451	7/12/16	MACIAS GINI AND OCONNELL LLP	220153	Financial Services	12,279.73	0.00	12,279.73	\$12,279.73
xxx282452	7/12/16	MATRIX CONSULTING GROUP	16-48 #1	Financial Services	5,840.00	0.00	5,840.00	\$5,840.00
xxx282453	7/12/16	METROPOLITAN PLANNING GROUP	2511	Professional Services	19,345.10	0.00	19,345.10	\$19,345.10
xxx282454	7/12/16	MISSION LINEN SERVICE	502606034	Laundry & Cleaning Services	60.96	0.00	60.96	\$521.19
			502632188	Laundry & Cleaning Services	53.39	0.00	53.39	
			502648156	Laundry & Cleaning Services	62.64	0.00	62.64	
			502673378	Laundry & Cleaning Services	53.39	0.00	53.39	
			502690757	Laundry & Cleaning Services	62.11	0.00	62.11	
			502726146	Laundry & Cleaning Services	53.39	0.00	53.39	

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			502749596	Laundry & Cleaning Services	60.96	0.00	60.96	
			502763723	Laundry & Cleaning Services	53.39	0.00	53.39	
			502785504	Laundry & Cleaning Services	60.96	0.00	60.96	
			572749596	Laundry & Cleaning Services	0.00	0.00	0.00	
xxx282455	7/12/16	MOBIL SATELLITE TECHNOLOGIES	63703	Miscellaneous Services	3,300.00	0.00	3,300.00	\$3,300.00
xxx282456	7/12/16	MOFFETT PARK BUSINESS GROUP	301052	Membership Fees	1,100.00	0.00	1,100.00	\$1,100.00
xxx282457	7/12/16	MOUNTAIN VIEW GARDEN CENTER	83831	Materials - Land Improve	215.16	0.00	215.16	\$215.16
xxx282458	7/12/16	NAPA AUTO PARTS	248298	Parts, Vehicles & Motor Equip	619.88	0.00	619.88	\$1,047.17
			248321	Parts, Vehicles & Motor Equip	113.71	0.00	113.71	
			248386	Parts, Vehicles & Motor Equip	8.71	0.00	8.71	
			248391	Parts, Vehicles & Motor Equip	13.28	0.00	13.28	
			248441	Parts, Vehicles & Motor Equip	103.36	0.00	103.36	
			248456	Parts, Vehicles & Motor Equip	14.40	0.00	14.40	
			248822	Parts, Vehicles & Motor Equip	173.83	0.00	173.83	
xxx282459	7/12/16	P&R PAPER SUPPLY CO INC	30086397-00	Inventory Purchase	2,188.34	0.00	2,188.34	\$2,188.34
xxx282461	7/12/16	PAYFLEX SYSTEMS USA INC	000305567	Miscellaneous Payment	947.50	0.00	947.50	\$947.50
xxx282463	7/12/16	PITNEY BOWES INC	1001037693	General Supplies	308.72	0.00	308.72	\$308.72
xxx282464	7/12/16	PREFERRED BENEFIT INSURANCE ADMIN INC	EIA17838	Insurances - Dental	52,939.90	0.00	52,939.90	\$64,230.50
			EIA17838	Insurances - Vision	11,290.60	0.00	11,290.60	
xxx282465	7/12/16	PRIORITY 1 PUBLIC SAFETY EQUIPMENT	5650	Vehicles & Motorized Equip	11,052.24	0.00	11,052.24	\$28,981.22
			5680	Vehicles & Motorized Equip	10,455.13	0.00	10,455.13	
			5689	Vehicles & Motorized Equip	460.00	0.00	460.00	
			5710	Vehicles & Motorized Equip	2,271.88	0.00	2,271.88	
			5721	Vehicles & Motorized Equip	264.75	0.00	264.75	
			5722	Vehicles & Motorized Equip	348.00	0.00	348.00	
			5723	Vehicles & Motorized Equip	3,609.22	0.00	3,609.22	
			5726	Vehicles & Motorized Equip	520.00	0.00	520.00	
xxx282466	7/12/16	RALPH ANDERSEN & ASSOC	INV-00107	Professional Services	14,425.00	0.00	14,425.00	\$14,425.00
xxx282467	7/12/16	REED & GRAHAM INC	864471	Materials - Land Improve	1,898.24	0.00	1,898.24	\$1,898.24
xxx282468	7/12/16	ROGER D HIGDON	2016-15306D	Consultants	158.40	0.00	158.40	\$158.40
xxx282469	7/12/16	ROYAL COACH TOURS INC	7555	Travel Related Services	1,159.21	0.00	1,159.21	\$1,159.21

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xxx282470	7/12/16	SCS ENGINEERS	0278633	Engineering Services	135.00	0.00	135.00	\$135.00
xxx282471	7/12/16	SAFEWAY INC	3511-062716	Special Events	41.82	0.00	41.82	\$218.39
			435572-063016	General Supplies	9.23	0.00	9.23	
			437849-070616	Inventory Purchase	15.26	0.00	15.26	
			439246-060416	Food Products	33.70	0.00	33.70	
			728765-062216	Food Products	5.99	0.00	5.99	
			803673-062716	Food Products	16.77	0.00	16.77	
			804459-062816	Training and Conferences	45.00	0.00	45.00	
			806141-061616	Special Events	33.46	0.00	33.46	
			806148-061616	Special Events	17.16	0.00	17.16	
xxx282472	7/12/16	SANTA CLARA COUNTY FIRE CHIEFS ASSN	070116-063017	Membership Fees	500.00	0.00	500.00	\$500.00
xxx282473	7/12/16	SILICON VALLEY LEADERSHIP	FY15/16 QTR 4	Outside Group Funding	1,083.32	0.00	1,083.32	\$1,083.32
xxx282474	7/12/16	SITEIMPROVE INC	45754	Software As a Service	8,900.00	0.00	8,900.00	\$8,900.00
xxx282475	7/12/16	SMART & FINAL INC	151017-062116	Food Products	37.51	0.00	37.51	\$439.35
			151017-062116	General Supplies	39.92	0.00	39.92	
			152846-062416	Food Products	182.36	0.00	182.36	
			152846-062416	General Supplies	37.56	0.00	37.56	
			153004-062416	Food Products	92.02	0.00	92.02	
			156844-063016	General Supplies	49.98	0.00	49.98	
xxx282476	7/12/16	ST FRANCIS ELECTRIC INC	SAFERTS2014#02	Construction Services	150,870.69	0.00	150,870.69	\$150,870.69
xxx282477	7/12/16	STATCOMM INC	111210	Facilities Maint & Repair - Labor	1,565.97	0.00	1,565.97	\$1,565.97
xxx282478	7/12/16	SUNGARD PUBLIC SECTOR INC	121764	Software Licensing & Support	75,872.68	0.00	75,872.68	\$75,872.68
xxx282479	7/12/16	SUPPLYWORKS	371371089	Inventory Purchase	108.23	0.00	108.23	\$667.65
			371485681	Inventory Purchase	565.07	5.65	559.42	
xxx282480	7/12/16	SWINERTON MANAGEMENT & CONSULTING	16100004-01	Consultants	6,840.00	0.00	6,840.00	\$7,840.00
			16100005-01	Consultants	1,000.00	0.00	1,000.00	
xxx282481	7/12/16	TRAFFIC DATA SERVICE	16084	Consultants	5,400.00	0.00	5,400.00	\$5,400.00
xxx282482	7/12/16	TRASHCANS UNLIMITED LLC	1508	General Supplies	4,546.36	0.00	4,546.36	\$4,546.36
xxx282483	7/12/16	TURF & INDUSTRIAL EQUIPMENT CO	IV17038	Inventory Purchase	315.38	0.00	315.38	\$315.38
xxx282484	7/12/16	UNITED SITE SERVICES INC	114-4103421	Equipment Rental/Lease	115.10	0.00	115.10	\$115.10

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xxx282486	7/12/16	VERIZON WIRELESS	9000045790	Communication Equipment	0.02	0.00	0.02	\$83.12
			9000048580	Communication Equipment	17.50	0.00	17.50	
			9000051273	Communication Equipment	13.12	0.00	13.12	
			9000051274	Communication Equipment	13.12	0.00	13.12	
			9000051275	Communication Equipment	13.12	0.00	13.12	
			9000051349	Communication Equipment	13.12	0.00	13.12	
			9000051556	Communication Equipment	13.12	0.00	13.12	
xxx282487	7/12/16	VERMONT SYSTEMS INC	50676	Software Licensing & Support	1,560.42	0.00	1,560.42	\$9,473.25
			50677	Software Licensing & Support	1,068.00	0.00	1,068.00	
			50678	Software Licensing & Support	8,405.25	0.00	8,405.25	
			59974	Software Licensing & Support	-1,560.42	0.00	-1,560.42	
xxx282488	7/12/16	VINCENT ELECTRIC MOTOR CO	0902406	Equipment Maintenance & Repair Labor	1,964.98	0.00	1,964.98	\$1,964.98
xxx282489	7/12/16	W A KRAUSS & CO INC	201606	Professional Services	233.75	0.00	233.75	\$233.75
xxx282490	7/12/16	W-TRANS	17885	Engineering Services	2,960.00	0.00	2,960.00	\$8,097.00
			17899	Consultants	5,137.00	0.00	5,137.00	
xxx282491	7/12/16	WELLS FARGO FINANCIAL LEASING	5003127040	Equipment Rental/Lease	171.71	0.00	171.71	\$171.71
xxx282492	7/12/16	WINSUPPLY OF SILICON VALLEY	659745 00	Materials - Land Improve	74.73	0.00	74.73	\$170.23
			660764 00	Bldg Maint Matls & Supplies	95.50	0.00	95.50	
xxx282493	7/12/16	GUADALUPE DIAZ	CR08-9666	Return of Seized, Forfeiture or Found Funds	825.00	0.00	825.00	\$825.00
xxx282494	7/12/16	NKD ARTS	070916SHOW	Special Events	500.00	0.00	500.00	\$500.00
xxx282495	7/12/16	SMCO SHERIFFS OFFICE	082216-082616	Training and Conferences	125.00	0.00	125.00	\$125.00
xxx282497	7/12/16	THIRD DEGREE COMMUNICATIONS INC	4823	Training and Conferences	450.00	0.00	450.00	\$450.00
xxx282498	7/12/16	ANNAPURNA PATNAM	318194	Refund Recreation Fees	350.00	0.00	350.00	\$350.00
xxx282499	7/12/16	FAIR OAKS TOASTMASTERS	317659	Refund Recreation Fees	30.00	0.00	30.00	\$30.00
xxx282500	7/12/16	GEORGE M OGATA REVOCABLE TRUST	63815-39716	Refund Utility Account Credit	564.61	0.00	564.61	\$564.61
xxx282501	7/12/16	JAMES FREEMAN	317969	Refund Recreation Fees	65.00	0.00	65.00	\$65.00
xxx282502	7/12/16	RAGHU MANJUNATH SHANDILYA	RCPT 093456	Other Public Safety Fees - Violation Citation Correction	25.00	0.00	25.00	\$25.00
xxx282503	7/12/16	SHARON SHAMIR	177011-21930	Refund Utility Account Credit	256.01	0.00	256.01	\$256.01
xxx282504	7/12/16	SRISANGEETHA ARUMUGHAN	318183	Refund Recreation Fees	88.00	0.00	88.00	\$88.00
xxx282505	7/14/16	AAA SPEEDY SMOG TEST ONLY STATION	022390	Auto Maint & Repair - Labor	40.00	0.00	40.00	\$40.00

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xxx282506	7/14/16	AMS.NET INC	0006388	Software Licensing & Support	54,745.03	0.00	54,745.03	\$54,745.03
xxx282507	7/14/16	ABODE SERVICES	TBRA2015/16-5	Contracts/Service Agreements	2,096.50	0.00	2,096.50	\$23,061.50
			TBRA2015/16-5	Outside Group Funding	20,965.00	0.00	20,965.00	
xxx282508	7/14/16	ACCESS HARDWARE	5627998-IN	Bldg Maint Matls & Supplies	166.99	0.00	166.99	\$166.99
xxx282509	7/14/16	ACCLAMATION INSURANCE MANAGEMENT	108321	Workers' Compensation - Administration	24,583.33	0.00	24,583.33	\$24,583.33
xxx282510	7/14/16	ACME BOILER & WATER HEATING CO	1298	Facilities Maint & Repair - Labor	290.00	0.00	290.00	\$580.00
			1303	Facilities Maint & Repair - Labor	290.00	0.00	290.00	
xxx282511	7/14/16	ADVANCED CHEMICAL TRANSPORT INC	106661	HazMat Disposal - Hazardous Waste Disposal	3,607.20	0.00	3,607.20	\$3,607.20
xxx282512	7/14/16	ALBERT S AYERS JR	163016-01	Rec Instructors/Officials	539.50	0.00	539.50	\$539.50
xxx282513	7/14/16	ALCAL SPECIALTY CONTRACTING INC	ROOFIRE1346#05	Construction Services	1,292.47	0.00	1,292.47	\$26,483.91
			ROOFIRE1346#06	Construction Services	7,359.90	0.00	7,359.90	
			ROOFIRE1346#R	Construction Project Contract Retainage	17,831.54	0.00	17,831.54	
xxx282514	7/14/16	AMERICAN RED CROSS	10458964	Supplies, First Aid	592.00	0.00	592.00	\$592.00
xxx282515	7/14/16	ASSETWORKS	605-2799	Software Licensing & Support	12,709.50	0.00	12,709.50	\$12,709.50
xxx282516	7/14/16	BAY AREA NEWS GROUP DIGITAL FIRST MEDIA	0005698579	Advertising Services	279.00	0.00	279.00	\$279.00
xxx282517	7/14/16	BAY-VALLEY PEST CONTROL INC	0207104	Services Maintain Land Improv	58.00	0.00	58.00	\$1,166.00
			0207546	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0207548	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0207550	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0207552	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0207554	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0207556	Facilities Maint & Repair - Labor	120.00	0.00	120.00	
			0207584	Services Maintain Land Improv	68.00	0.00	68.00	
			0207891	Facilities Maint & Repair - Labor	256.00	0.00	256.00	
			0207914	Facilities Maint & Repair - Labor	64.00	0.00	64.00	
xxx282519	7/14/16	BROWNELLS INC	12697117.00	General Supplies	430.62	0.00	430.62	\$430.62

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xxx282520	7/14/16	CALCON SYSTEMS INC	38137	Equipment Maintenance & Repair Labor	809.00	0.00	809.00	\$14,522.50
			38138	Equipment Maintenance & Repair Labor	1,998.00	0.00	1,998.00	
			38139	Equipment Maintenance & Repair Labor	1,998.00	0.00	1,998.00	
			38300	Contracts/Service Agreements	665.00	0.00	665.00	
			38301	Contracts/Service Agreements	1,060.50	0.00	1,060.50	
			38302	Equipment Maintenance & Repair Labor	999.00	0.00	999.00	
			38303	Equipment Maintenance & Repair Labor	1,998.00	0.00	1,998.00	
			38304	Equipment Maintenance & Repair Labor	1,998.00	0.00	1,998.00	
			38305	Equipment Maintenance & Repair Labor	1,998.00	0.00	1,998.00	
			38306	Equipment Maintenance & Repair Labor	999.00	0.00	999.00	
xxx282521	7/14/16	CALIFORNIA HIGHWAY PATROL ACADEMY	08/22-23/2016	Training and Conferences	404.40	0.00	404.40	\$404.40
xxx282522	7/14/16	CALIFORNIA MUNICIPAL STATISTICS INC	16070804	Financial Services	475.00	0.00	475.00	\$475.00
xxx282523	7/14/16	CENTURY GRAPHICS	44633	Clothing, Uniforms & Access	464.36	0.00	464.36	\$1,284.62
			44634	Clothing, Uniforms & Access	637.56	0.00	637.56	
			44635	Clothing, Uniforms & Access	182.70	0.00	182.70	
xxx282524	7/14/16	CHMURA ECONOMICS & ANALYTICS LLC	4087	Software Licensing & Support	4,500.00	0.00	4,500.00	\$4,500.00
xxx282525	7/14/16	CITY OF SANTA CLARA MUNICIPAL UTILITIES	JULY2016	Utilities - Electric	529.68	0.00	529.68	\$529.68
xxx282526	7/14/16	CYBERSOURCE CORP	235952361374	Software As a Service	75.00	0.00	75.00	\$75.00
xxx282527	7/14/16	DEBRA CHROMCZAK	40	Consultants	90.00	0.00	90.00	\$1,057.50
			42	Consultants	967.50	0.00	967.50	
xxx282528	7/14/16	DEL GAVIO GROUP	7852	Bldg Maint Matls & Supplies	3,561.12	0.00	3,561.12	\$6,807.31
			7911	Bldg Maint Matls & Supplies	3,246.19	0.00	3,246.19	
xxx282529	7/14/16	DENNYS RESTAURANT	311626	Prisoner Meals	10.86	0.00	10.86	\$10.86
xxx282530	7/14/16	DOUGHERTY + DOUGHERTY ARCHITECTS LLP	2149613	Consultants	2,519.00	0.00	2,519.00	\$2,519.00
xxx282531	7/14/16	DOWNEY BRAND LLP	497728	Legal Services	1,020.00	0.00	1,020.00	\$1,020.00
xxx282532	7/14/16	ECONOMIC DRIVING SCHOOL	06072016	Rec Instructors/Officials	2,006.21	0.00	2,006.21	\$2,006.21
xxx282533	7/14/16	EMPIRE SAFETY & SUPPLY	0082053-IN	Inventory Purchase	72.17	0.00	72.17	\$72.17
xxx282534	7/14/16	FAST RESPONSE ON-SITE TESTING INC	13181	Medical Services	1,045.00	0.00	1,045.00	\$2,725.00
			13181	Contracts/Service Agreements	1,680.00	0.00	1,680.00	

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xxx282535	7/14/16	FLYERS ENERGY LLC	16-276530	Fuel, Oil & Lubricants	9,873.36	0.00	9,873.36	\$9,827.69
			16-276530A	Fuel, Oil & Lubricants	9,827.69	0.00	9,827.69	
			16-276530C	Fuel, Oil & Lubricants	-9,873.36	0.00	-9,873.36	
xxx282536	7/14/16	FOSTER BROS SECURITY SYSTEMS INC	280538	Bldg Maint Matls & Supplies	63.78	0.00	63.78	\$63.78
xxx282537	7/14/16	FREEDMAN TUNG & SASAKI	1266	Professional Services	7,524.16	0.00	7,524.16	\$7,524.16
xxx282538	7/14/16	FRICKE PARKS PRESS INC	161561	Printing & Related Services	5,245.01	0.00	5,245.01	\$5,245.01
xxx282539	7/14/16	GARDENLAND POWER EQUIPMENT	395553	Parts, Vehicles & Motor Equip	309.48	0.00	309.48	\$309.48
xxx282540	7/14/16	GLOBAL KNOWLEDGE TRAINING LLC	21720865	Training and Conferences	2,195.00	0.00	2,195.00	\$2,195.00
xxx282541	7/14/16	GOATS R US	GRAZING2016	Services Maintain Land Improv	16,185.00	0.00	16,185.00	\$16,185.00
xxx282542	7/14/16	GOLDEN GATE TRUCK CENTER	F005711549:01	Parts, Vehicles & Motor Equip	-203.91	0.00	-203.91	\$124.78
			F005716227:01	Parts, Vehicles & Motor Equip	21.05	0.00	21.05	
			F005719638:01	Parts, Vehicles & Motor Equip	10.16	0.00	10.16	
			F005720210:01	Parts, Vehicles & Motor Equip	84.98	0.00	84.98	
			F005721940:01	Parts, Vehicles & Motor Equip	149.56	0.00	149.56	
			F005722785:01	Parts, Vehicles & Motor Equip	62.94	0.00	62.94	
xxx282543	7/14/16	GOLDER ASSOC INC	451635	Engineering Services	177.56	0.00	177.56	\$177.56
xxx282544	7/14/16	GRANITEROCK CO	966243	Materials - Land Improve	25,681.07	0.00	25,681.07	\$25,681.07
xxx282546	7/14/16	HOWARD ROME MARTIN & RIDLEY LLP	35128	Legal Services	482.00	0.00	482.00	\$839.40
			35129	Legal Services	357.40	0.00	357.40	
xxx282547	7/14/16	INDUSTRIAL SAFETY SUPPLY CORP	1035080	Miscellaneous Equipment Parts & Supplies	237.05	0.00	237.05	\$237.05
xxx282548	7/14/16	INFRASTRUCTURE ENGINEERING CORP	8911	Engineering Services	7,810.00	0.00	7,810.00	\$7,810.00
xxx282549	7/14/16	INTERIORS & TEXTILES CORP	160094S	Bldg Maint Matls & Supplies	1,919.93	0.00	1,919.93	\$4,018.11
			160095S	Bldg Maint Matls & Supplies	2,098.18	0.00	2,098.18	
xxx282550	7/14/16	INTERMOUNTAIN SLURRY SEAL INC	SLRRYSEAL16#01	Construction Services	441,291.62	0.00	441,291.62	\$441,291.62
xxx282551	7/14/16	INTREPID ELECTRONIC SYSTEMS INC	33715	Facilities Maint & Repair - Labor	600.00	0.00	600.00	\$600.00
xxx282552	7/14/16	IRELAND ENGINEERING INC	14661	Professional Services	580.00	0.00	580.00	\$580.00
xxx282553	7/14/16	JAKES OF SUNNYVALE	6281	Miscellaneous Services	155.78	0.00	155.78	\$155.78
xxx282554	7/14/16	KELLY MOORE PAINT CO INC	820-295405	Bldg Maint Matls & Supplies	43.78	0.00	43.78	\$278.57
			820-295489	Bldg Maint Matls & Supplies	51.63	0.00	51.63	
			820-295657	Bldg Maint Matls & Supplies	126.23	0.00	126.23	

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			820-295819	Bldg Maint Matls & Supplies	56.93	0.00	56.93	
xxx282555	7/14/16	KOHLWEISS AUTO PARTS INC	01OW4575	Inventory Purchase	328.25	6.57	321.68	\$344.92
			01OW5768	Inventory Purchase	23.71	0.47	23.24	
xxx282556	7/14/16	KUOWEI LI	0032-3680-4649	DED Services/Training - Support Services	180.00	0.00	180.00	\$180.00
xxx282557	7/14/16	KUSTOM SIGNALS INC	529593	Miscellaneous Equipment	6,770.88	0.00	6,770.88	\$6,770.88
xxx282558	7/14/16	LOS ALTOS CHAMBER OF COMMERCE	104680	Membership Fees	200.00	0.00	200.00	\$200.00
xxx282559	7/14/16	MSI FUEL MANAGEMENT INC	4010	Parts, Vehicles & Motor Equip	1,484.00	0.00	1,484.00	\$1,484.00
xxx282560	7/14/16	MCMaster CARR SUPPLY CO	68568068	Miscellaneous Equipment Parts & Supplies	281.22	0.00	281.22	\$436.68
			68572615	Hand Tools	155.46	0.00	155.46	
xxx282561	7/14/16	MICHAEL MEHR	JUN2016 REIMB	DED Services/Training - Books	56.96	0.00	56.96	\$56.96
xxx282562	7/14/16	MOUNTAIN VIEW CHAMBER OF COMMERCE	3023	Membership Fees	350.00	0.00	350.00	\$350.00
xxx282563	7/14/16	MOUNTAIN VIEW GARDEN CENTER	83849	Materials - Land Improve	79.12	0.00	79.12	\$402.38
			84146	Bldg Maint Matls & Supplies	79.12	0.00	79.12	
			84257	Materials - Land Improve	122.07	0.00	122.07	
			84327	Bldg Maint Matls & Supplies	122.07	0.00	122.07	
xxx282564	7/14/16	NAPA AUTO PARTS	250316	Parts, Vehicles & Motor Equip	82.40	0.00	82.40	\$676.33
			251186	Parts, Vehicles & Motor Equip	415.62	0.00	415.62	
			251462	Parts, Vehicles & Motor Equip	13.66	0.00	13.66	
			251514	Parts, Vehicles & Motor Equip	46.65	0.00	46.65	
			251548	Parts, Vehicles & Motor Equip	118.00	0.00	118.00	
xxx282565	7/14/16	PAYFLEX SYSTEMS USA INC	130534-854770	Professional Services	198.00	0.00	198.00	\$258.00
			130536-854772	Professional Services	60.00	0.00	60.00	
xxx282566	7/14/16	PACIFIC WEST SECURITY INC	1024929-IN	Alarm Services	90.00	0.00	90.00	\$918.00
			1024930-IN	Facilities Maint & Repair - Labor	116.00	0.00	116.00	
			1024931-IN	Facilities Maint & Repair - Labor	199.00	0.00	199.00	
			1024932-IN	Facilities Maint & Repair - Labor	121.00	0.00	121.00	
			1024933-IN	Facilities Maint & Repair - Labor	167.00	0.00	167.00	
			1024934-IN	Facilities Maint & Repair - Labor	92.00	0.00	92.00	
			1024959-IN	Alarm Services	133.00	0.00	133.00	
			1024960-IN	Facilities Maint & Repair - Labor	0.00	0.00	0.00	
xxx282567	7/14/16	PINE CONE LUMBER CO INC						\$1,065.94

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xxx282568	7/14/16	READYREFRESH BY NESTLE	650701	Electrical Parts & Supplies	87.95	0.00	87.95	\$613.06
			651008	Inventory Purchase	944.42	9.44	934.98	
			651384	Hand Tools	43.01	0.00	43.01	
			06F0028805083	General Supplies	6.51	0.00	6.51	
			06F0029664380	Food Products	89.01	0.00	89.01	
			16F0023249071	General Supplies	6.51	0.00	6.51	
			16F0023360647	General Supplies	4.34	0.00	4.34	
			16F0023360847	General Supplies	4.34	0.00	4.34	
			16F0023956113	Food Products	16.20	0.00	16.20	
			16F0024199309	Miscellaneous Services	63.96	0.00	63.96	
			16F0025819772	General Supplies	6.51	0.00	6.51	
			16F5715636006	General Supplies	89.01	0.00	89.01	
			16F5727863002	General Supplies	32.76	0.00	32.76	
			16F5727863010	General Supplies	35.54	0.00	35.54	
			16F5736476002	General Supplies	6.51	0.00	6.51	
			16F5740132005	Miscellaneous Services	21.51	0.00	21.51	
			16F5740142004	General Supplies	43.04	0.00	43.04	
			16F5740146005	Miscellaneous Services	176.46	0.00	176.46	
			16F5740154009	General Supplies	4.34	0.00	4.34	
			16F5740156004	General Supplies	6.51	0.00	6.51	
xxx282570	7/14/16	SAFEWAY INC	435236-061616	Food Products	36.42	0.00	36.42	\$110.95
			803551-070116	General Supplies	18.71	0.00	18.71	
			807026-070916	Food Products	55.82	0.00	55.82	
xxx282571	7/14/16	SANTA CLARA CHAMBER OF COMMERCE &	236282	Membership Fees	300.00	0.00	300.00	\$300.00
xxx282572	7/14/16	SIMPLEX GRINNELL	78658054	Facilities Maint & Repair - Labor	899.72	0.00	899.72	\$3,205.54
			78717538	Facilities Maint & Repair - Labor	124.88	0.00	124.88	
			78717539	Facilities Maint & Repair - Labor	268.89	0.00	268.89	
			78717540	Facilities Maint & Repair - Labor	366.69	0.00	366.69	
			78717541	Facilities Maint & Repair - Labor	696.72	0.00	696.72	
			78717542	Facilities Maint & Repair - Labor	422.07	0.00	422.07	

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xxx282573	7/14/16	SMART & FINAL INC	78718733	Facilities Maint & Repair - Labor	426.57	0.00	426.57	
			147529-061616	Food Products	301.36	0.00	301.36	\$394.95
			152190-062316	Food Products	5.98	0.00	5.98	
			155992-062916	Food Products	12.49	0.00	12.49	
			155992-062916	General Supplies	5.99	0.00	5.99	
			156916-063016	Food Products	69.13	0.00	69.13	
xxx282574	7/14/16	SUNNYVALE CHAMBER OF COMMERCE	22084	Membership Fees	206.00	0.00	206.00	\$206.00
xxx282575	7/14/16	SUNNYVALE DOWNTOWN ASSN	071116 CK REQ	Miscellaneous Reimbursement	-88.10	0.00	-88.10	-\$88.10
xxx282576	7/14/16	SUPPLYWORKS	371909482	Inventory Purchase	452.40	4.52	447.88	\$447.88
xxx282577	7/14/16	TAMCO - BV LLC	1219	Consultants	19,320.00	0.00	19,320.00	\$19,320.00
xxx282578	7/14/16	TENAYA HURST	1	Special Events	300.00	0.00	300.00	\$300.00
xxx282579	7/14/16	THE COVELLO GROUP INC	2015.003-14	Engineering Services	24,687.50	0.00	24,687.50	\$24,687.50
xxx282580	7/14/16	THE US CONFERENCE OF MAYORS	155	Membership Fees	825.00	0.00	825.00	\$825.00
xxx282581	7/14/16	VERIZON WIRELESS	9767351246	Utilities - Mobile Phones - City Mobile Phones	3,691.09	0.00	3,691.09	\$3,691.09
xxx282583	7/14/16	VERIZON WIRELESS	9767351247	Utilities - Mobile Phones - City Mobile Phones	4,555.15	0.00	4,555.15	\$4,555.15
xxx282586	7/14/16	VERIZON WIRELESS	9767351248	Utilities - Mobile Phones - City Mobile Phones	2,266.40	0.00	2,266.40	\$2,266.40
xxx282589	7/14/16	VERIZON WIRELESS	9000052373	Communication Equipment	13.12	0.00	13.12	\$13.12
xxx282590	7/14/16	WEST COAST RUBBER & RECYCLING INC	16-1213	Auto Maint & Repair - Labor	227.50	0.00	227.50	\$238.88
			16-1213	Auto Maint & Repair - Materials	11.38	0.00	11.38	
xxx282591	7/14/16	NOTHING WASTED CONSULTING	00100	Recycling Services	800.00	0.00	800.00	\$800.00
xxx282592	7/14/16	OFFICEMAX CONTRACT INC	01326406202016	Supplies, Office 1	69.27	0.00	69.27	\$11,271.39
			02077106152016	Supplies, Office 1	149.96	0.00	149.96	
			03144306212016	Supplies, Office 1	4.35	0.00	4.35	
			07506906272016	Supplies, Office 1	10.85	0.00	10.85	
			13177806232016	Supplies, Office 1	3.27	0.00	3.27	
			31627506172016	Supplies, Office 1	23.85	0.00	23.85	
			33591306152016	Supplies, Office 1	51.03	0.00	51.03	
			33620306152016	Supplies, Office 1	46.90	0.00	46.90	
			33633906152016	Supplies, Office 1	332.94	0.00	332.94	

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			33661506152016	Supplies, Office 1	168.32	0.00	168.32	
			33786206152016	Supplies, Office 1	395.96	0.00	395.96	
			34024806152016	Supplies, Office 1	19.85	0.00	19.85	
			34217406152016	Supplies, Office 1	154.86	0.00	154.86	
			34367306152016	Supplies, Office 1	88.61	0.00	88.61	
			35145406162016	Supplies, Office 1	165.43	0.00	165.43	
			36091706172016	Supplies, Office 1	119.72	0.00	119.72	
			36400906172016	Supplies, Office 1	39.96	0.00	39.96	
			36417406172016	Supplies, Office 1	2.19	0.00	2.19	
			36498806172016	Supplies, Office 1	80.63	0.00	80.63	
			36569106172016	Supplies, Office 1	10.48	0.00	10.48	
			36578606172016	Supplies, Office 1	654.40	0.00	654.40	
			36631706212016	Supplies, Office 1	68.14	0.00	68.14	
			37019106202016	Supplies, Office 1	293.39	0.00	293.39	
			38071806212016	Supplies, Office 1	75.29	0.00	75.29	
			38086206212016	Supplies, Office 1	85.79	0.00	85.79	
			38236206212016	Supplies, Office 1	91.27	0.00	91.27	
			38495706212016	Supplies, Office 1	248.42	0.00	248.42	
			38892706212016	Supplies, Office 1	115.81	0.00	115.81	
			39499406232016	Supplies, Office 1	-33.93	0.00	-33.93	
			39897906222016	Supplies, Office 1	22.67	0.00	22.67	
			40422606232016	Supplies, Office 1	185.79	0.00	185.79	
			40429606232016	Supplies, Office 1	34.99	0.00	34.99	
			40499006232016	Supplies, Office 1	210.36	0.00	210.36	
			40570406232016	Supplies, Office 1	277.19	0.00	277.19	
			40577506232016	Supplies, Office 1	27.31	0.00	27.31	
			41012206232016	Supplies, Office 1	743.02	0.00	743.02	
			41058106232016	Supplies, Office 1	55.39	0.00	55.39	
			41103106232016	Supplies, Office 1	107.35	0.00	107.35	
			41106906232016	Supplies, Office 1	60.95	0.00	60.95	
			41647006242016	Supplies, Office 1	48.37	0.00	48.37	

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			41910806242016	Supplies, Office 1	1,502.18	0.00	1,502.18	
			41958206282016	Supplies, Office 1	735.14	0.00	735.14	
			42054506242016	Supplies, Office 1	8.15	0.00	8.15	
			42481206272016	Supplies, Office 1	62.92	0.00	62.92	
			42629706272016	Supplies, Office 1	234.02	0.00	234.02	
			42836506272016	Supplies, Office 1	290.93	0.00	290.93	
			42945206272016	Supplies, Office 1	56.83	0.00	56.83	
			43396006272016	Supplies, Office 1	227.02	0.00	227.02	
			43408506272016	Supplies, Office 1	348.36	0.00	348.36	
			43456306292016	Supplies, Office 1	35.11	0.00	35.11	
			43494006282016	Supplies, Office 1	200.93	0.00	200.93	
			43613206282016	Supplies, Office 1	133.06	0.00	133.06	
			43847606282016	Supplies, Office 1	54.67	0.00	54.67	
			44095406282016	Supplies, Office 1	67.29	0.00	67.29	
			44426206292016	Supplies, Office 1	245.38	0.00	245.38	
			44446506292016	Supplies, Office 1	11.49	0.00	11.49	
			44797606292016	Supplies, Office 1	152.27	0.00	152.27	
			44954906292016	Supplies, Office 1	287.97	0.00	287.97	
			45593006302016	Supplies, Office 1	56.85	0.00	56.85	
			45627706302016	Supplies, Office 1	31.08	0.00	31.08	
			45843406302016	Supplies, Office 1	29.45	0.00	29.45	
			46118606302016	Supplies, Office 1	544.18	0.00	544.18	
			46243906302016	Supplies, Office 1	625.04	0.00	625.04	
			46280906302016	Supplies, Office 1	16.32	0.00	16.32	
			97979806152016	Supplies, Office 1	4.35	0.00	4.35	
xxx282598	7/14/16	PACIFIC GAS & ELECTRIC CO	05225890200616	Utilities - Gas	20.84	0.00	20.84	\$4,476.17
			05225892760616	Utilities - Electric	2,594.52	0.00	2,594.52	
			06075133000616	Utilities - Electric	11.12	0.00	11.12	
			100023460716	Utilities - Electric	1,354.20	0.00	1,354.20	
			14823837850616	Utilities - Electric	51.66	0.00	51.66	
			18068041900616	Utilities - Electric	107.35	0.00	107.35	

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			19867842520616	Utilities - Electric	43.55	0.00	43.55	
			38257235830616	Utilities - Electric	9.72	0.00	9.72	
			39509111000616	Utilities - Electric	53.68	0.00	53.68	
			48131400740616	Utilities - Electric	9.53	0.00	9.53	
			53350770050616	Fuel, Oil & Lubricants	125.56	0.00	125.56	
			63004478110616	Utilities - Electric	65.86	0.00	65.86	
			66172622090616	Utilities - Electric	28.58	0.00	28.58	
xxx282599	7/14/16	PALO ALTO MEDICAL FOUNDATION	2716	Pre-Employment Testing	75.00	0.00	75.00	\$9,895.00
			2717	Pre-Employment Testing	125.00	0.00	125.00	
			2718	Pre-Employment Testing	57.00	0.00	57.00	
			2719	Pre-Employment Testing	30.00	0.00	30.00	
			2720	Medical Services	125.00	0.00	125.00	
			2721	Medical Services	125.00	0.00	125.00	
			2722	Pre-Employment Testing	75.00	0.00	75.00	
			2723	Pre-Employment Testing	125.00	0.00	125.00	
			2724	Pre-Employment Testing	30.00	0.00	30.00	
			2725	Pre-Employment Testing	75.00	0.00	75.00	
			2726	Pre-Employment Testing	125.00	0.00	125.00	
			2727	Pre-Employment Testing	30.00	0.00	30.00	
			2728	Pre-Employment Testing	75.00	0.00	75.00	
			2729	Pre-Employment Testing	125.00	0.00	125.00	
			2730	Pre-Employment Testing	30.00	0.00	30.00	
			2731	Pre-Employment Testing	75.00	0.00	75.00	
			2732	Pre-Employment Testing	125.00	0.00	125.00	
			2733	Pre-Employment Testing	57.00	0.00	57.00	
			2734	Pre-Employment Testing	75.00	0.00	75.00	
			2735	Pre-Employment Testing	125.00	0.00	125.00	
			2736	Pre-Employment Testing	30.00	0.00	30.00	
			2737	Pre-Employment Testing	75.00	0.00	75.00	
			2738	Pre-Employment Testing	125.00	0.00	125.00	
			2739	Pre-Employment Testing	57.00	0.00	57.00	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			2741	Pre-Employment Testing	75.00	0.00	75.00	
			2742	Pre-Employment Testing	125.00	0.00	125.00	
			2743	Pre-Employment Testing	30.00	0.00	30.00	
			2744	Pre-Employment Testing	75.00	0.00	75.00	
			2745	Pre-Employment Testing	125.00	0.00	125.00	
			2746	Pre-Employment Testing	30.00	0.00	30.00	
			2747	Pre-Employment Testing	75.00	0.00	75.00	
			2748	Pre-Employment Testing	125.00	0.00	125.00	
			2749	Pre-Employment Testing	30.00	0.00	30.00	
			2751	Pre-Employment Testing	125.00	0.00	125.00	
			2752	Pre-Employment Testing	125.00	0.00	125.00	
			2758	Pre-Employment Testing	75.00	0.00	75.00	
			2759	Pre-Employment Testing	125.00	0.00	125.00	
			2760	Medical Services	47.00	0.00	47.00	
			2761	Medical Services	350.00	0.00	350.00	
			2762	Medical Services	125.00	0.00	125.00	
			2763	Pre-Employment Testing	75.00	0.00	75.00	
			2764	Pre-Employment Testing	125.00	0.00	125.00	
			2765	Pre-Employment Testing	30.00	0.00	30.00	
			2766	Pre-Employment Testing	75.00	0.00	75.00	
			2767	Pre-Employment Testing	125.00	0.00	125.00	
			2768	Pre-Employment Testing	57.00	0.00	57.00	
			2769	Pre-Employment Testing	75.00	0.00	75.00	
			2770	Pre-Employment Testing	125.00	0.00	125.00	
			2771	Pre-Employment Testing	30.00	0.00	30.00	
			2772	Pre-Employment Testing	75.00	0.00	75.00	
			2773	Pre-Employment Testing	125.00	0.00	125.00	
			2774	Pre-Employment Testing	30.00	0.00	30.00	
			2775	Pre-Employment Testing	75.00	0.00	75.00	
			2776	Pre-Employment Testing	125.00	0.00	125.00	
			2777	Pre-Employment Testing	75.00	0.00	75.00	

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			2778	Pre-Employment Testing	125.00	0.00	125.00	
			2779	Pre-Employment Testing	30.00	0.00	30.00	
			2780	Pre-Employment Testing	57.00	0.00	57.00	
			2781	Medical Services	47.00	0.00	47.00	
			2782	Medical Services	350.00	0.00	350.00	
			2783	Pre-Employment Testing	75.00	0.00	75.00	
			2784	Pre-Employment Testing	125.00	0.00	125.00	
			2785	Pre-Employment Testing	75.00	0.00	75.00	
			2786	Pre-Employment Testing	125.00	0.00	125.00	
			2787	Pre-Employment Testing	75.00	0.00	75.00	
			2788	Pre-Employment Testing	125.00	0.00	125.00	
			2789	Pre-Employment Testing	30.00	0.00	30.00	
			2790	Pre-Employment Testing	75.00	0.00	75.00	
			2791	Pre-Employment Testing	125.00	0.00	125.00	
			2792	Pre-Employment Testing	30.00	0.00	30.00	
			2793	Pre-Employment Testing	75.00	0.00	75.00	
			2794	Pre-Employment Testing	125.00	0.00	125.00	
			2795	Pre-Employment Testing	75.00	0.00	75.00	
			2796	Pre-Employment Testing	125.00	0.00	125.00	
			2797	Pre-Employment Testing	57.00	0.00	57.00	
			2798	Medical Services	125.00	0.00	125.00	
			2799	Pre-Employment Testing	75.00	0.00	75.00	
			2800	Pre-Employment Testing	125.00	0.00	125.00	
			2801	Pre-Employment Testing	30.00	0.00	30.00	
			2802	Medical Services	47.00	0.00	47.00	
			2803	Medical Services	350.00	0.00	350.00	
			2804	Pre-Employment Testing	75.00	0.00	75.00	
			2805	Pre-Employment Testing	125.00	0.00	125.00	
			2806	Pre-Employment Testing	30.00	0.00	30.00	
			2807	Pre-Employment Testing	75.00	0.00	75.00	
			2808	Pre-Employment Testing	125.00	0.00	125.00	

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			2809	Pre-Employment Testing	30.00	0.00	30.00	
			2810	Pre-Employment Testing	75.00	0.00	75.00	
			2811	Pre-Employment Testing	125.00	0.00	125.00	
			2812	Pre-Employment Testing	30.00	0.00	30.00	
			2813	Pre-Employment Testing	30.00	0.00	30.00	
			2814	Pre-Employment Testing	75.00	0.00	75.00	
			2815	Pre-Employment Testing	125.00	0.00	125.00	
			2816	Pre-Employment Testing	75.00	0.00	75.00	
			2817	Pre-Employment Testing	125.00	0.00	125.00	
			2818	Pre-Employment Testing	30.00	0.00	30.00	
			2819	Pre-Employment Testing	75.00	0.00	75.00	
			2820	Pre-Employment Testing	125.00	0.00	125.00	
			2821	Pre-Employment Testing	30.00	0.00	30.00	
			2822	Pre-Employment Testing	75.00	0.00	75.00	
			2823	Pre-Employment Testing	125.00	0.00	125.00	
			2824	Pre-Employment Testing	57.00	0.00	57.00	
			2826	Medical Services	125.00	0.00	125.00	
			2827	Pre-Employment Testing	75.00	0.00	75.00	
			2828	Pre-Employment Testing	125.00	0.00	125.00	
			2829	Pre-Employment Testing	75.00	0.00	75.00	
			2830	Pre-Employment Testing	125.00	0.00	125.00	
			2831	Pre-Employment Testing	75.00	0.00	75.00	
			2832	Pre-Employment Testing	125.00	0.00	125.00	
xxx282608	7/14/16	SWRCB ELAP FEES	EA 1016-1340	Taxes & Licenses - Misc	9,003.00	0.00	9,003.00	\$9,003.00
xxx282609	7/14/16	STATE WATER RESOURCES CONTROL BOARD	BYRD GR I	Membership Fees	140.00	0.00	140.00	\$460.00
			SOEHENDRO GRII	Membership Fees	180.00	0.00	180.00	
			TAVARES GR I	Membership Fees	140.00	0.00	140.00	
xxx282610	7/14/16	STATE WATER RESOURCES CONTROL BOARD	CANTELLANO GRI	Membership Fees	170.00	0.00	170.00	\$340.00
			TAVAKOL GR I	Membership Fees	170.00	0.00	170.00	
xxx282611	7/14/16	TRIDENT PROFESSIONALS						\$1,500.00

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			080316-080516	Training and Conferences	1,500.00	0.00	1,500.00	
xxx000512	7/11/16	CALIFORNIA PUBLIC EMP RETIREMENT SYSTEM		Insurances - Medical	1,190,243.19	0.00	1,190,243.19	\$1,598,572.33
				Insurances - Retiree Medical - PERS	408,329.14	0.00	408,329.14	
xxx002505	7/12/16	PERS DEFERRED COMPENSATION PLAN 457	950002505	Retirement Benefits - Deferred Comp - City Portion	1,392.30	0.00	1,392.30	\$1,392.30
xxx100596	7/13/16	BAY COUNTIES WASTE SERVICES	MAY2015	Facilities Equipment	22,403.25	0.00	22,403.25	\$1,022,153.84
			MAY2016	Curbside Revenues - Sunnyvale Portion	-23,673.12	0.00	-23,673.12	
			MAY2016	Host Fees - SMaRT Station - Public Haul Fees	-6,768.42	0.00	-6,768.42	
			MAY2016	MRF Revenues - SMaRT	-15,782.09	0.00	-15,782.09	
			MAY2016	Kirby Canyon SMaRT Operator	-88,248.44	0.00	-88,248.44	
			MAY2016	Yardwaste - Mountain View	6,720.71	0.00	6,720.71	
			MAY2016	Yardwaste - Palo Alto	544.11	0.00	544.11	
			MAY2016	Yardwaste - Sunnyvale	14,645.69	0.00	14,645.69	
			MAY2016	Consultants	4,449.05	0.00	4,449.05	
			MAY2016	General Supplies	3,315.63	0.00	3,315.63	
			MAY2016	HazMat Disposal - Hazardous Waste Disposal	13,405.89	0.00	13,405.89	
			MAY2016	SMaRT Contractor Payment	1,091,141.58	0.00	1,091,141.58	
xxx100597	7/14/16	SANTA CLARA VALLEY WATER DISTRICT	TI002016	Water for Resale	727,170.64	0.00	727,170.64	\$727,170.64
xxx100598	7/14/16	SFPUC WATER DEPARTMENT	060216-070116	Water for Resale	1,547,628.66	0.00	1,547,628.66	\$1,688,311.66
			060216-070116	Purchased Water Related Expenses - Meter Charges	22,939.00	0.00	22,939.00	
			060216-070116	BAWSCA Surcharge	117,744.00	0.00	117,744.00	
xxx906069	7/13/16	ACCLAMATION INSURANCE MANAGEMENT		Workers' Compensation - Claims	70,408.03	0.00	70,408.03	\$70,408.03
Grand Total Payment Amount								<u>\$6,945,397.22</u>

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xxx282612	7/19/16	ACCESS HARDWARE	5627584-IN	Miscellaneous Services	30.00	0.00	30.00	\$1,495.97
			5627901-IN	Bldg Maint Matls & Supplies	1,465.97	0.00	1,465.97	
xxx282613	7/19/16	ACKERLY ENTERTAINMENT	JULY/09/2016	Special Events	500.00	0.00	500.00	\$500.00
xxx282614	7/19/16	ADAMSON POLICE PRODUCTS	INV217033	Ammunition	15,877.50	0.00	15,877.50	\$20,874.57
			INV217037	Ammunition	4,997.07	0.00	4,997.07	
xxx282615	7/19/16	APPLEONE EMPLOYMENT SERVICES	01-4106083	Contracts/Service Agreements	2,643.04	0.00	2,643.04	\$2,643.04
xxx282616	7/19/16	ARNE SIGN & DECAL CO INC	16-9390	Parts, Vehicles & Motor Equip	236.53	0.00	236.53	\$236.53
xxx282617	7/19/16	ASSOCIATED INFRASTRUCTURE MGMT SERVICES	2016-010	Consultants	3,367.10	0.00	3,367.10	\$3,367.10
xxx282618	7/19/16	BSI EHS SERVICES & SOLUTIONS	35448	Professional Services	10,397.90	0.00	10,397.90	\$17,002.24
			35997	Consultants	6,604.34	0.00	6,604.34	
xxx282619	7/19/16	BT EXPRESS LIQUIDATORS INC	8900	Furniture	9,249.19	0.00	9,249.19	\$9,249.19
xxx282620	7/19/16	BAUER COMPRESSORS INC	0000213357	Safety Equipment Maintenance & Repair	2,017.36	0.00	2,017.36	\$2,017.36
xxx282622	7/19/16	BAY AREA POLYGRAPH	675	Investigation Expense	1,025.00	0.00	1,025.00	\$1,025.00
xxx282623	7/19/16	BAY PRO LANDSCAPE SERVICES INC	M4280	Services Maintain Land Improv	711.00	0.00	711.00	\$711.00
xxx282624	7/19/16	BERTRAND FOX ELLIOT OSMAN & WENZEL	25165	Legal Services	8,522.89	0.00	8,522.89	\$16,729.90
			25166	Legal Services	186.08	0.00	186.08	
			25168	Legal Services	2,169.32	0.00	2,169.32	
			25187	Legal Services	5,851.61	0.00	5,851.61	
xxx282625	7/19/16	BEST BEST & KRIEGER LLP	775803	Legal Services	300.00	0.00	300.00	\$300.00
xxx282626	7/19/16	BINTABEN PATEL	2847197	DED Services/Training - Support Services	50.00	0.00	50.00	\$50.00
xxx282627	7/19/16	BOUND TREE MEDICAL LLC	82193672	Supplies, First Aid	1,750.03	0.00	1,750.03	\$1,750.03
xxx282628	7/19/16	BURKE WILLIAMS & SORENSEN LLP	202526	Legal Services	314.56	0.00	314.56	\$4,514.56
			202750	Legal Services	4,200.00	0.00	4,200.00	
xxx282629	7/19/16	BURTONS FIRE INC	S32438	Parts, Vehicles & Motor Equip	549.16	0.00	549.16	\$549.16
xxx282630	7/19/16	CLAP ARTS	1404	Rec Instructors/Officials	4,224.50	0.00	4,224.50	\$4,224.50
xxx282631	7/19/16	CALIFA GROUP	8492	Library Periodicals/Databases	37,822.50	0.00	37,822.50	\$37,822.50
xxx282632	7/19/16	CALTEST ANALYTICAL LABORATORY	560003	Water Lab Services	306.70	0.00	306.70	\$306.70
xxx282633	7/19/16	CALTRONICS BUSINESS SYSTEMS	2037181	Equipment Rental/Lease	12,169.26	0.00	12,169.26	\$12,169.26

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xxx282634	7/19/16	CENTRAL LABOR COUNCIL PARTNERSHIP	JUNE2016	DED Services/Training - Books	123.55	0.00	123.55	\$40,870.29
			JUNE2016	Contracts/Service Agreements	40,746.74	0.00	40,746.74	
xxx282635	7/19/16	CITY OF MOUNTAIN VIEW	2016-2017	Advertising Services	805.00	0.00	805.00	\$805.00
xxx282636	7/19/16	CLAY PLANET	216979	Rec Instructors/Officials	21.21	0.00	21.21	\$21.21
xxx282637	7/19/16	COAST PERSONNEL SERVICES INC	243268	Contracts/Service Agreements	604.50	0.00	604.50	\$3,374.65
			243269	Contracts/Service Agreements	1,063.92	0.00	1,063.92	
			243270	Contracts/Service Agreements	835.75	0.00	835.75	
			243271	Contracts/Service Agreements	870.48	0.00	870.48	
xxx282639	7/19/16	COASTAL TRACTOR	IV89598A	General Supplies	26.80	0.00	26.80	\$26.80
xxx282640	7/19/16	CODY ANDERSON WASNEY ARCHITECTS INC	0616.14006	Consultants	33,902.76	0.00	33,902.76	\$33,902.76
xxx282641	7/19/16	COLANTUONO HIGHSMITH & WHATLEY PC	31160	Legal Services	70.00	0.00	70.00	\$70.00
xxx282642	7/19/16	CUPERTINO UNION SCHOOL DISTRICT	AT16-00059	Miscellaneous Services	202.03	0.00	202.03	\$202.03
xxx282643	7/19/16	DTN ENGINEERS INC	389C.06	Engineering Services	1,082.28	0.00	1,082.28	\$1,082.28
xxx282644	7/19/16	DELL MARKETING LP	XJXMP9XP6	Computer Hardware	2,284.16	0.00	2,284.16	\$67,392.10
			XJXMRC3T1	Computer Hardware	54,819.68	0.00	54,819.68	
			XJXN3J6M7	Computer Hardware	10,288.26	0.00	10,288.26	
xxx282645	7/19/16	DETAIL PLUS	32359	General Supplies	185.00	0.00	185.00	\$185.00
xxx282647	7/19/16	DU-ALL SAFETY	18009	Occupational Health and Safety Services - Other	2,500.00	0.00	2,500.00	\$2,500.00
xxx282648	7/19/16	EKSTER & ASSOC	6.22.2016	Consultants	8,000.00	0.00	8,000.00	\$8,000.00
xxx282649	7/19/16	EUPHRAT MUSEUM OF ART	143	Professional Services	3,750.00	0.00	3,750.00	\$3,750.00
xxx282650	7/19/16	EVOQUA WATER TECHNOLOGIES LLC	902687505	General Supplies	548.03	0.00	548.03	\$548.03
xxx282651	7/19/16	FERGUSON ENTERPRISES INC 1423	1183250-1	Inventory Purchase	883.05	8.12	874.93	\$3,593.67
			1183264-2	Construction Services	1,355.92	0.00	1,355.92	
			1193224	Inventory Purchase	1,375.47	12.65	1,362.82	
xxx282652	7/19/16	FIRST PLACE INC	84706	Customized Products	174.23	0.00	174.23	\$639.83
			84777	Customized Products	177.28	0.00	177.28	
			84795	Customized Products	114.05	0.00	114.05	
			84797	Customized Products	174.27	0.00	174.27	
xxx282653	7/19/16	FISHER SCIENTIFIC CO LLC	5476962	General Supplies	122.84	0.00	122.84	\$260.52

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			5655450	General Supplies	78.85	0.00	78.85	
			6929850	General Supplies	58.83	0.00	58.83	
xxx282654	7/19/16	FITGUARD INC	0000116655	Facilities Maint & Repair - Labor	145.00	0.00	145.00	\$335.00
			0000116737	Misc Equip Maint & Repair - Labor	95.00	0.00	95.00	
			0000116742	Misc Equip Maint & Repair - Labor	95.00	0.00	95.00	
xxx282655	7/19/16	FULL COMPASS SYSTEMS LTD	INC00206762	General Supplies	1,164.75	0.00	1,164.75	\$1,164.75
xxx282656	7/19/16	GCS ENVIRONMENTAL EQUIPMENT SERVICES INC	13853	Parts, Vehicles & Motor Equip	293.71	0.00	293.71	\$293.71
xxx282657	7/19/16	GLOBAL ACCESS INC	14652	Software As a Service	236.00	0.00	236.00	\$236.00
xxx282658	7/19/16	GOLDEN GATE MECHANICAL INC	31723	Misc Equip Maint & Repair - Labor	657.79	0.00	657.79	\$1,461.18
			31723	Misc Equip Maint & Repair - Materials	803.39	0.00	803.39	
xxx282659	7/19/16	GORILLA METALS	185960	Bldg Maint Matls & Supplies	81.56	0.00	81.56	\$81.56
xxx282660	7/19/16	GRANICUS INC	77183	Software As a Service	5,040.00	0.00	5,040.00	\$13,376.55
			77184	Software As a Service	3,573.30	0.00	3,573.30	
			77185	Software As a Service	4,763.25	0.00	4,763.25	
xxx282661	7/19/16	GRANITEROCK CO	969080	Materials - Land Improve	12,779.94	0.00	12,779.94	\$22,582.37
			969748	Materials - Land Improve	5,947.33	0.00	5,947.33	
			970969	Materials - Land Improve	3,855.10	0.00	3,855.10	
xxx282662	7/19/16	GRAYBAR ELECTRIC CO INC	985360967	Comm Equip Maintain & Repair - Materials 2	816.44	0.00	816.44	\$816.44
xxx282663	7/19/16	HACH CO INC	9999605	General Supplies	650.25	0.00	650.25	\$650.25
xxx282664	7/19/16	HENRY & LEMOINE ELECTRIC INC	16-1077	Miscellaneous Services	1,000.00	0.00	1,000.00	\$1,000.00
xxx282665	7/19/16	HULA HALAU'O P'ILANI	062716	Rec Instructors/Officials	712.00	0.00	712.00	\$712.00
xxx282666	7/19/16	IMAGEX	206271	Printing & Related Services	625.00	0.00	625.00	\$625.00
xxx282667	7/19/16	INSIGHT PUBLIC SECTOR INC	1100478472	Computer Software	123.14	0.00	123.14	\$123.14
xxx282668	7/19/16	JASON WHITWORTH	070916PERF	Special Events	300.00	0.00	300.00	\$300.00
xxx282669	7/19/16	JOBTRAIN	JUNE2016	DED Services/Training - Training	4,926.00	0.00	4,926.00	\$40,799.00
			JUNE2016	Contracts/Service Agreements	35,873.00	0.00	35,873.00	
xxx282670	7/19/16	JOHNSON ROBERTS & ASSOC INC	129167	Investigation Expense	117.50	0.00	117.50	\$117.50
xxx282671	7/19/16	JUMP CUTTERS VIDEO	1101	Advertising Services	1,500.00	0.00	1,500.00	\$1,500.00
xxx282672	7/19/16	KAISER FOUNDATION HOSPITALS	052916-062916	Pre-Employment Testing	1,944.00	0.00	1,944.00	\$1,944.00
xxx282673	7/19/16	KEYSER MARSTON ASSOC INC	0029899	Financial Services	420.00	0.00	420.00	\$420.00

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xxx282674	7/19/16	KOHLWEISS AUTO PARTS INC	01OW6598	Inventory Purchase	64.99	1.30	63.69	\$63.69
xxx282675	7/19/16	LC ACTION POLICE SUPPLY	349581CR	General Supplies	-108.48	0.00	-108.48	\$1,434.21
			349873	Clothing, Uniforms & Access	18.26	0.00	18.26	
			349874	Clothing, Uniforms & Access	174.50	0.00	174.50	
			349875	Clothing, Uniforms & Access	139.15	0.00	139.15	
			349876	Clothing, Uniforms & Access	16.75	0.00	16.75	
			350004	Clothing, Uniforms & Access	16.75	0.00	16.75	
			350005	Clothing, Uniforms & Access	20.04	0.00	20.04	
			350930	General Supplies	277.50	0.00	277.50	
			350930CR	General Supplies	-277.50	0.00	-277.50	
			350946	Clothing, Uniforms & Access	378.99	0.00	378.99	
			350951	Clothing, Uniforms & Access	228.32	0.00	228.32	
			351151	Clothing, Uniforms & Access	16.75	0.00	16.75	
			351330	Clothing, Uniforms & Access	146.07	0.00	146.07	
			351400	Clothing, Uniforms & Access	205.81	0.00	205.81	
			351437	Clothing, Uniforms & Access	181.30	0.00	181.30	
xxx282677	7/19/16	LAWSON PRODUCTS INC	9304195159	Miscellaneous Equipment Parts & Supplies	472.56	0.00	472.56	\$1,040.11
			9304224396	Miscellaneous Equipment Parts & Supplies	567.55	0.00	567.55	
xxx282678	7/19/16	LIEBERT CASSIDY WHITMORE	1422779	City Training Program	4,360.50	0.00	4,360.50	\$4,360.50
xxx282679	7/19/16	MATRIX CONSULTING GROUP	16-33 #2	Consultants	8,373.00	0.00	8,373.00	\$12,747.00
			16-34 #2	Consultants	4,374.00	0.00	4,374.00	
xxx282680	7/19/16	MCMaster CARR SUPPLY CO	70137826	Miscellaneous Equipment Parts & Supplies	126.46	0.00	126.46	\$126.46
xxx282681	7/19/16	MORNINGSTAR INC	092616-092617	Library Periodicals/Databases	1,914.00	0.00	1,914.00	\$1,914.00
xxx282682	7/19/16	ORACLE AMERICA INC	42948788	Software Licensing & Support	8,758.74	0.00	8,758.74	\$8,758.74
xxx282683	7/19/16	OVERDRIVE INC	H-0035287	Library Periodicals/Databases	5,400.00	0.00	5,400.00	\$5,999.00
			OMS-0001306	Library Technology Services	599.00	0.00	599.00	
xxx282684	7/19/16	PRN ERGONOMIC SERVICES	6160173	Occupational Health and Safety Services	195.00	0.00	195.00	\$195.00
xxx282685	7/19/16	PACIFIC LIBRARY PARTNERSHIP	526	Membership Fees	15,641.00	0.00	15,641.00	\$15,641.00
xxx282686	7/19/16	PACIFIC UNDERGROUND CONSTRUCTION INC	29813	Construction Services	26,750.00	0.00	26,750.00	\$26,750.00
xxx282687	7/19/16	PINE CONE LUMBER CO INC	651821	Inventory Purchase	586.63	5.87	580.76	\$646.90

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			651822	Inventory Purchase	66.81	0.67	66.14	
xxx282688	7/19/16	PINNACLE VEND SYSTEMS	2061	Computer Software	1,500.00	0.00	1,500.00	\$1,500.00
xxx282689	7/19/16	RANKIN STOCK HEABERLIN	33628	Legal Services	445.20	0.00	445.20	\$7,854.62
			33630	Legal Services	7,409.42	0.00	7,409.42	
xxx282690	7/19/16	RECOLLECT SYSTEMS INC	1269	General Supplies	4,000.00	0.00	4,000.00	\$4,000.00
xxx282691	7/19/16	REED & GRAHAM INC	864594	Materials - Land Improve	1,458.49	0.00	1,458.49	\$9,650.72
			864728	Materials - Land Improve	1,687.48	0.00	1,687.48	
			865046	Materials - Land Improve	1,039.03	0.00	1,039.03	
			865047	Materials - Land Improve	469.99	0.00	469.99	
			865236	Materials - Land Improve	840.95	0.00	840.95	
			865359	Materials - Land Improve	2,410.39	0.00	2,410.39	
			865571	Materials - Land Improve	1,744.39	0.00	1,744.39	
xxx282692	7/19/16	REGIONAL MONITORING PROGRAM	3017281	Water Lab Services	28,024.00	0.00	28,024.00	\$28,024.00
xxx282693	7/19/16	ROBERT HALF TECHNOLOGY	45905066	Contracts/Service Agreements	998.88	0.00	998.88	\$998.88
xxx282694	7/19/16	SCVURPPP	2016.17.13	Consultants	332,644.00	0.00	332,644.00	\$332,644.00
xxx282695	7/19/16	SAFARILAND LLC	1010-023595	General Supplies	856.91	0.00	856.91	\$1,329.95
			1010-023809	General Supplies	473.04	0.00	473.04	
xxx282696	7/19/16	SAFEWAY INC	438555-070716	General Supplies	9.77	0.00	9.77	\$221.12
			438943-070816	General Supplies	97.12	0.00	97.12	
			725465-070616	General Supplies	49.54	0.00	49.54	
			726263-070716	General Supplies	26.07	0.00	26.07	
			805105-070516	Food Products	12.00	0.00	12.00	
			808008-071116	Food Products	5.00	0.00	5.00	
			808228-070716	Meetings	21.62	0.00	21.62	
xxx282697	7/19/16	SMART & FINAL INC	160837-070616	Food Products	31.02	0.00	31.02	\$360.88
			160837-070616	General Supplies	9.99	0.00	9.99	
			161359-070716	Food Products	77.27	0.00	77.27	
			161359-070716	General Supplies	6.41	0.00	6.41	
			161426-070716	General Supplies	58.63	0.00	58.63	
			161426-070716	Special Events	33.55	0.00	33.55	
			162114-070816	General Supplies	30.31	0.00	30.31	

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			163634-071116	Food Products	22.55	0.00	22.55	
			163634-071116	General Supplies	7.93	0.00	7.93	
			163641-071116	Food Products	10.45	0.00	10.45	
			164339-071216	Food Products	37.86	0.00	37.86	
			164339-071216	General Supplies	10.88	0.00	10.88	
			165008-071316	General Supplies	24.03	0.00	24.03	
xxx282699	7/19/16	STEPHEN PI	070616PURCHASE	DED Services/Training - Books	27.99	0.00	27.99	\$27.99
xxx282700	7/19/16	SUBURBAN PROPANE	2058780	Fuel, Oil & Lubricants	50.82	0.00	50.82	\$50.82
xxx282701	7/19/16	SUMMIT UNIFORMS	31944	Clothing, Uniforms & Access	58.73	0.00	58.73	\$9,479.80
			31945	Clothing, Uniforms & Access	315.38	0.00	315.38	
			31946	Clothing, Uniforms & Access	456.75	0.00	456.75	
			31947	Clothing, Uniforms & Access	219.68	0.00	219.68	
			31949	Clothing, Uniforms & Access	109.84	0.00	109.84	
			31950	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31951-2016	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31952	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31953	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31954	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31955	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31956	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31957	Clothing, Uniforms & Access	187.05	0.00	187.05	
			31958	Clothing, Uniforms & Access	453.49	0.00	453.49	
			31959	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31960	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31961	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31962	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31963	Clothing, Uniforms & Access	107.66	0.00	107.66	
			31964	Clothing, Uniforms & Access	107.66	0.00	107.66	
			32039	Clothing, Uniforms & Access	90.26	0.00	90.26	
			32048	Clothing, Uniforms & Access	23.93	0.00	23.93	

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			32087	Clothing, Uniforms & Access	75.04	0.00	75.04	
			32089	Clothing, Uniforms & Access	10.88	0.00	10.88	
			32090	Clothing, Uniforms & Access	10.88	0.00	10.88	
			32093	Clothing, Uniforms & Access	22.84	0.00	22.84	
			32094	Clothing, Uniforms & Access	28.28	0.00	28.28	
			32095	Clothing, Uniforms & Access	28.28	0.00	28.28	
			32096	Clothing, Uniforms & Access	32.63	0.00	32.63	
			32097	Clothing, Uniforms & Access	160.95	0.00	160.95	
			32099	Clothing, Uniforms & Access	117.45	0.00	117.45	
			32100	Clothing, Uniforms & Access	10.88	0.00	10.88	
			32101	Clothing, Uniforms & Access	150.08	0.00	150.08	
			32143	Clothing, Uniforms & Access	345.83	0.00	345.83	
			32154	Clothing, Uniforms & Access	303.41	0.00	303.41	
			32155	Clothing, Uniforms & Access	303.41	0.00	303.41	
			32214	Clothing, Uniforms & Access	26.10	0.00	26.10	
			32246	Clothing, Uniforms & Access	433.91	0.00	433.91	
			32266	Clothing, Uniforms & Access	419.78	0.00	419.78	
			32267	Clothing, Uniforms & Access	419.78	0.00	419.78	
			32304	Clothing, Uniforms & Access	36.98	0.00	36.98	
			32308	Clothing, Uniforms & Access	234.90	0.00	234.90	
			32321	Clothing, Uniforms & Access	75.04	0.00	75.04	
			32322	Clothing, Uniforms & Access	150.08	0.00	150.08	
			32323	Clothing, Uniforms & Access	134.85	0.00	134.85	
			32324	Clothing, Uniforms & Access	31.54	0.00	31.54	
			32325	Clothing, Uniforms & Access	31.54	0.00	31.54	
			32326	Clothing, Uniforms & Access	109.84	0.00	109.84	
			32327	Clothing, Uniforms & Access	207.71	0.00	207.71	
			32328	Clothing, Uniforms & Access	207.71	0.00	207.71	
			32329	Clothing, Uniforms & Access	415.43	0.00	415.43	
			32331	Clothing, Uniforms & Access	120.71	0.00	120.71	
			32332	Clothing, Uniforms & Access	117.45	0.00	117.45	

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			32579	Clothing, Uniforms & Access	80.48	0.00	80.48	
			32723	Clothing, Uniforms & Access	8.70	0.00	8.70	
			32724	Clothing, Uniforms & Access	342.56	0.00	342.56	
			32815	Clothing, Uniforms & Access	200.10	0.00	200.10	
			32816	Clothing, Uniforms & Access	200.10	0.00	200.10	
			32817	Clothing, Uniforms & Access	139.20	0.00	139.20	
			32818	Clothing, Uniforms & Access	26.10	0.00	26.10	
			32819	Clothing, Uniforms & Access	31.54	0.00	31.54	
			32820	Clothing, Uniforms & Access	39.15	0.00	39.15	
			32822	Clothing, Uniforms & Access	322.99	0.00	322.99	
xxx282706	7/19/16	SUPPLYWORKS	372317222	Inventory Purchase	998.33	9.98	988.35	\$3,403.40
			372317230	Inventory Purchase	2,439.44	24.39	2,415.05	
xxx282707	7/19/16	SYNAGRO-WWT INC	03-102505	Miscellaneous Services	89,513.26	0.00	89,513.26	\$89,513.26
xxx282708	7/19/16	TENNYSON ELECTRIC INC	MTHLD@OLIV E#01	Construction Services	82,161.67	0.00	82,161.67	\$82,161.67
xxx282709	7/19/16	TIFFANI PEARSON	061716PURCHASE	DED Services/Training - Books	28.35	0.00	28.35	\$28.35
xxx282710	7/19/16	VALUE LINE PUBLISHING LLC	KF-745957-167	Library Periodicals/Databases	6,525.00	0.00	6,525.00	\$6,525.00
xxx282711	7/19/16	WINSUPPLY OF SILICON VALLEY	660541 00	Miscellaneous Equipment Parts & Supplies	1,112.40	0.00	1,112.40	\$2,637.47
			660861 00	Bldg Maint Matls & Supplies	172.44	0.00	172.44	
			660895 01	Miscellaneous Equipment Parts & Supplies	223.88	0.00	223.88	
			660981 00	Bldg Maint Matls & Supplies	408.85	0.00	408.85	
			660981 01	Bldg Maint Matls & Supplies	114.82	0.00	114.82	
			661040 00	Bldg Maint Matls & Supplies	287.81	0.00	287.81	
			661061 00	Miscellaneous Equipment Parts & Supplies	317.27	0.00	317.27	
xxx282712	7/19/16	FIRST AMERICAN TITLE CO	4331310243-052	Customer Loans Disbursed	50,000.00	0.00	50,000.00	\$50,000.00
xxx282713	7/19/16	GRAINGER	9127177807	Electrical Parts & Supplies	575.51	0.00	575.51	\$19,398.47
			9127253087	Materials - Land Improve	41.54	0.00	41.54	
			9128730349	Materials - Land Improve	153.69	0.00	153.69	
			9128730356	Bldg Maint Matls & Supplies	10.31	0.00	10.31	
			9128786671	Electrical Parts & Supplies	159.22	0.00	159.22	

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			9129359460	Electrical Parts & Supplies	123.14	0.00	123.14	
			9132545311	Electrical Parts & Supplies	360.79	0.00	360.79	
			9132545329	Electrical Parts & Supplies	45.23	0.00	45.23	
			9132545337	Electrical Parts & Supplies	95.67	0.00	95.67	
			9132596561	Bldg Maint Matls & Supplies	-18.79	0.00	-18.79	
			9132988545	General Supplies	129.87	0.00	129.87	
			9133006289	Supplies, Safety	20.38	0.00	20.38	
			9133084070	General Supplies	66.82	0.00	66.82	
			9133136680	Electrical Parts & Supplies	30.97	0.00	30.97	
			9133136698	Supplies, Safety	1,076.64	0.00	1,076.64	
			9133191826	Chemicals	172.39	0.00	172.39	
			9134232587	Bldg Maint Matls & Supplies	23.24	0.00	23.24	
			9134458117	Electrical Parts & Supplies	646.14	0.00	646.14	
			9134458125	Electrical Parts & Supplies	52.07	0.00	52.07	
			9134561258	Hand Tools	124.71	0.00	124.71	
			9135091065	Supplies, Safety	51.88	0.00	51.88	
			9135167949	Materials - Land Improve	-1,402.44	0.00	-1,402.44	
			9135574516	Electrical Parts & Supplies	91.13	0.00	91.13	
			9135574524	Materials - Land Improve	1,402.44	0.00	1,402.44	
			9135574532	Miscellaneous Equipment Parts & Supplies	251.09	0.00	251.09	
			9135860592	Electrical Parts & Supplies	482.09	0.00	482.09	
			9136856482	Miscellaneous Equipment Parts & Supplies	241.72	0.00	241.72	
			9139913215	Electrical Parts & Supplies	151.67	0.00	151.67	
			9139913223	Bldg Maint Matls & Supplies	1,745.22	0.00	1,745.22	
			9139913231	Materials - Land Improve	84.09	0.00	84.09	
			9139913249	Bldg Maint Matls & Supplies	488.07	0.00	488.07	
			9139929229	Electrical Parts & Supplies	249.11	0.00	249.11	
			9139929237	Electrical Parts & Supplies	907.31	0.00	907.31	
			9140206633	Miscellaneous Equipment Parts & Supplies	143.38	0.00	143.38	
			9141415605	Bldg Maint Matls & Supplies	243.71	0.00	243.71	
			9141926742	Supplies, Vehicles/Motor Equip	118.49	0.00	118.49	

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			9141926759	General Supplies	237.15	0.00	237.15	
			9142647701	Electrical Parts & Supplies	372.74	0.00	372.74	
			9142647719	Electrical Parts & Supplies	745.51	0.00	745.51	
			9142686808	Electrical Parts & Supplies	190.89	0.00	190.89	
			9142686816	Electrical Parts & Supplies	157.58	0.00	157.58	
			9142686824	Electrical Parts & Supplies	311.57	0.00	311.57	
			9142811315	Miscellaneous Services	124.18	0.00	124.18	
			9146819934	General Supplies	130.20	0.00	130.20	
			9147605936	Supplies, Safety	535.50	0.00	535.50	
			9148813919	General Supplies	109.81	0.00	109.81	
			9148813927	General Supplies	-130.20	0.00	-130.20	
			9148903512	Electrical Parts & Supplies	7.90	0.00	7.90	
			9148915284	Bldg Maint Matls & Supplies	23.98	0.00	23.98	
			9149396856	Miscellaneous Equipment	2,788.69	0.00	2,788.69	
			9152549615	Materials - Land Improve	1,295.88	0.00	1,295.88	
			9152549623	Miscellaneous Equipment Parts & Supplies	606.84	0.00	606.84	
			9153719266	Bldg Maint Matls & Supplies	1,151.38	0.00	1,151.38	
			9153736989	Bldg Maint Matls & Supplies	11.04	0.00	11.04	
			9154026158	Supplies, Safety	44.03	0.00	44.03	
			9154477500	Supplies, Safety	115.48	0.00	115.48	
			9154536297	Miscellaneous Equipment Parts & Supplies	1,151.75	0.00	1,151.75	
			9155049415	Bldg Maint Matls & Supplies	32.64	0.00	32.64	
			9155471577	Bldg Maint Matls & Supplies	245.43	0.00	245.43	
xxx282718	7/19/16	KIRBY CANYON RECYCLING & DISPOSAL FAC	JUN2016	Landill Fees to be Allocated	833,747.79	0.00	833,747.79	\$833,747.79
xxx282719	7/19/16	PACIFIC GAS & ELECTRIC CO	12847684120616	Utilities - Electric	11.25	0.00	11.25	\$113,988.24
			22868920920616	Utilities - Electric	118.12	0.00	118.12	
			24528699500616	Utilities - Electric	9.86	0.00	9.86	
			25900730020616	Utilities - Electric	56.74	0.00	56.74	
			32725920070616	Utilities - Electric	14.36	0.00	14.36	
			32725920350616	Utilities - Gas	8.66	0.00	8.66	

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			32725920630616	Utilities - Electric	35.79	0.00	35.79	
			32725921320616	Utilities - Electric	212.60	0.00	212.60	
			32725921480616	Utilities - Electric	149.64	0.00	149.64	
			32725921490616	Utilities - Electric	11.70	0.00	11.70	
			32725921600616	Utilities - Gas	8.11	0.00	8.11	
			32725921800616	Utilities - Electric	20.19	0.00	20.19	
			32725921980616	Utilities - Electric	862.68	0.00	862.68	
			32725922050616	Utilities - Electric	52.40	0.00	52.40	
			32725922090616	Utilities - Electric	2,057.33	0.00	2,057.33	
			32725922410616	Utilities - Electric	844.08	0.00	844.08	
			32725922520616	Utilities - Electric	412.02	0.00	412.02	
			32725923330616	Utilities - Gas	5.51	0.00	5.51	
			32725923350616	Utilities - Electric	131.01	0.00	131.01	
			32725923400616	Utilities - Electric	19.79	0.00	19.79	
			32725923710616	Utilities - Electric	12.44	0.00	12.44	
			32725923770616	Utilities - Electric	380.77	0.00	380.77	
			32725924170616	Utilities - Electric	145.29	0.00	145.29	
			32725924970616	Utilities - Electric	12.33	0.00	12.33	
			32725925000616	Utilities - Electric	553.88	0.00	553.88	
			32725925230616	Utilities - Electric	125.68	0.00	125.68	
			32725925370616	Utilities - Electric	186.72	0.00	186.72	
			32725925630616	Utilities - Electric	2,380.01	0.00	2,380.01	
			32725925890616	Utilities - Electric	333.46	0.00	333.46	
			32725925920616	Utilities - Electric	406.91	0.00	406.91	
			32725926210616	Utilities - Electric	194.10	0.00	194.10	
			32725926440616	Utilities - Electric	1,050.56	0.00	1,050.56	
			32725926470616	Utilities - Electric	1,036.22	0.00	1,036.22	
			32725926950616	Utilities - Electric	36.09	0.00	36.09	
			32725927040616	Utilities - Electric	12.49	0.00	12.49	
			32725927340616	Utilities - Electric	429.97	0.00	429.97	
			32725927360616	Utilities - Gas	196.36	0.00	196.36	

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			32725927380616	Utilities - Electric	110.74	0.00	110.74	
			32725927400616	Utilities - Electric	100.06	0.00	100.06	
			32725927510616	Utilities - Electric	476.47	0.00	476.47	
			32725928250616	Utilities - Electric	17.64	0.00	17.64	
			32725928590616	Utilities - Electric	487.90	0.00	487.90	
			32725929220616	Utilities - Electric	546.94	0.00	546.94	
			32725929280616	Utilities - Electric	34.58	0.00	34.58	
			32725929750616	Utilities - Electric	103.67	0.00	103.67	
			36207652980616	Utilities - Electric	87.45	0.00	87.45	
			43142590150616	Utilities - Gas	8.12	0.00	8.12	
			43142590250616	Utilities - Gas	728.87	0.00	728.87	
			43142590300616	Utilities - Gas	8.11	0.00	8.11	
			43142597200616	Utilities - Electric	1,329.26	0.00	1,329.26	
			43142597640616	Utilities - Electric	1,810.28	0.00	1,810.28	
			43357992720616	Utilities - Electric	18.37	0.00	18.37	
			45039216730616	Utilities - Electric	12.02	0.00	12.02	
			52896844240616	Utilities - Gas	222.50	0.00	222.50	
			52896847890616	Utilities - Electric	1,039.11	0.00	1,039.11	
			56892570120616	Utilities - Electric	14.68	0.00	14.68	
			56892570470616	Utilities - Electric	12.03	0.00	12.03	
			56892570610616	Utilities - Electric	13.91	0.00	13.91	
			56892570850616	Utilities - Electric	9.86	0.00	9.86	
			56892571500616	Utilities - Electric	10.82	0.00	10.82	
			56892572230616	Utilities - Electric	9.86	0.00	9.86	
			56892573210616	Utilities - Electric	12.31	0.00	12.31	
			56892573280616	Utilities - Electric	9.86	0.00	9.86	
			56892573340616	Utilities - Electric	11.70	0.00	11.70	
			56892573450616	Utilities - Electric	9.86	0.00	9.86	
			56892574540616	Utilities - Electric	12.11	0.00	12.11	
			56892574610616	Utilities - Electric	12.46	0.00	12.46	
			56892574690616	Utilities - Electric	12.19	0.00	12.19	

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			56892574720616	Utilities - Electric	12.01	0.00	12.01	
			56892574930616	Utilities - Electric	11.93	0.00	11.93	
			56892575240616	Utilities - Electric	12.08	0.00	12.08	
			56892575250616	Utilities - Electric	12.40	0.00	12.40	
			56892575560616	Utilities - Electric	12.51	0.00	12.51	
			56892575840616	Utilities - Electric	14.04	0.00	14.04	
			56892576280616	Utilities - Electric	12.17	0.00	12.17	
			56892576480616	Utilities - Electric	12.91	0.00	12.91	
			56892576590616	Utilities - Electric	9.86	0.00	9.86	
			56892576670616	Utilities - Electric	12.20	0.00	12.20	
			56892576690616	Utilities - Electric	12.35	0.00	12.35	
			56892577220616	Utilities - Electric	11.97	0.00	11.97	
			56892577390616	Utilities - Electric	12.58	0.00	12.58	
			56892578180616	Utilities - Electric	10.01	0.00	10.01	
			56892578670616	Utilities - Electric	11.94	0.00	11.94	
			56892578890616	Utilities - Electric	12.05	0.00	12.05	
			56892578980616	Utilities - Electric	12.36	0.00	12.36	
			56892579010616	Utilities - Electric	9.86	0.00	9.86	
			56892579640616	Utilities - Electric	12.17	0.00	12.17	
			56892579810616	Utilities - Electric	12.10	0.00	12.10	
			60225900040616	Utilities - Electric	52,289.39	0.00	52,289.39	
			60225900080616	Utilities - Electric	8,436.95	0.00	8,436.95	
			60225900140616	Utilities - Electric	44.04	0.00	44.04	
			60225900150616	Utilities - Electric	26.20	0.00	26.20	
			60225900160616	Utilities - Electric	14.33	0.00	14.33	
			60225900170616	Utilities - Electric	11.25	0.00	11.25	
			60225900220616	Utilities - Electric	818.21	0.00	818.21	
			60225900260616	Utilities - Electric	44.02	0.00	44.02	
			60225900450616	Utilities - Electric	269.54	0.00	269.54	
			60225900550616	Utilities - Electric	681.44	0.00	681.44	
			60225900760616	Utilities - Electric	969.00	0.00	969.00	

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			60225901000616	Utilities - Electric	10.51	0.00	10.51	
			60225901010616	Utilities - Electric	760.60	0.00	760.60	
			60225901100616	Utilities - Gas	28.64	0.00	28.64	
			60225901310616	Utilities - Electric	13.45	0.00	13.45	
			60225901980616	Utilities - Electric	78.74	0.00	78.74	
			60225902290616	Utilities - Electric	26.78	0.00	26.78	
			60225902530616	Utilities - Electric	2,015.90	0.00	2,015.90	
			60225902640616	Utilities - Electric	50.78	0.00	50.78	
			60225902900616	Utilities - Electric	355.71	0.00	355.71	
			60225902950616	Utilities - Electric	20.46	0.00	20.46	
			60225903550616	Utilities - Electric	305.10	0.00	305.10	
			60225904170616	Utilities - Electric	13.21	0.00	13.21	
			60225904580616	Utilities - Electric	100.84	0.00	100.84	
			60225905100616	Utilities - Electric	4.77	0.00	4.77	
			60225905410616	Utilities - Electric	28.76	0.00	28.76	
			60225905570616	Utilities - Electric	99.33	0.00	99.33	
			60225905580616	Utilities - Electric	12.70	0.00	12.70	
			60225905590616	Utilities - Electric	12.70	0.00	12.70	
			60225905600616	Utilities - Electric	7,067.07	0.00	7,067.07	
			60225906090616	Utilities - Electric	9,100.78	0.00	9,100.78	
			60225906210616	Utilities - Electric	4.77	0.00	4.77	
			60225906510616	Utilities - Electric	1,737.74	0.00	1,737.74	
			60225906590616	Utilities - Electric	703.46	0.00	703.46	
			60225906600616	Utilities - Electric	78.76	0.00	78.76	
			60225906780616	Utilities - Electric	2,146.27	0.00	2,146.27	
			60225907690616	Utilities - Electric	204.74	0.00	204.74	
			60225907730616	Utilities - Electric	27.94	0.00	27.94	
			60225908170616	Utilities - Electric	25.89	0.00	25.89	
			60225908580616	Utilities - Electric	102.45	0.00	102.45	
			60225908610616	Utilities - Electric	31.98	0.00	31.98	
			60225908940616	Utilities - Electric	47.27	0.00	47.27	

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			60225909050616	Utilities - Electric	14.61	0.00	14.61	
			60225909410616	Utilities - Electric	105.22	0.00	105.22	
			60225909830616	Utilities - Electric	98.43	0.00	98.43	
			81008625370616	Utilities - Electric	124.36	0.00	124.36	
			81008626650616	Utilities - Electric	13.59	0.00	13.59	
			81703231610616	Utilities - Electric	16.19	0.00	16.19	
			91475900450616	Utilities - Gas	20.30	0.00	20.30	
			91475903190616	Utilities - Electric	104.32	0.00	104.32	
			91475904100616	Utilities - Electric	932.69	0.00	932.69	
			91475904310616	Utilities - Electric	265.93	0.00	265.93	
			91475907050616	Utilities - Electric	188.70	0.00	188.70	
			91475907470616	Utilities - Electric	749.13	0.00	749.13	
			91475908690616	Utilities - Electric	289.44	0.00	289.44	
			91475909640616	Utilities - Electric	908.12	0.00	908.12	
			91475909790616	Utilities - Electric	1,223.69	0.00	1,223.69	
			94639783770616	Utilities - Electric	42.69	0.00	42.69	
xxx282731	7/19/16	CATALYST ATHLETICS	152743-69648	Refund Utility Account Credit	825.92	0.00	825.92	\$825.92
xxx282732	7/19/16	FESTIVAL THEATRE ENSEMBLE	BL069917-2016	Business License Tax	35.14	0.00	35.14	\$35.14
xxx282733	7/19/16	KA WAI VIVIAN WONG	442449	Lib - Lost & Damaged Circulation	24.99	0.00	24.99	\$24.99
xxx282734	7/19/16	KING WORDSMITH	BL070599-2017	Business License Tax	62.19	0.00	62.19	\$62.19
xxx282735	7/19/16	LELIA SUMMERS-AVON INDEPENDENT SALES REP	BL064401-2016	Business License Tax	35.14	0.00	35.14	\$35.14
xxx282736	7/19/16	MAREK KOZIOL	502079	Lib - Lost & Damaged Circulation	10.00	0.00	10.00	\$10.00
xxx282737	7/19/16	VALERIE DUNCAN	165675-12462	Refund Utility Account Credit	173.50	0.00	173.50	\$173.50
xxx282738	7/21/16	AD CLUB	279159	Advertising Services	215.00	0.00	215.00	\$245.00
			279254	Advertising Services	30.00	0.00	30.00	
xxx282739	7/21/16	AIR LIQUIDE AMERICA SPECIALTY GASES LLC	64871470	Equipment Rental/Lease	187.29	0.00	187.29	\$867.78
			65095086	Equipment Rental/Lease	680.49	0.00	680.49	
xxx282740	7/21/16	ALPINE AWARDS INC	5510861	Customized Products	229.88	0.00	229.88	\$229.88
xxx282741	7/21/16	ANDERSON PACIFIC ENGINEERING	WPCPCHLRINE #13	Construction Services	636,303.50	0.00	636,303.50	\$636,303.50
xxx282742	7/21/16	ARNE SIGN & DECAL CO INC	16-9387	Miscellaneous Equipment Parts & Supplies	1,074.72	0.00	1,074.72	\$1,074.72

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xxx282743	7/21/16	AUTOSCRIBE CORP	154559	Financial Services	1,480.24	0.00	1,480.24	\$1,480.24
xxx282744	7/21/16	BAY AREA NEWS GROUP DIGITAL FIRST MEDIA	0005661112APR	Advertising Services	437.00	0.00	437.00	\$1,686.50
			0005661112JUN	Advertising Services	149.50	0.00	149.50	
			0005661112MAY	Advertising Services	299.00	0.00	299.00	
			0005739304	Advertising Services	177.00	0.00	177.00	
			0005744504	Advertising Services	323.00	0.00	323.00	
			0005746082	Advertising Services	168.00	0.00	168.00	
			0005747339	Advertising Services	46.00	0.00	46.00	
			0005752887	Advertising Services	179.00	0.00	179.00	
			0005756468	Advertising Services	91.00	0.00	91.00	
			0005756473	Advertising Services	93.00	0.00	93.00	
			C57748	Advertising Services	-138.00	0.00	-138.00	
			C58011	Advertising Services	-138.00	0.00	-138.00	
xxx282745	7/21/16	BAY AREA WATER SUPPLY & CONSERVATION ACY	JUL-SEPT2016	Membership Fees	48,247.00	0.00	48,247.00	\$48,247.00
xxx282746	7/21/16	BOUND TREE MEDICAL LLC	82210005	Inventory Purchase	1,663.89	0.00	1,663.89	\$5,813.79
			82212742	Inventory Purchase	4,149.90	0.00	4,149.90	
xxx282747	7/21/16	CLAP ARTS	1411	Rec Instructors/Officials	3,808.00	0.00	3,808.00	\$3,808.00
xxx282748	7/21/16	CALIFORNIA PARK & RECREATION SOCIETY INC	2016-2017	Membership Fees	475.00	0.00	475.00	\$475.00
xxx282749	7/21/16	CENTURY GRAPHICS	44780	Inventory Purchase	678.27	0.00	678.27	\$678.27
xxx282750	7/21/16	CODY ANDERSON WASNEY ARCHITECTS INC	0516.14006	Consultants	38,672.90	0.00	38,672.90	\$38,672.90
xxx282751	7/21/16	CORIX WATER PRODUCTS (US) INC	17613018199	Construction Services	1,409.81	0.00	1,409.81	\$1,409.81
xxx282752	7/21/16	COUNTY OF SANTA CLARA OFC OF THE SHERIFF	1800053376	Contracts/Service Agreements	206,286.00	0.00	206,286.00	\$206,286.00
xxx282753	7/21/16	CRITEX LLC	1450	Misc Equip Maint & Repair - Materials	3,768.05	0.00	3,768.05	\$3,768.05
xxx282754	7/21/16	DANCE FORCE LLC	1104	Rec Instructors/Officials	5,266.20	0.00	5,266.20	\$5,266.20
xxx282755	7/21/16	DAPPER TIRE CO INC	43401904	Inventory Purchase	1,308.45	0.00	1,308.45	\$1,308.45
xxx282756	7/21/16	DELL MARKETING LP	XJXK65MJ1	Computer Hardware	1,010.70	0.00	1,010.70	\$230,764.95
			XJXM8C7M6	Computer Hardware	1,712.72	0.00	1,712.72	
			XJXN7R3K7	Computer Hardware	13,552.43	0.00	13,552.43	

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			XJXP557C1	Computer Hardware	214,489.10	0.00	214,489.10	
xxx282757	7/21/16	EOA INC	SU43-0416	Consultants	11,763.27	0.00	11,763.27	\$38,071.68
			SU43-0516	Consultants	26,308.41	0.00	26,308.41	
xxx282758	7/21/16	EP 21	0056470-IN	General Supplies	56.56	0.00	56.56	\$56.56
xxx282759	7/21/16	FAR WESTERN GRAPHICS INC	87741	Printing & Related Services	1,290.54	0.00	1,290.54	\$1,290.54
xxx282760	7/21/16	FIRST UNITED METHODIST CHURCH SUNNYVALE	4	Outside Group Funding	3,750.00	0.00	3,750.00	\$3,750.00
xxx282761	7/21/16	FOOTHILL COLLEGE CENTER FOR TRAINING &	TS16JU02	City Training Program	2,800.00	0.00	2,800.00	\$2,800.00
xxx282762	7/21/16	FREMONT UNION HIGH SCHOOL DISTRICT	16-553	Real Property Rental/Lease	65,721.06	0.00	65,721.06	\$65,721.06
xxx282763	7/21/16	GARDENLAND POWER EQUIPMENT	390183	Misc Equip Maint & Repair - Materials	909.52	0.00	909.52	\$2,747.48
			390445	Misc Equip Maint & Repair - Materials	341.36	0.00	341.36	
			390445	General Supplies	126.80	0.00	126.80	
			390452	Misc Equip Maint & Repair - Materials	544.96	0.00	544.96	
			390452	General Supplies	544.95	0.00	544.95	
			390886	Misc Equip Maint & Repair - Materials	258.27	0.00	258.27	
			390886	General Supplies	21.62	0.00	21.62	
xxx282764	7/21/16	GEORGE HILLS CO INC	INV1010767	Liability Claims Adjustor	6,896.40	0.00	6,896.40	\$6,896.40
xxx282765	7/21/16	GOODYEAR COMMERCIAL TIRE & SERVICE CTR	189-1091894	Inventory Purchase	5,181.62	0.00	5,181.62	\$5,181.62
xxx282766	7/21/16	GRAINGER	9091516188	General Supplies	725.38	0.00	725.38	\$3,925.79
			9100556183	General Supplies	2,258.21	0.00	2,258.21	
			9100713966	General Supplies	360.89	0.00	360.89	
			9100905513	General Supplies	20.56	0.00	20.56	
			9103066404	General Supplies	560.75	0.00	560.75	
xxx282767	7/21/16	GRANITEROCK CO	970314	Materials - Land Improve	1,358.71	0.00	1,358.71	\$1,358.71
xxx282768	7/21/16	GRAYBAR ELECTRIC CO INC	985740582	Comm Equip Maintain & Repair - Materials 2	153.63	0.00	153.63	\$153.63
xxx282769	7/21/16	HEXAGON TRANSPORTATION CONSULTANTS INC	9916	Consultants	2,122.50	0.00	2,122.50	\$2,122.50
xxx282770	7/21/16	HI-TECH OPTICAL INC	665453	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	\$233.00

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			668126	Benefits and Incentives - Prescription Safety Glasses	33.00	0.00	33.00	
			670173	Benefits and Incentives - Prescription Safety Glasses	100.00	0.00	100.00	
xxx282771	7/21/16	HULA NETWORKS INC	IN145533	General Supplies	2,936.25	0.00	2,936.25	\$2,936.25
xxx282772	7/21/16	JAVELCO EQUIPMENT SERVICE INC	50885	Construction Services	492.64	0.00	492.64	\$492.64
xxx282773	7/21/16	KAREN L PIKE	KLP400-04	Medical Services	4,000.00	0.00	4,000.00	\$4,000.00
xxx282774	7/21/16	KELLY MOORE PAINT CO INC	820-296051	Bldg Maint Matls & Supplies	151.52	0.00	151.52	\$151.52
xxx282775	7/21/16	KENNEDY JENKS CONSULTANTS	102679	Engineering Services	382.50	0.00	382.50	\$1,064.90
			102687	HazMat Disposal - Hazardous Waste Disposal	682.40	0.00	682.40	
xxx282776	7/21/16	KOHLWEISS AUTO PARTS INC	01OW7001	Inventory Purchase	375.86	7.52	368.34	\$411.82
			01OW8174	Inventory Purchase	44.37	0.89	43.48	
xxx282777	7/21/16	LC ACTION POLICE SUPPLY	351446	General Supplies	654.68	0.00	654.68	\$654.68
xxx282778	7/21/16	LEAN ENERGY US	201736	Professional Services	4,604.42	0.00	4,604.42	\$4,604.42
xxx282779	7/21/16	LANGUAGE LINE SERVICES	3838381	Miscellaneous Services	1,023.12	0.00	1,023.12	\$1,621.12
			3857922	Miscellaneous Services	598.00	0.00	598.00	
xxx282780	7/21/16	LAVERNE DENNIS	000000026	DED Services/Training - Support Services	57.00	0.00	57.00	\$623.48
			23372215727	DED Services/Training - Support Services	106.20	0.00	106.20	
			2419819	DED Services/Training - Books	301.00	0.00	301.00	
			315351-1	DED Services/Training - Books	42.95	0.00	42.95	
			315387-1	DED Services/Training - Books	76.33	0.00	76.33	
			569622	DED Services/Training - Books	40.00	0.00	40.00	
xxx282781	7/21/16	LAW ENFORCEMENT PSYCHOLOGICAL SERV INC	1607697	Investigation Expense	1,750.00	0.00	1,750.00	\$7,375.00
			1607709	Investigation Expense	5,625.00	0.00	5,625.00	
xxx282782	7/21/16	LEARNINGTECH.ORG	2016_0103	Professional Services	3,600.00	0.00	3,600.00	\$3,600.00
xxx282783	7/21/16	LEHR AUTO ELECTRIC	01 125705	Parts, Vehicles & Motor Equip	95.54	0.00	95.54	\$95.54
xxx282784	7/21/16	LEONE & ALBERTS APC	30481	Legal Services	602.05	0.00	602.05	\$602.05
xxx282785	7/21/16	LESLIES POOL SUPPLIES INC	3025-43054	Chemicals	1,322.62	0.00	1,322.62	\$1,322.62
xxx282786	7/21/16	LEVEL 3 COMMUNICATIONS LLC	44408698	Telecommunication Services	8,171.56	0.00	8,171.56	\$16,345.95
			45134146	Telecommunication Services	8,174.39	0.00	8,174.39	
xxx282787	7/21/16	LINKEDIN CORP	3956161	Professional Services	3,000.00	0.00	3,000.00	\$6,000.00

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			3999355	Professional Services	3,000.00	0.00	3,000.00	
xxx282788	7/21/16	LISA NICOLAISEN	2S19737	DED Services/Training - Support Services	150.00	0.00	150.00	\$150.00
xxx282789	7/21/16	M-B COMPANIES INC	208992	Miscellaneous Equipment Parts & Supplies	1,576.37	0.00	1,576.37	\$1,576.37
xxx282790	7/21/16	MP MORSE COURT ASSOCIATES	PAYMENT NO 5	Customer Loans Disbursed	161,555.06	0.00	161,555.06	\$161,555.06
xxx282791	7/21/16	MCENG ENTERPRISES DBA MCDONALDS	041616-043016	DED Services/Training - Training	60.00	0.00	60.00	\$1,260.00
			051616-053116	DED Services/Training - Training	600.00	0.00	600.00	
			060116-061516	DED Services/Training - Training	600.00	0.00	600.00	
xxx282792	7/21/16	MCMaster CARR SUPPLY CO	67812184	Supplies, Safety	415.97	0.00	415.97	\$491.12
			67839753	Miscellaneous Equipment Parts & Supplies	38.91	0.00	38.91	
			68039387	General Supplies	36.24	0.00	36.24	
xxx282793	7/21/16	METROPOLITAN PLANNING GROUP	2547	Professional Services	181.25	0.00	181.25	\$13,726.30
			2548	Professional Services	5,363.75	0.00	5,363.75	
			2557	Professional Services	8,181.30	0.00	8,181.30	
xxx282794	7/21/16	MICHAEL BAKER INTERNATIONAL	947740	Professional Services	1,774.03	0.00	1,774.03	\$7,660.28
			947981	Professional Services	5,886.25	0.00	5,886.25	
xxx282795	7/21/16	MIDWEST TAPE	94083538	Library Acquis, Audio/Visual	47.28	0.00	47.28	\$7,311.82
			94083613	Library Acquis, Audio/Visual	279.63	0.00	279.63	
			94083615	Library Acquis, Audio/Visual	184.99	0.00	184.99	
			94086227	Library Acquis, Audio/Visual	532.69	0.00	532.69	
			94086229	Library Acquis, Audio/Visual	157.61	0.00	157.61	
			94105776	Library Acquis, Audio/Visual	40.41	0.00	40.41	
			94105778	Library Acquis, Audio/Visual	80.72	0.00	80.72	
			94105779	Library Acquis, Audio/Visual	102.70	0.00	102.70	
			94106680	Library Acquis, Audio/Visual	22.01	0.00	22.01	
			94106681	Library Acquis, Audio/Visual	20.38	0.00	20.38	
			94106729	Library Acquis, Audio/Visual	244.63	0.00	244.63	
			94107160	Library Acquis, Audio/Visual	201.13	0.00	201.13	
			94111905	Library Technology Services	5,159.18	0.00	5,159.18	
			94116927	Library Materials Preprocessing	31.90	0.00	31.90	
			94122903	Library Acquis, Audio/Visual	173.97	0.00	173.97	

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xxx282797	7/21/16	MISSION LINEN SERVICE	94125709	Library Acquis, Audio/Visual	32.59	0.00	32.59	
			502606028	Laundry & Cleaning Services	76.54	0.00	76.54	\$1,260.67
			502606029	Laundry & Cleaning Services	76.54	0.00	76.54	
			502606030	Laundry & Cleaning Services	49.25	0.00	49.25	
			502632512	Laundry & Cleaning Services	54.30	0.00	54.30	
			502648150	Laundry & Cleaning Services	77.31	0.00	77.31	
			502648151	Laundry & Cleaning Services	77.31	0.00	77.31	
			502648152	Laundry & Cleaning Services	54.30	0.00	54.30	
			502681924	Laundry & Cleaning Services	54.30	0.00	54.30	
			502690752	Laundry & Cleaning Services	76.54	0.00	76.54	
			502690753	Laundry & Cleaning Services	76.54	0.00	76.54	
			502690754	Laundry & Cleaning Services	54.30	0.00	54.30	
			502726465	Laundry & Cleaning Services	54.30	0.00	54.30	
			502749594	Laundry & Cleaning Services	54.30	0.00	54.30	
			502749595	Laundry & Cleaning Services	76.54	0.00	76.54	
			502749605	Laundry & Cleaning Services	76.54	0.00	76.54	
			502773641	Laundry & Cleaning Services	57.66	0.00	57.66	
			502785502	Laundry & Cleaning Services	61.02	0.00	61.02	
			502785503	Laundry & Cleaning Services	76.54	0.00	76.54	
			502785513	Laundry & Cleaning Services	76.54	0.00	76.54	
xxx282799	7/21/16	MOUNTAIN VIEW GARDEN CENTER	83768	Materials - Land Improve	168.56	0.00	168.56	\$969.79
			83805	Materials - Land Improve	150.08	0.00	150.08	
			83894	Materials - Land Improve	239.52	0.00	239.52	
			83926	Materials - Land Improve	150.08	0.00	150.08	
			83975	Materials - Land Improve	150.08	0.00	150.08	
			83996	Materials - Land Improve	111.47	0.00	111.47	
xxx282800	7/21/16	MUNICIPAL MAINTENANCE EQUIPMENT INC	0111090-IN	Parts, Vehicles & Motor Equip	2,503.59	0.00	2,503.59	\$2,503.59
xxx282801	7/21/16	NI GOVERNMENT SERVICES INC	6061082132	Miscellaneous Services	78.77	0.00	78.77	\$78.77
xxx282802	7/21/16	NETFILE	4632	Software As a Service	4,162.50	0.00	4,162.50	\$4,162.50
xxx282803	7/21/16	NICHOLS CONSULTING ENGINEERS	218185506	Consultants	4,982.39	0.00	4,982.39	\$4,982.39
xxx282804	7/21/16	OCLC INC						\$2,086.50

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			0000470729	Lib Database Services (OCLC)	2,086.50	0.00	2,086.50	
xxx282805	7/21/16	OCCUPATIONAL TRAINING INSTITUTE	WIA-1317	DED Services/Training - Training	952.77	0.00	952.77	\$952.77
xxx282806	7/21/16	OMEGA ENGRAVING	258572	Supplies, Office 1	12.50	0.00	12.50	\$37.50
			258573	Supplies, Office 1	25.00	0.00	25.00	
xxx282807	7/21/16	ON ASSIGNMENT LAB SUPPORT	LAB550208143	Salaries - Contract Personnel	720.00	0.00	720.00	\$5,388.00
			LAB550209687	Salaries - Contract Personnel	1,134.00	0.00	1,134.00	
			LAB550210630	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	
			LAB550210631	Salaries - Contract Personnel	1,200.00	0.00	1,200.00	
			LAB550211701	Salaries - Contract Personnel	1,134.00	0.00	1,134.00	
xxx282808	7/21/16	OTIS ELEVATOR COMPANY	SJ36509001	Facilities Maint & Repair - Labor	985.45	0.00	985.45	\$985.45
xxx282809	7/21/16	PAYFLEX SYSTEMS USA INC	130534-841604	Professional Services	150.00	0.00	150.00	\$170.00
			130536-841606	Professional Services	20.00	0.00	20.00	
xxx282810	7/21/16	PACIFIC COAST TRANE CONTROLS	C19819	Facilities Maint & Repair - Labor	2,462.00	0.00	2,462.00	\$5,502.60
			S80410	Facilities Maint & Repair - Labor	3,040.60	0.00	3,040.60	
xxx282811	7/21/16	PATSONS MEDIA GROUP	200942	Printing & Related Services	451.31	0.00	451.31	\$4,088.16
			200943	Printing & Related Services	418.69	0.00	418.69	
			200944	Printing & Related Services	70.69	0.00	70.69	
			200945	Printing & Related Services	1,413.33	0.00	1,413.33	
			200946	Printing & Related Services	1,413.33	0.00	1,413.33	
			201003	Printing & Related Services	320.81	0.00	320.81	
xxx282812	7/21/16	PEARSON BUICK GMC	279734	Parts, Vehicles & Motor Equip	833.19	0.00	833.19	\$833.19
xxx282813	7/21/16	PETERSON TRUCKS	25057P	Parts, Vehicles & Motor Equip	268.27	0.00	268.27	\$803.58
			427901P	Parts, Vehicles & Motor Equip	753.54	0.00	753.54	
			427918P	Parts, Vehicles & Motor Equip	50.04	0.00	50.04	
			CM25057P	Parts, Vehicles & Motor Equip	-268.27	0.00	-268.27	
xxx282814	7/21/16	PINE CONE LUMBER CO INC	652148	Bldg Maint Matls & Supplies	6.25	0.00	6.25	\$6.25
xxx282815	7/21/16	POLLARDWATER.COM	0046311	Miscellaneous Equipment Parts & Supplies	621.13	0.00	621.13	\$953.29
			0047095	Miscellaneous Equipment Parts & Supplies	281.32	0.00	281.32	
			0047096	Miscellaneous Equipment Parts & Supplies	50.84	0.00	50.84	
xxx282816	7/21/16	PORTNOV COMPUTER SCHOOL	04-10-16 MATEI	DED Services/Training - Training	5,400.00	0.00	5,400.00	\$10,800.00
			07-03-16	DED Services/Training - Training	5,400.00	0.00	5,400.00	

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xxx282817	7/21/16	PREFERRED ALLIANCE INC	0122140-IN	Pre-Employment Testing	42.00	0.00	42.00	\$42.00
xxx282818	7/21/16	PROFORCE LAW ENFORCEMENT	277837	General Supplies	2,219.27	0.00	2,219.27	\$2,219.27
xxx282819	7/21/16	PROJECT SENTINEL INC	PS-33116	Outside Group Funding	7,966.84	0.00	7,966.84	\$7,966.84
xxx282820	7/21/16	PROSPECT SILICON VALLEY	4013	Contracts/Service Agreements	2,745.60	0.00	2,745.60	\$2,745.60
xxx282821	7/21/16	R2 ENGINEERING INC	117320	Miscellaneous Equipment Parts & Supplies	61.25	0.00	61.25	\$258.89
			117322	Miscellaneous Equipment Parts & Supplies	197.64	0.00	197.64	
xxx282822	7/21/16	RANKIN STOCK HEABERLIN	33627	Legal Services	1,610.00	0.00	1,610.00	\$11,136.14
			33629	Legal Services	9,146.92	0.00	9,146.92	
			33685	Legal Services	379.22	0.00	379.22	
xxx282823	7/21/16	RAYVERN LIGHTING SUPPLY CO INC	43810-0	Inventory Purchase	1,326.34	0.00	1,326.34	\$1,326.34
xxx282824	7/21/16	REEDS INDOOR RANGE	426804	Real Property Rental/Lease	72.00	0.00	72.00	\$72.00
xxx282825	7/21/16	RENNE SLOAN HOLTZMAN SAKAI LLP	30322	Investigation Expense	156.00	0.00	156.00	\$9,152.66
			31609	Legal Services	5,525.12	0.00	5,525.12	
			31610	Legal Services	3,471.54	0.00	3,471.54	
xxx282826	7/21/16	ROBERT HALF TECHNOLOGY	46146276	Contracts/Service Agreements	1,040.00	0.00	1,040.00	\$5,200.00
			46192519	Contracts/Service Agreements	4,160.00	0.00	4,160.00	
xxx282827	7/21/16	SCBA SAFETY CHECK INC	8269	Safety Equipment Maintenance & Repair	1,079.36	0.00	1,079.36	\$1,079.36
xxx282828	7/21/16	SCS ENGINEERS	0280536	Engineering Services	1,122.50	0.00	1,122.50	\$1,972.50
			0280537	Engineering Services	850.00	0.00	850.00	
xxx282829	7/21/16	SCS FIELD SERVICES INC	0280522	Engineering Services	1,640.20	0.00	1,640.20	\$2,965.20
			0280523	Services Maintain Land Improv	1,325.00	0.00	1,325.00	
xxx282830	7/21/16	SAN FRANCISCO BAY BIRD OBSERVATORY	969	Water Lab Services	1,569.00	0.00	1,569.00	\$1,569.00
xxx282831	7/21/16	SAN JOSE BMW	249247	Auto Maint & Repair - Labor	112.80	0.00	112.80	\$316.80
			249247	Auto Maint & Repair - Materials	204.00	0.00	204.00	
xxx282832	7/21/16	SECTOR SECURITY & COMMUNICATIONS	WO-0064	Services Maintain Land Improv	202.00	0.00	202.00	\$202.00
xxx282833	7/21/16	SECURITY ALERT SYSTEMS OF CALIFORNIA INC	069735	Professional Services	750.00	0.00	750.00	\$750.00
xxx282834	7/21/16	SENIOR ADULTS LEGAL ASSISTANCE	1516-819720 #2	Outside Group Funding	5,095.60	0.00	5,095.60	\$5,095.60
xxx282835	7/21/16	SHIN SHIN TRAINING CENTER	W20160127 20F2	DED Services/Training - Training	495.00	0.00	495.00	\$495.00

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xxx282836	7/21/16	SILICON VALLEY POLYTECHNIC INSTITUTE	07152016-337	DED Services/Training - Training	300.00	0.00	300.00	\$3,000.00
			07152016-338	DED Services/Training - Training	2,700.00	0.00	2,700.00	
xxx282837	7/21/16	STATCOMM INC	111489	Facilities Maint & Repair - Labor	620.00	0.00	620.00	\$620.00
xxx282838	7/21/16	STOP PROCESSING CENTER	16403	Financial Services	23.96	0.00	23.96	\$23.96
xxx282839	7/21/16	SUNNYVALE BUILDING MAINTENANCE	98880	Professional Services	120.00	0.00	120.00	\$1,965.00
			98886	Professional Services	1,120.00	0.00	1,120.00	
			98888	Professional Services	725.00	0.00	725.00	
xxx282840	7/21/16	SUNNYVALE SENIOR HOMES LLC	PAYMENT NO 2	Customer Loans Disbursed	75,746.41	0.00	75,746.41	\$75,746.41
xxx282841	7/21/16	SUPPLYWORKS	372843706	Inventory Purchase	84.52	0.85	83.67	\$83.67
xxx282842	7/21/16	TELSTAR INSTRUMENTS INC	86578	Miscellaneous Equipment Parts & Supplies	322.99	0.00	322.99	\$322.99
xxx282843	7/21/16	UC REGENTS	947875-161	DED Services/Training - Training	420.50	0.00	420.50	\$1,287.30
			954195-162	DED Services/Training - Training	506.80	0.00	506.80	
			959010-162	DED Services/Training - Training	360.00	0.00	360.00	
xxx282844	7/21/16	UNIVERSITY OF CALIFORNIA SANTA CRUZ	56762	DED Services/Training - Training	544.50	0.00	544.50	\$4,968.00
			57042	DED Services/Training - Training	4,423.50	0.00	4,423.50	
xxx282845	7/21/16	WECK LABORATORIES INC	W6G0040-COSV	Water Lab Services	649.60	0.00	649.60	\$649.60
xxx282846	7/21/16	WELLS FARGO FINANCIAL LEASING	5003207975	Equipment Rental/Lease	171.71	0.00	171.71	\$171.71
xxx282847	7/21/16	WEST VALLEY STAFFING GROUP	173656	Professional Services	789.50	0.00	789.50	\$1,776.36
			174338	Professional Services	986.86	0.00	986.86	
xxx282848	7/21/16	WINSUPPLY OF SILICON VALLEY	661014 00	Electrical Parts & Supplies	289.92	0.00	289.92	\$1,093.04
			661059 00	General Supplies	168.33	0.00	168.33	
			661060 00	Electrical Parts & Supplies	454.74	0.00	454.74	
			661192 00	Electrical Parts & Supplies	180.05	0.00	180.05	
xxx282849	7/21/16	GRAINGER	9140164675	Parts, Vehicles & Motor Equip	19.67	0.00	19.67	\$346.60
			9147551726	Parts, Vehicles & Motor Equip	253.41	0.00	253.41	
			9147862768	Parts, Vehicles & Motor Equip	-14.50	0.00	-14.50	
			9149040892	Parts, Vehicles & Motor Equip	13.26	0.00	13.26	
			9152526522	Parts, Vehicles & Motor Equip	74.76	0.00	74.76	
xxx282850	7/21/16	PACIFIC GAS & ELECTRIC CO	03142830050716	Utilities - Electric	25,645.54	0.00	25,645.54	\$34,482.26
			11059228290616	Utilities - Electric	73.41	0.00	73.41	

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			11059229930616	Utilities - Electric	86.95	0.00	86.95	
			35642590100616	Utilities - Electric	69.78	0.00	69.78	
			35642590150616	Utilities - Electric	58.77	0.00	58.77	
			35642590200616	Utilities - Electric	57.33	0.00	57.33	
			35642590250616	Utilities - Electric	165.71	0.00	165.71	
			35642590300616	Utilities - Electric	92.69	0.00	92.69	
			35642590350616	Utilities - Electric	74.82	0.00	74.82	
			35642590400616	Utilities - Electric	99.19	0.00	99.19	
			35642590450616	Utilities - Electric	74.64	0.00	74.64	
			35642590500616	Utilities - Electric	61.11	0.00	61.11	
			35642590650616	Utilities - Electric	75.84	0.00	75.84	
			35642590700616	Utilities - Electric	65.45	0.00	65.45	
			35642590750616	Utilities - Electric	99.91	0.00	99.91	
			35642590800616	Utilities - Electric	95.33	0.00	95.33	
			35642590850616	Utilities - Electric	58.52	0.00	58.52	
			35642590950616	Utilities - Electric	17.73	0.00	17.73	
			35642591000616	Utilities - Electric	124.74	0.00	124.74	
			35642591050616	Utilities - Electric	66.28	0.00	66.28	
			35642591100616	Utilities - Electric	67.00	0.00	67.00	
			35642591150616	Utilities - Electric	79.99	0.00	79.99	
			35642591250616	Utilities - Electric	87.83	0.00	87.83	
			35642591300616	Utilities - Electric	49.13	0.00	49.13	
			35642591350616	Utilities - Electric	123.84	0.00	123.84	
			35642591400616	Utilities - Electric	81.43	0.00	81.43	
			35642591450616	Utilities - Electric	63.20	0.00	63.20	
			35642591500616	Utilities - Electric	50.39	0.00	50.39	
			35642591550616	Utilities - Electric	56.17	0.00	56.17	
			35642591600616	Utilities - Electric	62.92	0.00	62.92	
			35642591650616	Utilities - Electric	89.74	0.00	89.74	
			35642591700616	Utilities - Electric	71.07	0.00	71.07	
			35642591750616	Utilities - Electric	69.99	0.00	69.99	

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			35642591800616	Utilities - Electric	50.50	0.00	50.50	
			35642591850616	Utilities - Electric	56.28	0.00	56.28	
			35642591900616	Utilities - Electric	53.38	0.00	53.38	
			35642591950616	Utilities - Electric	77.47	0.00	77.47	
			35642592000616	Utilities - Electric	87.28	0.00	87.28	
			35642592050616	Utilities - Electric	76.85	0.00	76.85	
			35642592100616	Utilities - Electric	70.86	0.00	70.86	
			35642592150616	Utilities - Electric	78.80	0.00	78.80	
			35642592200616	Utilities - Electric	71.25	0.00	71.25	
			35642592250616	Utilities - Electric	25.96	0.00	25.96	
			35642592300616	Utilities - Electric	61.47	0.00	61.47	
			35642592350616	Utilities - Electric	9.86	0.00	9.86	
			35642592400616	Utilities - Electric	102.08	0.00	102.08	
			35642592450616	Utilities - Electric	35.31	0.00	35.31	
			35642592500616	Utilities - Electric	53.38	0.00	53.38	
			35642592550616	Utilities - Electric	69.27	0.00	69.27	
			35642592600616	Utilities - Electric	72.33	0.00	72.33	
			35642592650616	Utilities - Electric	94.17	0.00	94.17	
			35642592700616	Utilities - Electric	70.35	0.00	70.35	
			35642592750616	Utilities - Electric	54.46	0.00	54.46	
			35642592800616	Utilities - Electric	105.18	0.00	105.18	
			35642592850616	Utilities - Electric	58.80	0.00	58.80	
			35642592900616	Utilities - Electric	57.90	0.00	57.90	
			35642592950616	Utilities - Electric	84.39	0.00	84.39	
			35642593000616	Utilities - Electric	80.27	0.00	80.27	
			35642593050616	Utilities - Electric	86.95	0.00	86.95	
			35642593100616	Utilities - Electric	80.99	0.00	80.99	
			35642593200616	Utilities - Electric	68.73	0.00	68.73	
			35642593250616	Utilities - Electric	13.29	0.00	13.29	
			35642593300616	Utilities - Electric	80.60	0.00	80.60	
			35642593350616	Utilities - Electric	67.64	0.00	67.64	

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			35642593400616	Utilities - Electric	76.31	0.00	76.31	
			35642593450616	Utilities - Electric	67.25	0.00	67.25	
			35642593500616	Utilities - Electric	79.19	0.00	79.19	
			35642593550616	Utilities - Electric	63.49	0.00	63.49	
			35642593600616	Utilities - Electric	82.26	0.00	82.26	
			35642593650616	Utilities - Electric	85.69	0.00	85.69	
			35642593700616	Utilities - Electric	71.61	0.00	71.61	
			35642593750616	Utilities - Electric	51.40	0.00	51.40	
			35642593800616	Utilities - Electric	59.34	0.00	59.34	
			35642593850616	Utilities - Electric	9.53	0.00	9.53	
			35642593900616	Utilities - Electric	50.86	0.00	50.86	
			35642593950616	Utilities - Electric	52.66	0.00	52.66	
			35642594000616	Utilities - Electric	67.28	0.00	67.28	
			35642594050616	Utilities - Electric	39.67	0.00	39.67	
			35642594100616	Utilities - Electric	40.39	0.00	40.39	
			35642594150616	Utilities - Electric	54.28	0.00	54.28	
			35642594250616	Utilities - Electric	101.03	0.00	101.03	
			35642594300616	Utilities - Electric	62.95	0.00	62.95	
			35642594350616	Utilities - Electric	56.46	0.00	56.46	
			35642594400616	Utilities - Electric	51.58	0.00	51.58	
			35642594450616	Utilities - Electric	62.59	0.00	62.59	
			35642594500616	Utilities - Electric	39.13	0.00	39.13	
			35642594550616	Utilities - Electric	84.24	0.00	84.24	
			35642594600616	Utilities - Electric	82.98	0.00	82.98	
			35642594650616	Utilities - Electric	88.04	0.00	88.04	
			35642594700616	Utilities - Electric	80.81	0.00	80.81	
			35642594750616	Utilities - Electric	64.94	0.00	64.94	
			35642594800616	Utilities - Electric	84.79	0.00	84.79	
			35642594850616	Utilities - Electric	61.40	0.00	61.40	
			35642594900616	Utilities - Electric	68.98	0.00	68.98	
			35642594950616	Utilities - Electric	91.36	0.00	91.36	

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Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			35642595000616	Utilities - Electric	75.84	0.00	75.84	
			35642595050616	Utilities - Electric	80.35	0.00	80.35	
			35642595100616	Utilities - Electric	83.96	0.00	83.96	
			35642595150616	Utilities - Electric	67.90	0.00	67.90	
			35642595200616	Utilities - Electric	76.03	0.00	76.03	
			35642595250616	Utilities - Electric	57.15	0.00	57.15	
			35642595300616	Utilities - Electric	64.18	0.00	64.18	
			35642595350616	Utilities - Electric	62.55	0.00	62.55	
			35642595400616	Utilities - Electric	67.25	0.00	67.25	
			35642595450616	Utilities - Electric	116.70	0.00	116.70	
			35642595500616	Utilities - Electric	49.56	0.00	49.56	
			35642595550616	Utilities - Electric	57.15	0.00	57.15	
			35642595600616	Utilities - Electric	53.53	0.00	53.53	
			35642595650616	Utilities - Electric	62.37	0.00	62.37	
			35642595700616	Utilities - Electric	64.00	0.00	64.00	
			35642595750616	Utilities - Electric	68.87	0.00	68.87	
			35642595800616	Utilities - Electric	57.51	0.00	57.51	
			35642595850616	Utilities - Electric	109.48	0.00	109.48	
			35642595900616	Utilities - Electric	60.21	0.00	60.21	
			35642595950616	Utilities - Electric	106.42	0.00	106.42	
			35642596000616	Utilities - Electric	91.79	0.00	91.79	
			35642596050616	Utilities - Electric	78.62	0.00	78.62	
			35642596100616	Utilities - Electric	74.10	0.00	74.10	
			35642596150616	Utilities - Electric	56.61	0.00	56.61	
			35642596200616	Utilities - Electric	74.46	0.00	74.46	
			35642596250616	Utilities - Electric	57.33	0.00	57.33	
			35642596300616	Utilities - Electric	64.18	0.00	64.18	
			35642596350616	Utilities - Electric	50.65	0.00	50.65	
			35642596400616	Utilities - Electric	51.37	0.00	51.37	
			35642596450616	Utilities - Electric	97.57	0.00	97.57	
			35642596500616	Utilities - Electric	55.16	0.00	55.16	

List of All Claims and Bills Approved for Payment
For Payments Dated 7/17/2016 through 7/23/2016

Sorted by Payment Number

Payment No.	Payment Date	Vendor Name	Invoice No.	Description	Invoice Amount	Discount Taken	Amount Paid	Payment Total
			35642598240616	Utilities - Electric	9.86	0.00	9.86	
			74408230820616	Utilities - Electric	74.57	0.00	74.57	
xxx282860	7/21/16	DISCIPLES CHRISTIAN CHURCH	175043-5914	Refund Utility Account Credit	184.94	0.00	184.94	\$184.94
Grand Total Payment Amount								<u>\$3,867,871.14</u>



City of Sunnyvale

Agenda Item

16-0764

Agenda Date: 8/9/2016

REPORT TO COUNCIL

SUBJECT

Amend the Employment Agreement between the City of Sunnyvale and City Attorney John A. Nagel

BACKGROUND

The City Council met in closed session on June 28, 2016 to discuss the City Attorney's 6-month performance evaluation. The City Attorney's compensation must be determined in a public meeting.

Section 7.130 of the Salary Resolution provides for employees to receive an increase not exceeding the control point after 6 months of employment and satisfactory performance. The City Attorney has completed 6 months of employment and is eligible for a merit increase consistent with the Salary Resolution and Section 5 of his employment agreement.

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.

Salary Resolution 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.

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 Attorney's Employment Agreement provides that the City Attorney shall be entitled to retirement and other benefits as applicable to department directors. Pursuant to the Salary Resolution Article 7.130, employees may receive an increase in salary, typically 5%, not exceeding the control point, upon completion of 13 pay periods of service with satisfactory performance evaluation. The intent when the City Attorney was hired at a salary under control point was that he would be eligible for the salary adjustment described in the Salary Resolution, consistent with all other management employees. The City Attorney's Employment Agreement also provides for increases in the annual salary by written agreement of the parties or by inclusion of the agreed salary amount in any duly adopted ordinance or resolution of the city setting the City Attorney's salary or employee salaries generally. This amendment will be posted with the Employment Agreement for the

City Attorney on the City's website.

The salary control point for the City Attorney's classification is \$222,669. The City Attorney was hired on January 19, 2016 at 92.06% of the control point with an annual salary of \$205,000. The City Attorney completed 13 pay periods of service on July 16, 2016. Based on the City Attorney's satisfactory performance and consistent with the Salary Resolution providing for a 5% increase on the control point following successful completion of 6 months of service, the City Attorney is eligible for an increase in salary to 97.06% of the control point at \$216,122 per year.

FISCAL IMPACT

The FY 2016/17 Budget for Program 750 - Comprehensive Legal Services includes full funding of salary and benefits for the City Attorney.

Funding Source

The City Attorney is funded by three funds dependent on the type of legal work that is being completed. They are the General Fund (70%), the Redevelopment Successor Agency Fund (10%), and the Development Enterprise Fund (20%).

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 increasing the City Attorney's salary to 97.06% of the control point for an annual salary of \$216,122 effective July 17, 2016.

Prepared by: Vienne Choi, Human Resources Manager

Reviewed by: Teri Silva, Director, Human Resources

Approved by: Walter C. Rossmann, Assistant City Manager

ATTACHMENT

1. First Amendment to Agreement for Services between the City of Sunnyvale and John A Nagel, City Attorney for the City of Sunnyvale

**FIRST AMENDMENT TO AGREEMENT FOR SERVICES
BETWEEN THE CITY OF SUNNYVALE AND
JOHN A. NAGEL**

THIS FIRST AMENDMENT TO THE AGREEMENT FOR SERVICES is entered into this _____ day of August 2016, by THE CITY COUNCIL OF THE CITY OF SUNNYVALE ("City Council") and JOHN A. NAGEL ("Employee").

WHEREAS, on December 15, 2015 the City Council and Employee entered into an Agreement for Services (the "Agreement"); and

WHEREAS, on August 9, 2016, at its regular meeting, the City Council approved an increase to the Employee's salary, consistent with section 7.130 of the salary resolution, by five percent (5%) of the salary control point, to 97.06% of the salary control point.

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

1. Section 5, Subsection "A." is hereby amended to read as follows:

Section 5. Salary

- A. The Employee's starting salary was set at two hundred five thousand dollars (205,000) per annum. Effective the pay period including July 17, 2016, the Employee's salary shall be increased to two hundred sixteen thousand one hundred twenty-two dollars (\$216,122) per annum.

2. All of the terms and conditions of the Agreement not specifically modified by this First Amendment remain in full force and effect.

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

CITY OF SUNNYVALE

EMPLOYEE

By _____
GLENN HENDRICKS
Mayor

JOHN A. NAGEL

Dated: _____

Dated: _____

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

ASSISTANT CITY ATTORNEY



City of Sunnyvale

Agenda Item

16-0723

Agenda Date: 8/9/2016

REPORT TO COUNCIL

SUBJECT

Approve Restated Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member

BACKGROUND

In 2010, Sunnyvale and 18 other Santa Clara County public agencies entered into a joint powers agreement for the Silicon Valley Regional Interoperability Authority (SVRIA), focusing on planning and communications system enhancement initiatives. Most recently, in June 2015 (RTC 15-470), Council authorized the City Manager to execute the Memorandum of Understanding (MOU) for the complete Silicon Valley Regional Communication System (SVRCS) build-out. The MOU incorporated the inclusion of the Santa Clara Valley Transportation Authority (VTA) as a participant in the SVRCS financial obligations for use of the system. The Silicon Valley Regional Interoperability Authority (SVRIA) Board of Directors also negotiated with VTA for inclusion in the Joint Powers Authority (JPA) and recommends amendment of the agreement in order to include the VTA as a voting member of the Board of Directors

As a member, VTA has agreed to share in the cost. The cost sharing methodology for SVRIA JPA partners was established based on the number of users from each participating agency. VTA becoming a member of the Joint Powers Authority will greatly reduce the anticipated costs to the remaining participants with the additional 2,000 users applied to the system calculations.

EXISTING POLICY

GOAL SN-2: Effective Disaster Preparedness

Ensure that the City, its community members, business, faith-based organizations, community organizations and special needs populations are prepared to effectively respond and recover from major disasters and emergencies.

Policy SN-2.5: Provide emergency radio or other communication devices for coordination of emergency response and the capability to communicate with outside agencies and community members.

GOAL SN-3: Safe and Secure City

Ensure a safe and secure environment for people and property in the community by providing effective public safety response and prevention and education services.

GOAL SN-7: Effective Emergency Communication Services

Provide emergency communications services.

ENVIRONMENTAL REVIEW

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

DISCUSSION

On May 26, 2016, the Board of Directors of the SVRIA reviewed and recommended certain changes to the Joint Powers Agreement in order to include the VTA as a voting member of the Board of Directors. These changes were based upon input from the Working Committee, City Attorneys, City Managers, County Administrator, and VTA as well as direction from the Board.

In the summer of 2015, VTA entered into a Memorandum of Understanding (“MOU”) with the SVRIA to become a participant in the Silicon Valley Regional Communication System (“SVRCS”). As part of their request, VTA agreed to share the costs of SVRCS. In addition, VTA required that they receive two seats on the Board of Directors of SVRIA. One of VTA’s seats will be an elected member of VTA’s Board or of its Policy Committee. The second Board seat will be designated for the VTA’s General Manager or designee.

Other key changes to the agreement resulting from VTA’s inclusion are that VTA brings approximately 2000 new users into the SVRCS, making VTA the third largest member in SVRIA, after the City of San Jose and the County of Santa Clara. A memo from Heather Tannehill-Plamondon, Executive Director of SVRIA, summarizing the revisions to the JPA is attached to this report as Attachment 3. In addition, VTA will make proportionate capital payments to the SVRCS in an amount totaling approximately \$5,500,000 over three years. Starting in fiscal year 2018 - 2019, VTA would begin making annual operations and maintenance payments in excess of \$700,000. By adding this additional Member, all other Members’ payments will be reduced. The two Board seats VTA has requested are proportionate with VTA’s size and status as the third largest Member of SVRIA. The JPA requires that any changes to the JPA be approved by all members, including Sunnyvale, in order to take effect.

Any additional changes at this time (not included in the attached draft) would require the approval of the Working Committee and Board of Directors. This would substantially delay VTA’s entry onto the Board and SVRIA and ultimately could cause VTA to reconsider its commitment to SVRCS.

FISCAL IMPACT

Adding VTA as a partner will reduce the amount of the contribution that the City has historically made. However, there would be no fiscal impact with the approval of the Restated JPA agreement because City of Sunnyvale has already budgeted for the inclusion of VTA in the annual cost estimates. If all members approve the JPA changes then these costs will continue to appropriately reflect the city’s costs. In the event one or more members’ declines the approved changes, the VTA would have the option of withdrawing from the SVRCS and the additional costs would be applied to each member using the same methodology. The funding for all SVRIA participation is budgeted in the Information Technology 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.

RECOMMENDATION

Authorize the City Manager to execute the Restated Joint Powers Agreement for the Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member.

Prepared by: Jeffrey Hunter, Captain

Reviewed by: Frank Grgurina, Director, Public Safety

Reviewed by: Tim Kirby, Director, Finance

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Restated SVRIA Joint Powers Authority Agreement - Clean Copy
2. Restated SVRIA Joint Powers Authority Agreement - Redlined Copy
3. Memo to City Manager detailing the changes to the Joint Powers Authority Agreement

**JOINT POWERS AGREEMENT FOR THE
SILICON VALLEY REGIONAL INTEROPERABILITY AUTHORITY**

Restatement _____, 2016

THIS JOINT POWERS AGREEMENT FOR THE SILICON VALLEY REGIONAL INTEROPERABILITY AUTHORITY (the “**Agreement**”) originally entered into as of November 2009, (“**Effective Date**”) by and among the public agencies executing this Agreement (collectively, “**Members**” and individually, “**Member**”) and restated as of this ___ day of _____ 2016 (“**Restatement Date**”)

RECITALS

- A. **WHEREAS**, in 2001, the Cities of Campbell, Cupertino, Gilroy, Los Altos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, Santa Clara, San Jose, Saratoga, and Sunnyvale; the Towns of Los Gatos and Los Altos Hills; the South Santa Clara County Fire District; the County of Santa Clara; San Jose State University; and the Santa Clara Valley Water District (collectively, the “**Network Participants**”) entered into an agreement to exercise their joint contracting and purchasing powers pursuant to Government Code Section 6502 (the “**Joint Funding Agreement**”), so as to jointly hire consultants for the conceptual design and implementation strategy for an interoperable communications network, to jointly purchase a radio and data communications system or network to provide interoperability for the Network Participants, to integrate this system or network with other nearby regional public safety communications systems, to participate in regional interoperability projects, to jointly fund activities and projects related to interoperability; and to jointly apply for grants and funding to facilitate the accomplishment of these goals;
- B. **WHEREAS**, the campaign to accomplish the above goals came to be known as the Silicon Valley Regional Interoperability Project (“**SVRIP**”);
- C. **WHEREAS**, the SVRIP has been very successful but many new projects and opportunities have arisen and the joint exercise of powers under the Joint Funding Agreement is no longer sufficient to address the expanded opportunities and objectives of the SVRIP;
- D. **WHEREAS**, the undersigned desire to create an independent joint powers authority to implement and operate the SVRIP and other projects, and to formally articulate the goals and purposes of the Authority;
- E. **WHEREAS**, a SVRIP Executive Director, employed by the City of San Jose consistent with the Joint Funding Agreement, has been appointed by the SVRIP steering committee to assist in the formation and operation of the Authority;
- F. **WHEREAS**, pursuant to the Joint Exercise of Powers Act, Title 1, Division 7, Chapter 5, of the California Government Code, Government Code Section 6500 *et seq.*, two or more public agencies may by agreement jointly exercise any power common to the contracting agencies; and
- G. **WHEREAS**, the Members have determined that the public interest will be served by the joint exercise of their common powers through this Agreement and the creation of a joint powers authority for the purposes described herein; and.
- H. **Whereas, the Santa Clara Valley Transportation Authority has requested to become a Member of the Joint Powers Authority and the Board of Directors**

desires to include their membership in an amendment of the Joint Powers Agreement.

NOW THEREFORE, in consideration of the promises, terms, conditions, and covenants contained herein, the Members agree as follows:

ARTICLE 1 – DEFINITIONS

1. Certain terms used in this Agreement shall be defined as follows:

- 1.1. **"Agency"** or **"Public Agency"** shall have the meaning provided in Government Code Section 6500.
- 1.2. **"Agreement"** shall mean this Agreement that establishes the Silicon Valley Regional Interoperability Authority.
- 1.3. **"Annual Operating Costs"** shall mean the day to day expenses of the Authority (other than systems maintenance expenses) which shall include without limitation, personnel (except systems maintenance personnel), overhead, legal and accounting services, and similar costs for the fiscal year; as such term may be further defined in the policies of the Authority.
- 1.4. **"Annual Systems Maintenance Costs"** shall mean consulting and maintenance services for existing hardware and software; systems maintenance personnel costs; system site/facility maintenance; parts, software/firmware, labor and equipment for regular maintenance; and noncapital replacements for the fiscal year; as such term may be further defined in the policies of the Authority.
- 1.5. **"Authority"** shall mean the Silicon Valley Regional Interoperability Authority.
- 1.6. **"Board"** shall mean the Board of Directors which is the governing body of the Silicon Valley Regional Interoperability Authority.
- 1.7. **"Central County Agencies"** shall include the City of Santa Clara, the City of Sunnyvale, and the City of Milpitas.
- 1.8. **"Overhead"** shall mean the Authority's ongoing necessary administrative costs (such as system site/facility rent, office rent, utilities, office supplies, and insurance) which are not separately budgeted as part of a specific project, program, or service.
- 1.9. **"Members"** shall mean the public agencies which are signatories to this Agreement prior to the Effective Date. Unless otherwise indicated, actions or approvals of a Member are deemed to be those of the legislative body of the Member, plus the addition of the Santa Clara Valley Transportation Authority ("VTA") as of the Restatement Date.
- 1.10. **"Multiple Agency Directorship"** shall mean any seat on the Board of Directors which represents more than one Member.

- 1.11. **"Northwest County Agencies"** shall include the City of Mountain View, the City of Palo Alto, the City of Los Altos and the Town of Los Altos Hills.
- 1.12. **Restatement Date shall mean the date that this Agreement is formally unanimously agreed to by all of the Member Agencies.**
- 1.13. **"Smaller Member"** shall mean any Member whose population is less than 15,000.
- 1.14. **"South County Agencies"** shall include the City of Gilroy and the City of Morgan Hill.
- 1.15. **"Southwest County Agencies"** shall include the City of Cupertino, the City of Campbell, the City of Saratoga, the Town of Los Gatos and the City of Monte Sereno.
- 1.16. **"Working Committee"** shall mean the committee described in Article 6 of this Agreement.

ARTICLE 2 – CREATION AND PURPOSES

- 2. The Silicon Valley Regional Interoperability Authority is created as described in this Article.
 - 2.1. **Creation of Authority and Jurisdiction.** Pursuant to the Joint Exercise of Powers Act, the Members hereby create the Silicon Valley Regional Interoperability Authority, a public entity separate and distinct from each of the Members, to exercise the powers common to the Members and as otherwise granted by the Joint Exercise of Powers Act. The jurisdiction of the Authority shall be all territory within the geographic boundaries of the Members; however the Authority may undertake any action outside such geographic boundaries as is necessary or incidental to the accomplishment of its purposes.
 - 2.2. **Purpose of Authority.** The purpose of the Authority is to enhance and improve communications, data sharing and other technological systems, tools and processes for protection of the public and public safety and to facilitate related local and regional cooperative efforts.
 - 2.3. **Purpose of Agreement.** The purpose of this Agreement is to create the Authority; to facilitate the implementation of the Authority's projects, systems and services; to provide for the Authority's acquisition of real, personal and intangible property; to provide for the Authority's administration, planning, design, financing, regulation, permitting, environmental evaluation, public outreach, construction, operation, and maintenance of the Authority's projects, systems and services; and to provide for any necessary or convenient related support services.

ARTICLE 3 – POWERS

3. The Authority shall have all powers necessary or reasonably convenient to carry out the purposes herein, subject to the limitations in this Article.
 - 3.1. The Authority shall have all powers necessary or reasonably convenient to carry out the purposes herein, including, but not limited to, the following powers:
 - 3.1.1. To obtain and secure funding from any and all available public and private sources including local, state, and federal government, including but not limited to, bond issuances, lease purchase agreements, grants, public and private contributions, public and private loans, and other funds;
 - 3.1.2. To manage and operate any projects, systems, and services transferred or assigned to the Authority and fulfill any existing obligations incurred under the Joint Funding Agreement that are transferred or assigned to the Authority;
 - 3.1.3. To plan, design, finance, acquire, construct, operate, regulate, and maintain systems, equipment, facilities, buildings, structures, software, databases, and improvements;
 - 3.1.4. To lease real, personal and intangible property;
 - 3.1.5. To acquire, hold, or dispose of real, personal or intangible property by negotiation, dedication or eminent domain;
 - 3.1.6. To own, lease, sublease, acquire, operate, maintain and dispose of materials, supplies, and equipment of all types including, but not limited to intangible property such as radio frequencies;
 - 3.1.7. To conduct studies, tests, evaluations, investigations, and similar activities;
 - 3.1.8. To develop and/or adopt standards and specifications;
 - 3.1.9. To obtain permits, rights, licenses and approvals, including FCC licenses;
 - 3.1.10. To enter into agreements;
 - 3.1.11. To contract for services from Members, including but not limited to in-kind services;
 - 3.1.12. To employ consultants, contractors, and staff and to adopt personnel rules and regulations;
 - 3.1.13. To adopt bylaws, rules and regulations;
 - 3.1.14. To delegate certain powers;
 - 3.1.15. To acquire and maintain insurance of all types;
 - 3.1.16. To accept, hold, invest, manage, and expend monies pursuant to the Joint Exercise of Powers Act;

- 3.1.17. To work with elected officials and local, regional, state and federal agencies, including joint powers agencies and consortia, to pursue funding, enter agreements, and otherwise act to carry out the purposes of the Authority;
 - 3.1.18. To incur debts, liabilities or obligations, provided that no debt, liability, or obligation shall constitute a debt, liability or obligation of the Members, either jointly or severally;
 - 3.1.19. To charge for services, programs, and/or system use by means of subscriber fees or similar charges;
 - 3.1.20. Subject to applicable legal authority, to cause assessments, fees or charges to be levied in accordance with applicable State and Federal law;
 - 3.1.21. To issue bonds and sell or lease any type of real or personal property for purposes of debt financing;
 - 3.1.22. To sue and be sued;
 - 3.1.23. To conduct public outreach and education;
 - 3.1.24. To participate in pilot and demonstration projects;
 - 3.1.25. To reimburse Authority officers, employees and officials for expenses incurred as permitted by law; and
 - 3.1.26. To exercise all powers incidental to the foregoing.
 - 3.1.27. In addition to those powers common to each of the members and the powers conferred by the Joint Exercise of Powers Act, the Authority shall have those powers that may be conferred upon it by subsequently enacted legislation.
- 3.2. Limitation on Eminent Domain Power. The Authority's power of eminent domain shall be exercised to acquire real property only in the manner prescribed by the California Code of Civil Procedure, including the requirements of Sections 1245.230 and 1245.240 of the Code of Civil Procedure (as such statutes and requirements may be amended) which provide that prior to the exercise of such power the Board adopt, by a 2/3 vote of the entire Board, a resolution finding that (1) the public interest and necessity require the proposed project; (2) the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and (3) the property described in the resolution is necessary for the proposed project. Further, the Authority shall not exercise such power in the jurisdiction of a municipal or county Member in absence of a resolution approved by a majority of the Member's governing body evidencing the Member's consent to the Authority's exercise of eminent domain.
- 3.3. No Authority Taxing Power. The Authority shall not exercise any power it possesses to impose taxes on the public, although it may receive the proceeds of taxes imposed by other entities.

- 3.4. Restriction on Exercise of Powers. Pursuant to Section 6509 of the Joint Exercise of Powers Act, the Authority has designated a general law city as the Member for determination of the restrictions upon the Authority in exercising the common powers under this Agreement and the City of Cupertino shall serve as such Member. In the event that the City of Cupertino ceases to be a Member, the Board may designate by resolution another general law city Member as the Member for determination of the restrictions upon the Authority in exercising the common powers.
- 3.5. Unless expressly provided to the contrary herein, the Authority does not intend, by virtue of Section 3.4 or this Agreement, to subject itself to the internal policies or ordinances of any Member (e.g., Member purchasing or sunshine ordinances).

ARTICLE 4 – MEMBERSHIP

4. The Members of the Authority are the public agencies who enter into this Agreement prior to the Effective Date plus the addition of VTA as of the Restatement Date. In the event a city or town listed as represented by a Multiple Agency Directorship does not enter into this Agreement prior to the Effective Date, the city or town will not be a Member and the listed entities in the applicable Multiple Agency Directorship will be deemed amended to reflect this fact without further action. Admission of a new Member shall not require amendment to this Agreement, however, after the Effective Date new Members may be admitted only pursuant to the procedures described in Sections 4.1 and 4.2. Members may withdraw pursuant to the procedures described in Sections 4.3.
- 4.1. A Public Agency may be considered for membership in the Authority after the Effective Date, by presenting an adopted resolution of the Public Agency's governing body to the Board which includes a request to become a Member of the Authority.
- 4.2. The Authority shall accept new Members upon a majority affirmative vote of the entire Board, payment of any Board determined fees and charges, including a pro-rata share of organization, planning, project, and other costs and charges and upon satisfaction of any conditions established by the Board as a prerequisite for membership. At the time of admission, the Board shall adopt a resolution assigning the new Member to be represented by one of the existing Multiple Agency Directorships and amend the listed entities in the applicable Multiple Agency Directorship shall be amended to reflect this fact. Each proposed Member shall also enter into a membership agreement, upon the date of execution of which it shall be bound to the terms of this Agreement as a Member.
- 4.3. Withdrawal. Any Member may withdraw from this Agreement upon at least 6 (six) months written notice to the Authority and the Members. Any Director who is an elected official of the withdrawing Member and any Working Committee member who is an official, officer or employee of the withdrawing Member shall be deemed to have resigned as of the date of receipt of the written notice.

- 4.3.1. A withdrawing Member shall have no interest or claim in the assets of the Authority absent an Authority approved written agreement which contains express provisions to the contrary.
- 4.3.2. Any withdrawing Member shall be obligated to pay an equitable share, consistent with the cost sharing principles herein, of all debts, liabilities and obligations of the Authority incurred prior to the effective date of the withdrawal; as such share is determined by the Board, as a condition precedent to such withdrawal.
- 4.3.3. Provided, however, that the withdrawing Member's obligations under Section 4.3.2 shall not extend to debts, liabilities and obligations of the Authority that are secured or otherwise committed pursuant to specific project, service, or program agreements ("**limited scope agreements**") that expressly omit the withdrawing Member. The specific pro-rata share of the withdrawing Member of the debts, liabilities and obligations of the Authority that are secured or otherwise committed pursuant to a limited scope agreement shall be determined by the terms of those agreements and the withdrawing Member shall comply with all withdrawal terms of such agreement.
- 4.3.4. A withdrawing or withdrawn Member's payment obligation with respect to its share of debts, liabilities and obligations shall survive withdrawal of the Member and survive termination of this Agreement.
- 4.3.5. If a Member who is represented by a Multiple Agency Directorship withdraws, the listed entities in the applicable Multiple Agency Directorship may be amended to reflect this fact by a resolution of the Board.

ARTICLE 5 – BOARD OF DIRECTORS; ORGANIZATION

5. The Authority shall be governed by a Board of Directors (the "**Board**") consisting of eleven (11) Directors. The term of a Director's appointment shall be three (3) years although Directors may be appointed for a shorter term consistent with the Board's bylaws. Directors may be appointed to multiple successive terms. An alternate shall be appointed for each Director. Alternates shall serve as Directors in the absence of their respective Directors and shall exercise all rights and privileges thereof. Notwithstanding the above, each Director and each alternate for such Director shall serve at the pleasure of the Member(s) they represent and may be removed by such Member(s) at any time without any right to notice thereof.
 - 5.1. Directors and alternates shall be appointed by the represented Member(s) as follows and, at the time of such appointment and for the duration of such appointment, each shall be an elected official of a Member:
 - 5.1.1. Two Directors shall represent the County of Santa Clara.
 - 5.1.2. Two Directors shall represent the City of San Jose.

- 5.1.3. One Director shall represent the Central County Agencies.
- 5.1.4. One Director shall represent the Northwest County Agencies.
- 5.1.5. One Director shall represent the South County Agencies.
- 5.1.6. One Director shall represent the Southwest County Agencies.
- 5.1.7. One Director shall be appointed by the City Selection Committee (as formed pursuant to Government Code Section 50270 *et seq.*) for Santa Clara County. The Director shall be an elected official of a Member who does not have an elected official on the Board at the time of appointment. The Director appointed in this manner may be removed by the Member that he or she serves.
- 5.1.8 Two Directors shall be appointed by the Santa Clara Valley Transportation Authority ("VTA") Board of Directors. One Director shall be the VTA's General Manager or his or her designated Executive Level Staff Member. The other VTA Director shall be an elected member of the VTA Board of Directors or an elected VTA Policy Advisory Committee Member. The elected Director shall not be from a City or Town with a current member on the Board of Directors of the Authority. Future Directors appointed to any seat may not be from the cities or town already represented by the VTA Directors.

Each directorship described in Sections 5.1.3 through 5.1.6 shall be a Multiple Agency Directorship and an action by a majority of the represented Members shall appoint and remove such Directors. If the Director (or his or her Alternate) shall fail to attend 70% of the meetings of the Board during the fiscal year, the Directorship shall be deemed vacant and the Authority shall send notice of the vacancy to the represented Member(s). If a Director shall cease to be an elected official of a Member, his or her seat shall be deemed vacant. If a Director shall cease to be an employee of VTA, his or her seat shall be deemed vacant. If the City Selection Committee or the represented Members of a Multiple Agency Directorship fail to select a Director within ninety (90) days of a vacancy, the Board may appoint an interim Director from the elected officials of the represented Members (or of those Members who do not have an elected official on the Board in the case of the City Selection Committee's directorship) to serve until the appointment of the new Director is completed.

- 5.2. Each member of the Board shall have one vote. A majority of the members of the entire Board shall constitute a quorum for the transaction of business. Except where a supermajority is required by statute, this Agreement or a

resolution of the Board, actions of the Board shall require the affirmative vote of a majority of the entire Board (i.e., six (6) affirmative votes).

- 5.3. The Board shall elect annually a Chair from among its membership to preside at meetings and shall appoint a Secretary who may, but need not, be a Director. The Board may, from time to time, elect such other officers as the Board shall deem necessary or convenient to conduct the affairs of the Authority.
- 5.4. Meetings. The Board shall hold at least two regular meetings each year. The Board shall by resolution establish the date, hour and location at which its regular meetings shall be held. All meetings of the Board shall be held in accordance with the Ralph M. Brown Act, Government Code Section 54950 *et seq.* The Secretary shall cause minutes of all open meetings of the Board to be kept and shall cause a copy of the minutes to be forwarded to each Director and the Members within thirty (30) days.
- 5.5. Bylaws. The Board, at its initial meeting, shall adopt by resolution rules of procedure ("**bylaws**"), not inconsistent with the provisions of this Agreement, to govern the conduct of its meetings. Such rules of procedure shall be in accordance with the Ralph M. Brown Act. Amendments to the Bylaws shall be reviewed by the Working Committee and comments from the Working Committee, if any, shall be presented to the Board at the time of Board consideration of the amendments.
- 5.6. Political Reform Act Compliance. Directors of the Board, members of the Working Committee and designated officials and employees shall comply with the Political Reform Act of 1974, Government Code Section 81000 *et seq.*
- 5.7. Executive Director. The Executive Director shall report to and take direction from the Board and shall have such authority as is specified by resolution of the Board. Where authorized by the Working Committee, the Executive Director may sign agreements, applications and other documents on behalf of the Authority. The Executive Director shall be designated as a Government Code Section 6505.1 officer who has charge of, handles, and has access to, the Authority's property and shall file with the Authority an official bond in the amount set by the Board. The premiums for such bond may be paid or reimbursed by the Authority.
 - 5.7.1. The SVRIP Executive Director shall serve as the Authority's Executive Director during the term of the existing employment agreement between the City of San Jose and the SVRIP Executive Director or until an Executive Director is selected pursuant to Section 6.7.
- 5.8. General Counsel. The Authority shall have a General Counsel. The General Counsel shall report to and take direction from the Board. The Board may designate one of the Authority's or a Member's employees as General Counsel or contract for such legal services with an independent contractor.
- 5.9. Policies. The Board may, upon the recommendation of the Working Committee, adopt policies regarding personnel, conflicts of interest and other matters that are necessary or convenient for the efficient operation of the Authority.

- 5.10. In addition to such duties as may be necessary or desirable for the implementation of this Agreement, the Board shall have the duty to do the following within the times specified or, if no time is specified, within a reasonable time:
- 5.10.1. The Board shall hold an initial Board meeting within sixty (60) days of the Effective Date, and adopt an initial budget, work plan, initial policies, and bylaws with or without a Working Committee recommendation;
 - 5.10.2. The Board shall adopt a work plan for each fiscal year;
 - 5.10.3. The Board shall select a General Counsel;
 - 5.10.4. The Board shall direct the Working Committee to evaluate the need for such insurance protection as is necessary to protect the interests of the Authority and its Members, and acquire and maintain if necessary, liability, errors and omissions, property and/or other insurance.

ARTICLE 6 – WORKING COMMITTEE

6. Pursuant to Government Code Section 6508, the Authority delegates certain powers related to program development, policy formulation and program implementation to the Working Committee described herein. Specifically, the Working Committee shall have the composition, powers and duties described in this Article and the implied powers necessary therefor.
- 6.1. The Working Committee shall ensure that a budget and work plan are timely prepared and by March 31 of each year, shall review and recommend the budget and work plan to the Board for approval. Copies of the recommended budget and work plan shall be promptly sent to the Members and the Directors. The budget shall indicate the anticipated sources of revenues and the anticipated uses of such revenues. The work plan shall outline the activities and priorities of the Authority for the following year.
 - 6.2. The Working Committee may apply for and accept all grants and sub-grants that are consistent with the approved work plan, provided that either (a) the amount of matching funds required, if any, does not exceed that threshold provided in the approved work plan and budget, or (b) a Member or other entity volunteers to provide the matching funds without a guarantee of reimbursement.
 - 6.3. The Working Committee may take action to implement or modify any projects, programs or services, provided the projects, programs or services are consistent with the budget and the parameters and thresholds in the work plan. Any projects, programs and services that are not consistent with the work plan and budget shall be reviewed by the Working Committee and recommended to the Board for approval.
 - 6.4. The Working Committee shall let for bid, if required, and award all contracts consistent with the approved work plan, provided that the amount of funds

required, if any, does not exceed that threshold provided in the approved work plan and budget. The Working Committee may approve any contract amendment, provided that the additional costs to the Authority for such amendment do not exceed the threshold provided in the Authority's contracting policy and sufficient funds are available in the approved budget.

6.5. The Working Committee shall approve all agreements with Members and other public agencies and all other contracts that are consistent with applicable law and the approved work plan.

6.6. The Working Committee shall recommend a conflict of interest policy and personnel rules, when necessary, and any amendments of those policies to the Board for approval.

6.7. The Working Committee shall adopt policies regarding purchasing and consultants. In addition, the Working Committee may adopt policies on other issues that are necessary or convenient for the efficient operation of the Authority.

6.8. The Working Committee shall recommend an Executive Director, subject to the Board's approval and approval of the contract between the Authority and Executive Director.

6.9. The Working Committee shall have thirteen (13) Committee Members, unless such number is increased by a resolution adopted by an affirmative vote of 2/3 of the entire Board. Each Committee Member shall serve at the pleasure of the appointing entity identified in Section 6.9.1 and may be removed at any time by that appointing entity without notice. Each Committee Member must be an official, officer, or employee of a Member, but no single Member may have more than three (3) Working Committee Members serving at one time. A Committee Member may also be removed by the Member who he or she serves upon notice to the Authority. If a Committee Member shall fail to attend 70% of the meetings of the Working Committee during the fiscal year, his or her seat shall be deemed vacant and the Authority shall send notice of the vacancy to the appointing entity. If a Committee Member shall cease to be an official, officer, or employee of a Member, his or her seat shall be deemed vacant. If an appointing entity shall fail to appoint a Committee Member within ninety (90) days of a vacancy, the Working Committee may, by majority vote, appoint an interim Committee Member from the officials, officers, or employees of the Members to serve until the appointment of the new Committee Member is completed.

6.9.1. Working Committee Members shall be appointed by the following entities (or successor entities approved pursuant to a resolution of the Working Committee) as follows:

6.9.1.1. Two City Managers appointed by the Santa Clara County/City Managers Association.

6.9.1.2. One fire chief appointed by the Santa Clara County Fire Chiefs Association.

- 6.9.1.3. One police chief appointed by the Santa Clara County Police Chiefs Association.
- 6.9.1.4. The Santa Clara County Executive or his or her designee.
- 6.9.1.5. Two members appointed by the San Jose City Manager.
- 6.9.1.6. The Director of Communications for Santa Clara County or his or her designee.
- 6.9.1.7. One communications manager appointed by the Public Safety Communications Managers Association (of Santa Clara County).
- 6.9.1.8. Two at-large members appointed by the Working Committee.
- 6.9.1.9. Two Committee Members appointed by VTA's General Manager.
- 6.9.2. Meetings of the Working Committee shall be conducted in compliance with the Ralph M. Brown Act. The Working Committee may adopt by resolution rules of procedure, not inconsistent with the provisions of this Agreement, to govern the conduct of its meetings.
- 6.9.3. A majority of the Committee Members shall constitute a quorum for the transaction of business and actions of the Working Committee shall require the affirmative vote of a majority of the entire Working Committee (i.e., as of the Effective Restatement Date, seven (7) Committee Members).

ARTICLE 7 – FISCAL MATTERS AND FUNDING

- 7. The Authority shall comply with the fiscal and recordkeeping requirements of the Joint Exercise of Powers Act and shall take such other actions as necessary or desirable to address the fiscal, funding and budgeting needs of the Authority.
 - 7.1. Treasurer and Auditor. The Treasurer and Auditor/Controller of Santa Clara County, respectively, are designated the Treasurer and Auditor of the Authority with the powers, duties, and responsibilities specified in the Joint Exercise of Powers Act, including, without limitation, Sections 6505 and 6505.5 thereof; provided however, the Board may revoke this designation by adopting a resolution appointing one or more of the Authority's or a Member's officers or employees to either or both of the positions of Treasurer or Auditor as provided in Sections 6505.6 of the Joint Exercise of Powers Act.
 - 7.2. Accounts and Reports. The Board shall establish and maintain such funds and accounts as may be required by generally accepted public accounting practice. The books and records of the Authority shall be open to inspection at all reasonable times to the Members and their respective representatives. The accounts shall be prepared and maintained by the Treasurer and/or Auditor of the Authority. The Auditor shall, within one hundred twenty (120) days after the close of each fiscal year, cause an independent audit of all financial activities for

such fiscal year to be prepared in accordance with Government Code Section 6505. The Authority shall promptly deliver copies of the audit report to each Director and the Members.

- 7.3. Budget. The Board shall adopt an initial budget consistent with Section 5.10 and adopt subsequent budgets no later than April 30th of each year thereafter. Adoption of the budget shall require an affirmative vote of 2/3 of the entire Board.
- 7.4. Fiscal Year. The fiscal year of the Authority shall be the period from July 1st of each year to and including the following June 30th.
- 7.5. Debts, Liabilities and Obligations. The debts, liabilities, and obligations of the Authority shall not constitute debts, liabilities, or obligations of the Members, either jointly or severally.
- 7.6. Initial Contribution for Annual Operating Costs. Within thirty (30) days of the Effective Date, each Member except the City of Los Altos Hills and the City of Monte Sereno shall make an initial operating costs contribution of \$13,157 to the Authority. The City of Los Altos Hills and the City of Monte Sereno shall each make an initial operating costs contribution of \$8,000. Notwithstanding the above, any Member who has already contributed the identified amount pursuant to the Joint Funding Agreement for the 2009-2010 fiscal year need not make such initial operating costs contribution. Within thirty (30) days of the Restatement Date, the VTA shall make a contribution towards operating costs of \$13,157 to the Authority.
- 7.7. Initial Contribution for Annual Maintenance Costs. Within thirty (30) days of the Effective Date, each Member shall make an initial systems maintenance contribution of the amount required pursuant to the City Manager's Association approved maintenance assessment formula.
 - 7.7.1. The City Managers' Association approved maintenance assessment formula provides the following population allocation percentages: Campbell - 2.21%, Cupertino - 3.02% , Gilroy - 2.60%, Los Altos - 1.60%, Los Altos Hills - 0.48%, Los Gatos - 1.67%, Milpitas – 3.76%, Monte Sereno - 0.20% , Morgan Hill - 2.02%, Mountain View – 4.16%, Palo Alto – 3.50% , San Jose – 53.47%, Santa Clara – 6.12%, Saratoga - 1.76%, and Sunnyvale – 7.66%; and unincorporated Santa Clara County - 5.78%.
 - 7.7.2. The following contributions are due based on the above percentages: Campbell - \$3,315, Cupertino - \$4,530, Gilroy - \$3,900, Los Altos - \$2,400, Los Altos Hills - \$720, Los Gatos - \$2,505, Milpitas – \$5,640, Monte Sereno - \$300, Morgan Hill - \$3,030, Mountain View – \$6,240, Palo Alto – \$5,250 , San Jose – \$80,205, Santa Clara – \$9,180, Saratoga - \$2,640, and Sunnyvale – \$11,490, and unincorporated Santa Clara County - \$8,670.
 - 7.7.3. Notwithstanding the above, any Member who has already contributed the identified amount pursuant to the Joint Funding Agreement

for the 2009-2010 fiscal year need not make such initial maintenance contribution.

7.8. Annual Operating Costs. Each year, the Working Committee shall propose projected Annual Operating Costs, which projected costs shall be adopted by the Board prior to or during approval of the budget.

7.8.1. Population Share. Half of the adopted Annual Operating Costs shall be allocated to the Members based on their respective population (the "Population Share"). Each Member shall pay a portion of the Population Share which shall be determined based on that Member's population. The Population Share, each Member's share of the Population Share shall be determined pursuant to the funding policy adopted by the Board at its initial meeting, as may be amended. The funding policy shall specify the accepted method for calculating each Member's population (e.g., census data). Notwithstanding the foregoing, on or after the Restatement Date, the Working Committee shall commission or obtain a cost allocation study which considers usage, overhead, and other reasonable cost factors and with that data shall propose, subject to the adoption of the Board, an allocation methodology for the VTA that is not based on population.

7.8.2. Membership Share. Half of the adopted Annual Operating Costs shall be allocated to the Members based on the principle that Members share these costs equally, except that the Smaller Members shall pay 60% of a Full Share (the "Membership Share"). Each Member except the Smaller Members shall pay an equal full share of the adopted Annual Operating Costs (Full Share") the Smaller Members shall pay 60% of a Full Share. The total of all shares shall be 100% of the Membership Share. A Full Share shall be calculated according to the formula implementing the above principle contained in the funding policy adopted by the Board at its initial meeting, as may be amended.

7.9. Annual Systems Maintenance Costs. Each year, the Working Committee shall propose projected Annual Systems Maintenance Costs, which projected costs shall be approved by the Board prior to or during approval of the budget.

7.9.1. Each Member shall pay a share of the adopted Annual Systems Maintenance Costs based on the principle that Members shall share systems maintenance costs based on system and service usage and that until sufficient data is available regarding Member usage, Member population data is an acceptable proxy for usage.

7.9.2. Each Member's share of the adopted Annual Systems Maintenance Costs shall be calculated according to the formula implementing the principles in Section 7.9.1 contained in the funding policy adopted by the Board at its initial meeting, as may be amended.

7.10. Other Projects, Programs and Services. In the event that a project, program, service, or reserve fund is approved which has costs that are not

Annual Operating Costs or the Annual Systems Maintenance Costs, the Working Committee shall either (a) develop a proposed cost allocation formula for the non-overhead costs based on the principle that costs shall be assessed to Members based on usage but, if usage data or projected usage data is not available, until sufficient data is available, Member population and entity type data are acceptable proxies for usage or (b) conduct or obtain a cost allocation study which considers usage, overhead, and other reasonable cost factors. The Board shall approve any such proposed cost allocation.

7.11. Limited Scope Agreements. Where a project or program is intentionally designed to be limited in scope such that it only provides benefits to particular Members, the Authority may enter into specific project or program agreements that provide for cost sharing by the particular affected Members; provided however, both the Board and Working Committee must approve such agreements.

7.12. Contributions on Behalf of Members. Special Districts or other parties may tender to the Authority those contributions due from a Member on that Member's behalf.

ARTICLE 8 –GENERAL PROVISIONS

8. The following general provisions apply to this Agreement.

8.1. Term and Termination. This Agreement shall be effective as of the Effective Date. It shall remain in effect until the purposes of the Authority are fully accomplished, or until terminated by the vote of a majority of the governing bodies of the Members; provided, however, that this Agreement may not be terminated, until (a) all bonds or other instruments of indebtedness issued by the Authority and the interest thereon, if any, have been paid in full or provision has been made for payment in full and (b) all outstanding obligations and liabilities of the Authority have been paid in full or provision has been made for payment in full, except as set forth in Section 8.2.

8.2. Disposition of Property upon Termination. In the event of termination of the Authority pursuant to Section 8.1 herein and where there will be a successor public entity which will carry on the functions of the Authority and assume its assets and liabilities, the assets of the Authority shall be transferred to the successor public entity. If upon termination pursuant to Section 8.1, there is no successor public entity which will carry on the functions of the Authority and assume its assets, the assets shall be returned to the Members as follows: (a) all real property and any improvements thereon shall be conveyed to the Member which owned the property prior to the formation of the Authority, and (b) all other assets shall be divided among the Members in proportion to their respective contributions during the term of this Agreement. If upon termination pursuant to Section 8.1, there is a successor public entity which will carry on some of the functions of the Authority and assume some of

the assets, the Authority's Board shall allocate the assets between the successor public entity and the Members.

8.3. Indemnification. To the fullest extent allowed by law, the Authority shall defend, indemnify, and save harmless the Members and their governing bodies, officers, agents, and employees from all claims, losses, damages, costs, injury, and liability of every kind, nature, and description directly or indirectly arising from the performance of any of the activities of the Authority or the activities undertaken pursuant to this Agreement.

8.4. Liability of Board, Officers and Employees. The Directors, Working Committee Members, officers, and employees of the Authority shall use ordinary care and reasonable diligence in the exercise of their powers, and in the performance of their duties pursuant to this Agreement. They shall not be liable to the Members for any mistake of judgment or other action made, taken, or omitted by them in good faith, nor for any action made, taken, or omitted by any agent, employee, or independent contractor selected with reasonable care, nor for loss incurred through the investment of the Authority's funds, or failure to invest the same.

8.5. To the extent authorized by California law, no Director, Working Committee Member, officer, or employee of the Authority shall be responsible for any action made, taken, or omitted, by any other Director, Working Committee Member, officer, or employee. No Director, Working Committee Member, officer, or employee of the Authority shall be required to give a bond or other security to guarantee the faithful performance of his or her duties pursuant to this Agreement, except as required herein pursuant to Government Code Section 6505.1. The funds of the Authority shall be used to defend, indemnify, and hold harmless the Authority and each Director, Working Committee Member, officer, or employee of the Authority for actions taken in good faith and within the scope of his or her authority. Nothing herein shall limit the right of the Authority to purchase insurance to provide coverage for the foregoing indemnity.

8.6. Successors: Assignment. This Agreement shall be binding upon and shall inure to the benefit of the successors of the Members. No Member may assign any rights or obligations hereunder without the unanimous consent of the governing bodies of the other Members; provided, further, that no such assignment may be made if it would materially and adversely affect (a) the rating of bonds issued by the Authority, or (b) bondholders holding such bonds.

8.7. Amendments. This Agreement may be amended only upon approval of all the governing bodies of the Members. So long as any bonds of the Authority are outstanding and unpaid, or funds are not otherwise set aside for the payment or redemption thereof in accordance with the terms of such bonds and the documentation relating thereto, this Agreement shall not be amended, modified or otherwise revised, changed or rescinded, if, in the judgment of the Board, such action would (a) materially and adversely affect (1) the rating of bonds issued by the Authority, or (2) bondholders holding such bonds, or (b) limit or reduce the

obligations of the Members to make, in the aggregate, the payments which are for the benefit of the owners of such bonds.

8.8. No Third Party Beneficiaries. This Agreement is intended solely for the benefit of the Authority and its Members. No third party shall be deemed a beneficiary of this Agreement or have any rights hereunder against the Authority or its Members.

8.9. Dispute Resolution. In the event that any party to this Agreement should at any time claim that another party (or parties) has breached or is breaching this Agreement, the complaining party shall file with the governing body of claimed breaching party, and with the Authority, a written claim of said breach, describing the alleged breach and otherwise giving full information respecting the same. The Board shall thereupon, at a reasonable time and place, specified by it, give each of these parties to the dispute an opportunity to be heard on the matter, and shall, upon conclusion of said hearing, give the Members a full report of its findings and recommendations. Said report, findings and recommendations shall be deemed advisory only, shall not in any way bind any of the parties to the dispute, and shall not be deemed to establish any facts, either presumptively or finally. Upon receipt of said report and recommendations, if any party to the dispute should be dissatisfied with or disagree with the same, that party shall provide written notice to the other parties within ten (10) business days, and the parties to the dispute or their representatives shall meet at a reasonable time and place to be determined by them, for the purpose of resolving their differences. No action for breach of this Agreement, and no action for any legal relief because of any such breach or alleged breach of this Agreement shall be filed or commenced by any party unless and until such party has first given to the other parties a reasonable time, after the parties to the dispute have met to resolve their differences, within which to cure any breach or alleged breach.

8.10. Notices. Any notices to Members required by this Agreement shall be delivered or mailed, U.S. first class, postage prepaid, addressed to the principal office of the respective Members. Notices under this Agreement shall be deemed given and received at the earlier of actual receipt, or the second business day following deposit in the United States mail, as required above. Any Member may amend its address for notice by notifying the other Members pursuant to this Section.

8.11. Severability. Should any part, term, or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

8.12. Liberal Construction. The provisions of this Agreement shall be liberally construed as necessary or reasonably convenient to achieve the purposes of the Authority.

8.13. Headings. The headings used in this Agreement are for convenience only and have no effect on the content, construction, or interpretation of the Agreement.

8.14. Counterparts. This Agreement may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

8.15. Non-Waiver. No waiver of the breach or default of any of the covenants, agreements, restrictions, or conditions of this Agreement by any Member shall be construed to be a waiver of any succeeding breach of the same or other covenants, agreements, restrictions, or conditions of this Agreement. No delay or omission of exercising any right, power or remedy in the event of breach or default shall be construed as a waiver thereof, or acquiescence therein, or be construed as a waiver of a variation of any of the terms of this Agreement or any applicable agreement.

8.16. Agreement Complete. The foregoing constitutes the full and complete Agreement of the parties. There are no oral understandings or agreements not set forth in writing above. Any such agreements merge into this Agreement.

This document continues on the following page.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

City of Campbell	Approved as to form:
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
Approved as to form:	Approved as to form:
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
City of Cupertino	Approved as to form:
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
City of Gilroy	Approved as to form:
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
City of Los Altos	Approved as to form:
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____

<p>Town of Los Altos Hills</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Town of Los Gatos</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>City of Milpitas</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>City of Monte Sereno</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>City of Morgan Hill</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
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<p>City of Mountain View</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
<p>City of Palo Alto</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
<p>City of San Jose</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
<p>City of Santa Clara</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
<p>County of Santa Clara</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>

<p>City of Saratoga</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
<p>City of Sunnyvale</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
<p>Santa Clara Valley Transportation Authority</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>	<p>Approved as to form:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>

RD:SSG

**JOINT POWERS AGREEMENT FOR THE
SILICON VALLEY REGIONAL INTEROPERABILITY AUTHORITY**

~~NOVEMBER 18, 2009~~

Restatement _____, 2016

THIS JOINT POWERS AGREEMENT FOR THE SILICON VALLEY REGIONAL INTEROPERABILITY AUTHORITY (the "**Agreement**") ~~is originally~~ entered into as of ~~this~~ day of November 2009, ("**Effective Date**") by and among the public agencies executing this Agreement (collectively, "**Members**" and individually, "**Member**") and restated as of this day of 2016 ("**Restatement Date**").

RECITALS

- A. **WHEREAS**, in 2001, the Cities of Campbell, Cupertino, Gilroy, Los Altos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, Santa Clara, San Jose, Saratoga, and Sunnyvale; the Towns of Los Gatos and Los Altos Hills; the South Santa Clara County Fire District; the County of Santa Clara; San Jose State University; and the Santa Clara Valley Water District (collectively, the "**Network Participants**") entered into an agreement to exercise their joint contracting and purchasing powers pursuant to Government Code Section 6502 (the "**Joint Funding Agreement**"), so as to jointly hire consultants for the conceptual design and implementation strategy for an interoperable communications network, to jointly purchase a radio and data communications system or network to provide interoperability for the Network Participants, to integrate this system or network with other nearby regional public safety communications systems, to participate in regional interoperability projects, to jointly fund activities and projects related to interoperability; and to jointly apply for grants and funding to facilitate the accomplishment of these goals;
- B. **WHEREAS**, the campaign to accomplish the above goals came to be known as the Silicon Valley Regional Interoperability Project ("**SVRIP**");
- C. **WHEREAS**, the SVRIP has been very successful but many new projects and opportunities have arisen and the joint exercise of powers under the Joint Funding Agreement is no longer sufficient to address the expanded opportunities and objectives of the SVRIP;
- D. **WHEREAS**, the undersigned desire to create an independent joint powers authority to implement and operate the SVRIP and other projects, and to formally articulate the goals and purposes of the Authority;
- E. **WHEREAS**, a SVRIP Executive Director, employed by the City of San Jose consistent with the Joint Funding Agreement, has been appointed by the SVRIP steering committee to assist in the formation and operation of the Authority;
- F. **WHEREAS**, pursuant to the Joint Exercise of Powers Act, Title 1, Division 7, Chapter 5, of the California Government Code, Government Code Section 6500 *et seq.*, two or more public agencies may by agreement jointly exercise any power common to the contracting agencies; and
- G. **WHEREAS**, the Members have determined that the public interest will be served by the joint exercise of their common powers through this Agreement and the creation of a joint powers authority for the purposes described herein; and.
- H. **Whereas, the Santa Clara Valley Transportation Authority has requested to become a Member of the Joint Powers Authority and the Board of Directors**

desires to include their membership in an amendment of the Joint Powers Agreement.

NOW THEREFORE, in consideration of the promises, terms, conditions, and covenants contained herein, the Members agree as follows:

ARTICLE 1 – DEFINITIONS

1. Certain terms used in this Agreement shall be defined as follows:

- 1.1. **"Agency" or "Public Agency"** shall have the meaning provided in Government Code Section 6500.
- 1.2. **"Agreement"** shall mean this Agreement that establishes the Silicon Valley Regional Interoperability Authority.
- 1.3. **"Annual Operating Costs"** shall mean the day to day expenses of the Authority (other than systems maintenance expenses) which shall include without limitation, personnel (except systems maintenance personnel), overhead, legal and accounting services, and similar costs for the fiscal year; as such term may be further defined in the policies of the Authority.
- 1.4. **"Annual Systems Maintenance Costs"** shall mean consulting and maintenance services for existing hardware and software; systems maintenance personnel costs; system site/facility maintenance; parts, software/firmware, labor and equipment for regular maintenance; and noncapital replacements for the fiscal year; as such term may be further defined in the policies of the Authority.
- 1.5. **"Authority"** shall mean the Silicon Valley Regional Interoperability Authority.
- 1.6. **"Board"** shall mean the Board of Directors which is the governing body of the Silicon Valley Regional Interoperability Authority.
- 1.7. **"Central County Agencies"** shall include the City of Santa Clara, the City of Sunnyvale, and the City of Milpitas.
- 1.8. **"Overhead"** shall mean the Authority's ongoing necessary administrative costs (such as system site/facility rent, office rent, utilities, office supplies, and insurance) which are not separately budgeted as part of a specific project, program, or service.
- 1.9. **"Members"** shall mean the public agencies which are signatories to this Agreement prior to the Effective Date. Unless otherwise indicated, actions or approvals of a Member are deemed to be those of the legislative body of the Member, plus the addition of the Santa Clara Valley Transportation Authority ("VTA") as of the Restatement Date.
- 1.10. **"Multiple Agency Directorship"** shall mean any seat on the Board of Directors which represents more than one Member.

~~1.11.~~ **"Northwest County Agencies"** shall include the City of Mountain View, the City of Palo Alto, the City of Los Altos and the Town of Los Altos Hills.

~~1.11.~~~~1.12.~~ **Restatement Date shall mean the date that this Agreement is formally unanimously agreed to by all of the Member Agencies.**

~~1.12.~~~~1.13.~~ **"Smaller Member"** shall mean any Member whose population is less than 15,000.

~~1.13.~~~~1.14.~~ **"South County Agencies"** shall include the City of Gilroy and the City of Morgan Hill.

~~1.14.~~~~1.15.~~ **"Southwest County Agencies"** shall include the City of Cupertino, the City of Campbell, the City of Saratoga, the Town of Los Gatos and the City of Monte Sereno.

~~1.15.~~~~1.16.~~ **"Working Committee"** shall mean the committee described in Article 6 of this Agreement.

ARTICLE 2 – CREATION AND PURPOSES

2. The Silicon Valley Regional Interoperability Authority is created as described in this Article.

2.1. Creation of Authority and Jurisdiction. Pursuant to the Joint Exercise of Powers Act, the Members hereby create the Silicon Valley Regional Interoperability Authority, a public entity separate and distinct from each of the Members, to exercise the powers common to the Members and as otherwise granted by the Joint Exercise of Powers Act. The jurisdiction of the Authority shall be all territory within the geographic boundaries of the Members; however the Authority may undertake any action outside such geographic boundaries as is necessary or incidental to the accomplishment of its purposes.

2.2. Purpose of Authority. The purpose of the Authority is to enhance and improve communications, data sharing and other technological systems, tools and processes for protection of the public and public safety and to facilitate related local and regional cooperative efforts.

2.3. Purpose of Agreement. The purpose of this Agreement is to create the Authority; to facilitate the implementation of the Authority's projects, systems and services; to provide for the Authority's acquisition of real, personal and intangible property; to provide for the Authority's administration, planning, design, financing, regulation, permitting, environmental evaluation, public outreach, construction, operation, and maintenance of the Authority's projects, systems and services; and to provide for any necessary or convenient related support services.

ARTICLE 3 – POWERS

3. The Authority shall have all powers necessary or reasonably convenient to carry out the purposes herein, subject to the limitations in this Article.

3.1. The Authority shall have all powers necessary or reasonably convenient to carry out the purposes herein, including, but not limited to, the following powers:

3.1.1. To obtain and secure funding from any and all available public and private sources including local, state, and federal government, including but not limited to, bond issuances, lease purchase agreements, grants, public and private contributions, public and private loans, and other funds;

3.1.2. To manage and operate any projects, systems, and services transferred or assigned to the Authority and fulfill any existing obligations incurred under the Joint Funding Agreement that are transferred or assigned to the Authority;

3.1.3. To plan, design, finance, acquire, construct, operate, regulate, and maintain systems, equipment, facilities, buildings, structures, software, databases, and improvements;

3.1.4. To lease real, personal and intangible property;

3.1.5. To acquire, hold, or dispose of real, personal or intangible property by negotiation, dedication or eminent domain;

3.1.6. To own, lease, sublease, acquire, operate, maintain and dispose of materials, supplies, and equipment of all types including, but not limited to intangible property such as radio frequencies;

3.1.7. To conduct studies, tests, evaluations, investigations, and similar activities;

3.1.8. To develop and/or adopt standards and specifications;

3.1.9. To obtain permits, rights, licenses and approvals, including FCC licenses;

3.1.10. To enter into agreements;

3.1.11. To contract for services from Members, including but not limited to in-kind services;

3.1.12. To employ consultants, contractors, and staff and to adopt personnel rules and regulations;

3.1.13. To adopt bylaws, rules and regulations;

3.1.14. To delegate certain powers;

3.1.15. To acquire and maintain insurance of all types;

3.1.16. To accept, hold, invest, manage, and expend monies pursuant to the Joint Exercise of Powers Act;

- 3.1.17. To work with elected officials and local, regional, state and federal agencies, including joint powers agencies and consortia, to pursue funding, enter agreements, and otherwise act to carry out the purposes of the Authority;
 - 3.1.18. To incur debts, liabilities or obligations, provided that no debt, liability, or obligation shall constitute a debt, liability or obligation of the Members, either jointly or severally;
 - 3.1.19. To charge for services, programs, and/or system use by means of subscriber fees or similar charges;
 - 3.1.20. Subject to applicable legal authority, to cause assessments, fees or charges to be levied in accordance with applicable State and Federal law;
 - 3.1.21. To issue bonds and sell or lease any type of real or personal property for purposes of debt financing;
 - 3.1.22. To sue and be sued;
 - 3.1.23. To conduct public outreach and education;
 - 3.1.24. To participate in pilot and demonstration projects;
 - 3.1.25. To reimburse Authority officers, employees and officials for expenses incurred as permitted by law; and
 - 3.1.26. To exercise all powers incidental to the foregoing.
 - 3.1.27. In addition to those powers common to each of the members and the powers conferred by the Joint Exercise of Powers Act, the Authority shall have those powers that may be conferred upon it by subsequently enacted legislation.
- 3.2. Limitation on Eminent Domain Power. The Authority's power of eminent domain shall be exercised to acquire real property only in the manner prescribed by the California Code of Civil Procedure, including the requirements of Sections 1245.230 and 1245.240 of the Code of Civil Procedure (as such statutes and requirements may be amended) which provide that prior to the exercise of such power the Board adopt, by a 2/3 vote of the entire Board, a resolution finding that (1) the public interest and necessity require the proposed project; (2) the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and (3) the property described in the resolution is necessary for the proposed project. Further, the Authority shall not exercise such power in the jurisdiction of a municipal or county Member in absence of a resolution approved by a majority of the Member's governing body evidencing the Member's consent to the Authority's exercise of eminent domain.
- 3.3. No Authority Taxing Power. The Authority shall not exercise any power it possesses to impose taxes on the public, although it may receive the proceeds of taxes imposed by other entities.

- 3.4. Restriction on Exercise of Powers. Pursuant to Section 6509 of the Joint Exercise of Powers Act, the Authority has designated a general law city as the Member for determination of the restrictions upon the Authority in exercising the common powers under this Agreement and the City of Cupertino shall serve as such Member. In the event that the City of Cupertino ceases to be a Member, the Board may designate by resolution another general law city Member as the Member for determination of the restrictions upon the Authority in exercising the common powers.
- 3.5. Unless expressly provided to the contrary herein, the Authority does not intend, by virtue of Section 3.43 or this Agreement, to subject itself to the internal policies or ordinances of any Member (e.g., Member purchasing or sunshine ordinances).

ARTICLE 4 – MEMBERSHIP

4. The Members of the Authority are the public agencies who enter into this Agreement prior to the Effective Date plus the addition of VTA as of the Restatement Date. In the event a city or town listed as represented by a Multiple Agency Directorship does not enter into this Agreement prior to the Effective Date, the city or town will not be a Member and the listed entities in the applicable Multiple Agency Directorship will be deemed amended to reflect this fact without further action. Admission of a new Member shall not require amendment to this Agreement, however, after the Effective Date new Members may be admitted only pursuant to the procedures described in Sections 4.1 and 4.2. Members may withdraw pursuant to the procedures described in Sections 4.3.
- 4.1. A Public Agency may be considered for membership in the Authority after the Effective Date, by presenting an adopted resolution of the Public Agency's governing body to the Board which includes a request to become a Member of the Authority.
- 4.2. The Authority shall accept new Members upon a majority affirmative vote of the entire Board, payment of any Board determined fees and charges, including a pro-rata share of organization, planning, project, and other costs and charges and upon satisfaction of any conditions established by the Board as a prerequisite for membership. At the time of admission, the Board shall adopt a resolution assigning the new Member to be represented by one of the existing Multiple Agency Directorships and amend the listed entities in the applicable Multiple Agency Directorship shall be amended to reflect this fact. Each proposed Member shall also enter into a membership agreement, upon the date of execution of which it shall be bound to the terms of this Agreement as a Member.
- 4.3. Withdrawal. Any Member may withdraw from this Agreement upon at least 6 (six) months written notice to the Authority and the Members. Any Director who is an elected official of the withdrawing Member and any Working Committee member who is an official, officer or employee of the withdrawing Member shall be deemed to have resigned as of the date of receipt of the written notice.

- 4.3.1. A withdrawing Member shall have no interest or claim in the assets of the Authority absent an Authority approved written agreement which contains express provisions to the contrary.
- 4.3.2. Any withdrawing Member shall be obligated to pay an equitable share, consistent with the cost sharing principles herein, of all debts, liabilities and obligations of the Authority incurred prior to the effective date of the withdrawal; as such share is determined by the Board, as a condition precedent to such withdrawal.
- 4.3.3. Provided, however, that the withdrawing Member's obligations under Section 4.3.2 shall not extend to debts, liabilities and obligations of the Authority that are secured or otherwise committed pursuant to specific project, service, or program agreements ("**limited scope agreements**") that expressly omit the withdrawing Member. The specific pro-rata share of the withdrawing Member of the debts, liabilities and obligations of the Authority that are secured or otherwise committed pursuant to a limited scope agreement shall be determined by the terms of those agreements and the withdrawing Member shall comply with all withdrawal terms of such agreement.
- 4.3.4. A withdrawing or withdrawn Member's payment obligation with respect to its share of debts, liabilities and obligations shall survive withdrawal of the Member and survive termination of this Agreement.
- 4.3.5. If a Member who is represented by a Multiple Agency Directorship withdraws, the listed entities in the applicable Multiple Agency Directorship may be amended to reflect this fact by a resolution of the Board.

ARTICLE 5 – BOARD OF DIRECTORS; ORGANIZATION

5. The Authority shall be governed by a Board of Directors (the "**Board**") consisting of ~~eleven nine~~ (911) Directors. The term of a Director's appointment shall be three (3) years although Directors may be appointed for a shorter term consistent with the Board's bylaws. Directors may be appointed to multiple successive terms. An alternate shall be appointed for each Director. Alternates shall serve as Directors in the absence of their respective Directors and shall exercise all rights and privileges thereof. Notwithstanding the above, each Director and each alternate for such Director shall serve at the pleasure of the Member(s) they represent and may be removed by such Member(s) at any time without any right to notice thereof.
 - 5.1. Directors and alternates shall be appointed by the represented Member(s) as follows and, at the time of such appointment and for the duration of such appointment, each shall be an elected official of a Member:
 - 5.1.1. Two Directors shall represent the County of Santa Clara.
 - 5.1.2. Two Directors shall represent the City of San Jose.

- 5.1.3. One Director shall represent the Central County Agencies.
- 5.1.4. One Director shall represent the Northwest County Agencies.
- 5.1.5. One Director shall represent the South County Agencies.
- 5.1.6. One Director shall represent the Southwest County Agencies.
- 5.1.7. One Director shall be appointed by the City Selection Committee (as formed pursuant to Government Code Section 50270 *et seq.*) for Santa Clara County. The Director shall be an elected official of a Member who does not have an elected official on the Board at the time of appointment. The Director appointed in this manner may be removed by the Member that he or she serves.

5.1.8 Two Directors shall be appointed by the Santa Clara Valley Transportation Authority ("VTA") Board of Directors. One Director shall be the VTA's General Manager or his or her designated Executive Level Staff Member. The other VTA Director shall be an elected member of the VTA Board of Directors or an elected VTA Policy Advisory Committee Member. The elected Director shall not be from a City or Town with a current member on the Board of Directors of the Authority. Future Directors appointed to any seat may not be from the cities or town already represented by the VTA Directors.

Each directorship described in Sections 5.1.3 through 5.1.6 shall be a Multiple Agency Directorship and an action by a majority of the represented Members shall appoint and remove such Directors. If the Director (or his or her Alternate) shall fail to attend 70% of the meetings of the Board during the fiscal year, the Directorship shall be deemed vacant and the Authority shall send notice of the vacancy to the represented Member(s). If a Director shall cease to be an elected official of a Member, his or her seat shall be deemed vacant. If a Director shall cease to be an employee of VTA, his or her seat shall be deemed vacant. If the City Selection Committee or the represented Members of a Multiple Agency Directorship fail to select a Director within ninety (90) days of a vacancy, the Board may appoint an interim Director from the elected officials of the represented Members (or of those Members who do not have an elected official on the Board in the case of the City Selection Committee's directorship) to serve until the appointment of the new Director is completed.

5.2. Each member of the Board shall have one vote. A majority of the members of the entire Board shall constitute a quorum for the transaction of business. Except where a supermajority is required by statute, this Agreement or a

resolution of the Board, actions of the Board shall require the affirmative vote of a majority of the entire Board (i.e., ~~six~~five (56) affirmative votes).

- 5.3. The Board shall elect annually a Chair from among its membership to preside at meetings and shall appoint a Secretary who may, but need not, be a Director. The Board may, from time to time, elect such other officers as the Board shall deem necessary or convenient to conduct the affairs of the Authority.
- 5.4. Meetings. The Board shall hold at least two regular meetings each year. The Board shall by resolution establish the date, hour and location at which its regular meetings shall be held. All meetings of the Board shall be held in accordance with the Ralph M. Brown Act, Government Code Section 54950 *et seq.* The Secretary shall cause minutes of all open meetings of the Board to be kept and shall cause a copy of the minutes to be forwarded to each Director and the Members within thirty (30) days.
- 5.5. Bylaws. The Board, at its initial meeting, shall adopt by resolution rules of procedure ("**bylaws**"), not inconsistent with the provisions of this Agreement, to govern the conduct of its meetings. Such rules of procedure shall be in accordance with the Ralph M. Brown Act. ~~Recommendations for amendments to the bylaws will be developed by Working Committee and forwarded to Board for consideration.~~ Amendments to the Bylaws shall be reviewed by the Working Committee and comments from the Working Committee, if any, shall be presented to the Board at the time of Board consideration of the amendments.
- 5.6. Political Reform Act Compliance. Directors of the Board, members of the Working Committee and designated officials and employees shall comply with the Political Reform Act of 1974, Government Code Section 81000 *et seq.*
- 5.7. Executive Director. The Executive Director shall report to and take direction from the Board and shall have such authority as is specified by resolution of the Board. Where authorized by the Working Committee, the Executive Director may sign agreements, applications and other documents on behalf of the Authority. The Executive Director shall be designated as a Government Code Section 6505.1 officer who has charge of, handles, and has access to, the Authority's property and shall file with the Authority an official bond in the amount set by the Board. The premiums for such bond may be paid or reimbursed by the Authority.
- 5.7.1. The SVRIP Executive Director shall serve as the Authority's Executive Director during the term of the existing employment agreement between the City of San Jose and the SVRIP Executive Director or until an Executive Director is selected pursuant to Section 6.7.
- 5.8. General Counsel. The Authority shall have a General Counsel. The General Counsel shall report to and take direction from the Board. The Board may designate one of the Authority's or a Member's employees as General Counsel or contract for such legal services with an independent contractor.

- 5.9. Policies. The Board may, upon the recommendation of the Working Committee, adopt policies regarding personnel, conflicts of interest and other matters that are necessary or convenient for the efficient operation of the Authority.
- 5.10. In addition to such duties as may be necessary or desirable for the implementation of this Agreement, the Board shall have the duty to do the following within the times specified or, if no time is specified, within a reasonable time:
- 5.10.1. The Board shall hold an initial Board meeting within sixty (60) days of the Effective Date, and adopt an initial budget, work plan, initial policies, and bylaws with or without a Working Committee recommendation;
- 5.10.2. The Board shall adopt a work plan for each fiscal year;
- 5.10.3. The Board shall select a General Counsel;
- 5.10.4. The Board shall direct the Working Committee to evaluate the need for such insurance protection as is necessary to protect the interests of the Authority and its Members, and acquire and maintain if necessary, liability, errors and omissions, property and/or other insurance.

ARTICLE 6 – WORKING COMMITTEE

6. Pursuant to Government Code Section 6508, the Authority delegates certain powers related to program development, policy formulation and program implementation to the Working Committee described herein. Specifically, the Working Committee shall have the composition, powers and duties described in this Article and the implied powers necessary therefor.
- 6.1. The Working Committee shall ensure that a budget and work plan are timely prepared and by March 31 of each year, shall review and recommend the budget and work plan to the Board for approval. Copies of the recommended budget and work plan shall be promptly sent to the Members and the Directors. The budget shall indicate the anticipated sources of revenues and the anticipated uses of such revenues. The work plan shall outline the activities and priorities of the Authority for the following year.
- 6.2. The Working Committee may apply for and accept all grants and sub-grants that are consistent with the approved work plan, provided that either (a) the amount of matching funds required, if any, does not exceed that threshold provided in the approved work plan and budget, or (b) a Member or other entity volunteers to provide the matching funds without a guarantee of reimbursement.
- 6.3. The Working Committee may take action to implement or modify any projects, programs or services, provided the projects, programs or services are consistent with the budget and the parameters and thresholds in the work plan. Any projects, programs and services that are not consistent with the work plan and

budget shall be reviewed by the Working Committee and recommended to the Board for approval.

- 6.4. The Working Committee shall let for bid, if required, and award all contracts consistent with the approved work plan, provided that the amount of funds required, if any, does not exceed that threshold provided in the approved work plan and budget. The Working Committee may approve any contract amendment, provided that the additional costs to the Authority for such amendment do not exceed the threshold provided in the Authority's contracting policy and sufficient funds are available in the approved budget.
- 6.5. The Working Committee shall approve all agreements with Members and other public agencies and all other contracts that are consistent with applicable law and the approved work plan.
- 6.6. The Working Committee shall recommend a conflict of interest policy and personnel rules, when necessary, and any amendments of those policies to the Board for approval.
- 6.7. The Working Committee shall adopt policies regarding purchasing and consultants. In addition, the Working Committee may adopt policies on other issues that are necessary or convenient for the efficient operation of the Authority.
- 6.8. The Working Committee shall recommend an Executive Director, subject to the Board's approval and approval of the contract between the Authority and Executive Director.
- 6.9. The Working Committee shall have ~~thirteen~~ eleven (11) Committee Members, unless such number is increased by a resolution adopted by an affirmative vote of 2/3 of the entire Board. Each Committee Member shall serve at the pleasure of the appointing entity identified in Section 6.9.1 and may be removed at any time by that appointing entity without notice. Each Committee Member must be an official, officer, or employee of a Member, but no single Member may have more than three (3) Working Committee Members serving at one time. A Committee Member may also be removed by the Member who he or she serves upon notice to the Authority. If a Committee Member shall fail to attend 70% of the meetings of the Working Committee during the fiscal year, his or her seat shall be deemed vacant and the Authority shall send notice of the vacancy to the appointing entity. If a Committee Member shall cease to be an official, officer, or employee of a Member, his or her seat shall be deemed vacant. If an appointing entity shall fail to appoint a Committee Member within ninety (90) days of a vacancy, the Working Committee may, by majority vote, appoint an interim Committee Member from the officials, officers, or employees of the Members to serve until the appointment of the new Committee Member is completed.
 - 6.9.1. Working Committee Members shall be appointed by the following entities (or successor entities approved pursuant to a resolution of the Working Committee) as follows:

- 6.9.1.1. Two City Managers appointed by the Santa Clara County/City Managers Association.
- 6.9.1.2. One fire chief appointed by the Santa Clara County Fire Chiefs Association.
- 6.9.1.3. One police chief appointed by the Santa Clara County Police Chiefs Association.
- 6.9.1.4. The Santa Clara County Executive or his or her designee.
- 6.9.1.5. Two members appointed by the San Jose City Manager.
- 6.9.1.6. The Director of Communications for Santa Clara County or his or her designee.
- 6.9.1.7. One communications manager appointed by the Public Safety Communications Managers Association (of Santa Clara County).
- 6.9.1.8. Two at-large members appointed by the Working Committee.
- 6.9.1.9. Two Committee Members appointed by VTA's General Manager.
- 6.9.2. Meetings of the Working Committee shall be conducted in compliance with the Ralph M. Brown Act. The Working Committee may adopt by resolution rules of procedure, not inconsistent with the provisions of this Agreement, to govern the conduct of its meetings.
- 6.9.3. A majority of the Committee Members shall constitute a quorum for the transaction of business and actions of the Working Committee shall require the affirmative vote of a majority of the entire Working Committee (i.e., as of the Effective Restatement Date, ~~six~~seven (67) Committee Members).

ARTICLE 7 – FISCAL MATTERS AND FUNDING

- 7. The Authority shall comply with the fiscal and recordkeeping requirements of the Joint Exercise of Powers Act and shall take such other actions as necessary or desirable to address the fiscal, funding and budgeting needs of the Authority.
- 7.1. Treasurer and Auditor. The Treasurer and Auditor/Controller of Santa Clara County, respectively, are designated the Treasurer and Auditor of the Authority with the powers, duties, and responsibilities specified in the Joint Exercise of Powers Act, including, without limitation, Sections 6505 and 6505.5 thereof; provided however, the Board may revoke this designation by adopting a resolution appointing one or more of the Authority's or a Member's officers or employees to either or both of the positions of Treasurer or Auditor as provided in Sections 6505.6 of the Joint Exercise of Powers Act.

- 7.2. Accounts and Reports. The Board shall establish and maintain such funds and accounts as may be required by generally accepted public accounting practice. The books and records of the Authority shall be open to inspection at all reasonable times to the Members and their respective representatives. The accounts shall be prepared and maintained by the Treasurer and/or Auditor of the Authority. The Auditor shall, within one hundred twenty (120) days after the close of each fiscal year, cause an independent audit of all financial activities for such fiscal year to be prepared in accordance with Government Code Section 6505. The Authority shall promptly deliver copies of the audit report to each Director and the Members.
- 7.3. Budget. The Board shall adopt an initial budget consistent with Section 5.10 and adopt subsequent budgets no later than April 30th of each year thereafter. Adoption of the budget shall require an affirmative vote of 2/3 of the entire Board.
- 7.4. Fiscal Year. The fiscal year of the Authority shall be the period from July 1st of each year to and including the following June 30th.
- 7.5. Debts, Liabilities and Obligations. The debts, liabilities, and obligations of the Authority shall not constitute debts, liabilities, or obligations of the Members, either jointly or severally.
- 7.6. Initial Contribution for Annual Operating Costs. Within thirty (30) days of the Effective Date, each Member except the City of Los Altos Hills and the City of Monte Sereno shall make an initial operating costs contribution of \$13,157 to the Authority. The City of Los Altos Hills and the City of Monte Sereno shall each make an initial operating costs contribution of \$8,000. Notwithstanding the above, any Member who has already contributed the identified amount pursuant to the Joint Funding Agreement for the 2009-2010 fiscal year need not make such initial operating costs contribution. Within thirty (30) days of the Restatement Date, the VTA shall make a contribution towards operating costs of \$13,157 to the Authority.
- 7.7. Initial Contribution for Annual Maintenance Costs. Within thirty (30) days of the Effective Date, each Member shall make an initial systems maintenance contribution of the amount required pursuant to the City Manager's Association approved maintenance assessment formula.
- 7.7.1. The City Managers' Association approved maintenance assessment formula provides the following population allocation percentages: Campbell - 2.21%, Cupertino - 3.02% , Gilroy - 2.60%, Los Altos - 1.60%, Los Altos Hills - 0.48%, Los Gatos - 1.67%, Milpitas – 3.76%, Monte Sereno - 0.20% , Morgan Hill - 2.02%, Mountain View – 4.16%, Palo Alto – 3.50% , San Jose – 53.47%, Santa Clara – 6.12%, Saratoga - 1.76%, and Sunnyvale – 7.66%; and unincorporated Santa Clara County - 5.78%.
- 7.7.2. The following contributions are due based on the above percentages: Campbell - \$3,315, Cupertino - \$4,530, Gilroy - \$3,900, Los

Altos - \$2,400, Los Altos Hills - \$720, Los Gatos - \$2,505, Milpitas – \$5,640, Monte Sereno - \$300, Morgan Hill - \$3,030, Mountain View – \$6,240, Palo Alto – \$5,250, San Jose – \$80,205, Santa Clara – \$9,180, Saratoga - \$2,640, and Sunnyvale – \$11,490, and unincorporated Santa Clara County - \$8,670.

7.7.3. Notwithstanding the above, any Member who has already contributed the identified amount pursuant to the Joint Funding Agreement for the 2009-2010 fiscal year need not make such initial maintenance contribution.

7.8. Annual Operating Costs. Each year, the Working Committee shall propose projected Annual Operating Costs, which projected costs shall be adopted by the Board prior to or during approval of the budget.

7.8.1. Population Share. Half of the adopted Annual Operating Costs shall be allocated to the Members based on their respective population (the "Population Share"). Each Member shall pay a portion of the Population Share which shall be determined based on that Member's population. The Population Share, each Member's share of the Population Share shall be determined pursuant to the funding policy adopted by the Board at its initial meeting, as may be amended. The funding policy shall specify the accepted method for calculating each Member's population (e.g., census data). Notwithstanding the foregoing, on or after the Restatement Date, the Working Committee shall commission or obtain a cost allocation study which considers usage, overhead, and other reasonable cost factors and with that data shall propose, subject to the adoption of the Board, an allocation methodology for the VTA that is not based on population.

~~7.8.1.~~

7.8.2. Membership Share. Half of the adopted Annual Operating Costs shall be allocated to the Members based on the principle that Members share these costs equally, except that the Smaller Members shall pay 60% of a Full Share (the "Membership Share"). Each Member except the Smaller Members shall pay an equal full share of the adopted Annual Operating Costs (Full Share") the Smaller Members shall pay 60% of a Full Share. The total of all shares shall be 100% of the Membership Share. A Full Share shall be calculated according to the formula implementing the above principle contained in the funding policy adopted by the Board at its initial meeting, as may be amended.

7.9. Annual Systems Maintenance Costs. Each year, the Working Committee shall propose projected Annual Systems Maintenance Costs, which projected costs shall be approved by the Board prior to or during approval of the budget.

7.9.1. Each Member shall pay a share of the adopted Annual Systems Maintenance Costs based on the principle that Members shall share systems maintenance costs based on system and service usage and that

until sufficient data is available regarding Member usage, Member population data is an acceptable proxy for usage.

7.9.2. Each Member's share of the adopted Annual Systems Maintenance Costs shall be calculated according to the formula implementing the principles in Section 7.9.1 contained in the funding policy adopted by the Board at its initial meeting, as may be amended.

7.10. Other Projects, Programs and Services. In the event that a project, program, service, or reserve fund is approved which has costs that are not Annual Operating Costs or the Annual Systems Maintenance Costs, the Working Committee shall either (a) develop a proposed cost allocation formula for the non-overhead costs based on the principle that costs shall be assessed to Members based on usage but, if usage data or projected usage data is not available, until sufficient data is available, Member population and entity type data are acceptable proxies for usage or (b) conduct or obtain a cost allocation study which considers usage, overhead, and other reasonable cost factors. The Board shall approve any such proposed cost allocation.

7.11. Limited Scope Agreements. Where a project or program is intentionally designed to be limited in scope such that it only provides benefits to particular Members, the Authority may enter into specific project or program agreements that provide for cost sharing by the particular affected Members; provided however, both the Board and Working Committee must approve such agreements.

7.12. Contributions on Behalf of Members. Special Districts or other parties may tender to the Authority those contributions due from a Member on that Member's behalf.

ARTICLE 8 –GENERAL PROVISIONS

8. The following general provisions apply to this Agreement.

8.1. Term and Termination. This Agreement shall be effective as of the Effective Date. It shall remain in effect until the purposes of the Authority are fully accomplished, or until terminated by the vote of a majority of the governing bodies of the Members; provided, however, that this Agreement may not be terminated, until (a) all bonds or other instruments of indebtedness issued by the Authority and the interest thereon, if any, have been paid in full or provision has been made for payment in full and (b) all outstanding obligations and liabilities of the Authority have been paid in full or provision has been made for payment in full, except as set forth in Section 8.2.

8.2. Disposition of Property upon Termination. In the event of termination of the Authority pursuant to Section 8.1 herein and where there will be a successor public entity which will carry on the functions of the Authority and assume its assets and liabilities, the assets of the Authority shall be transferred to the successor public

entity. If upon termination pursuant to Section 8.1, there is no successor public entity which will carry on the functions of the Authority and assume its assets, the assets shall be returned to the Members as follows: (a) all real property and any improvements thereon shall be conveyed to the Member which owned the property prior to the formation of the Authority, and (b) all other assets shall be divided among the Members in proportion to their respective contributions during the term of this Agreement. If upon termination pursuant to Section 8.1, there is a successor public entity which will carry on some of the functions of the Authority and assume some of the assets, the Authority's Board shall allocate the assets between the successor public entity and the Members.

8.3. Indemnification. To the fullest extent allowed by law, the Authority shall defend, indemnify, and save harmless the Members and their governing bodies, officers, agents, and employees from all claims, losses, damages, costs, injury, and liability of every kind, nature, and description directly or indirectly arising from the performance of any of the activities of the Authority or the activities undertaken pursuant to this Agreement.

8.4. Liability of Board, Officers and Employees. The Directors, Working Committee Members, officers, and employees of the Authority shall use ordinary care and reasonable diligence in the exercise of their powers, and in the performance of their duties pursuant to this Agreement. They shall not be liable to the Members for any mistake of judgment or other action made, taken, or omitted by them in good faith, nor for any action made, taken, or omitted by any agent, employee, or independent contractor selected with reasonable care, nor for loss incurred through the investment of the Authority's funds, or failure to invest the same.

8.5. To the extent authorized by California law, no Director, Working Committee Member, officer, or employee of the Authority shall be responsible for any action made, taken, or omitted, by any other Director, Working Committee Member, officer, or employee. No Director, Working Committee Member, officer, or employee of the Authority shall be required to give a bond or other security to guarantee the faithful performance of his or her duties pursuant to this Agreement, except as required herein pursuant to Government Code Section 6505.1. The funds of the Authority shall be used to defend, indemnify, and hold harmless the Authority and each Director, Working Committee Member, officer, or employee of the Authority for actions taken in good faith and within the scope of his or her authority. Nothing herein shall limit the right of the Authority to purchase insurance to provide coverage for the foregoing indemnity.

8.6. Successors: Assignment. This Agreement shall be binding upon and shall inure to the benefit of the successors of the Members. No Member may assign any rights or obligations hereunder without the unanimous consent of the governing bodies of the other Members; provided, further, that no such assignment may be made if it would materially and adversely affect (a) the rating of bonds issued by the Authority, or (b) bondholders holding such bonds.

8.7. Amendments. This Agreement may be amended only upon approval of all the governing bodies of the Members. So long as any bonds of the Authority are outstanding and unpaid, or funds are not otherwise set aside for the payment or redemption thereof in accordance with the terms of such bonds and the documentation relating thereto, this Agreement shall not be amended, modified or otherwise revised, changed or rescinded, if, in the judgment of the Board, such action would (a) materially and adversely affect (1) the rating of bonds issued by the Authority, or (2) bondholders holding such bonds, or (b) limit or reduce the obligations of the Members to make, in the aggregate, the payments which are for the benefit of the owners of such bonds.

8.8. No Third Party Beneficiaries. This Agreement is intended solely for the benefit of the Authority and its Members. No third party shall be deemed a beneficiary of this Agreement or have any rights hereunder against the Authority or its Members.

8.9. Dispute Resolution. In the event that any party to this Agreement should at any time claim that another party (or parties) has breached or is breaching this Agreement, the complaining party shall file with the governing body of claimed breaching party, and with the Authority, a written claim of said breach, describing the alleged breach and otherwise giving full information respecting the same. The Board shall thereupon, at a reasonable time and place, specified by it, give each of these parties to the dispute an opportunity to be heard on the matter, and shall, upon conclusion of said hearing, give the Members a full report of its findings and recommendations. Said report, findings and recommendations shall be deemed advisory only, shall not in any way bind any of the parties to the dispute, and shall not be deemed to establish any facts, either presumptively or finally. Upon receipt of said report and recommendations, if any party to the dispute should be dissatisfied with or disagree with the same, that party shall provide written notice to the other parties within ten (10) business days, and the parties to the dispute or their representatives shall meet at a reasonable time and place to be determined by them, for the purpose of resolving their differences. No action for breach of this Agreement, and no action for any legal relief because of any such breach or alleged breach of this Agreement shall be filed or commenced by any party unless and until such party has first given to the other parties a reasonable time, after the parties to the dispute have met to resolve their differences, within which to cure any breach or alleged breach.

8.10. Notices. Any notices to Members required by this Agreement shall be delivered or mailed, U.S. first class, postage prepaid, addressed to the principal office of the respective Members. Notices under this Agreement shall be deemed given and received at the earlier of actual receipt, or the second business day following deposit in the United States mail, as required above. Any Member may amend its address for notice by notifying the other Members pursuant to this Section.

8.11. Severability. Should any part, term, or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

8.12. Liberal Construction. The provisions of this Agreement shall be liberally construed as necessary or reasonably convenient to achieve the purposes of the Authority.

8.13. Headings. The headings used in this Agreement are for convenience only and have no effect on the content, construction, or interpretation of the Agreement.

8.14. Counterparts. This Agreement may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

8.15. Non-Waiver. No waiver of the breach or default of any of the covenants, agreements, restrictions, or conditions of this Agreement by any Member shall be construed to be a waiver of any succeeding breach of the same or other covenants, agreements, restrictions, or conditions of this Agreement. No delay or omission of exercising any right, power or remedy in the event of breach or default shall be construed as a waiver thereof, or acquiescence therein, or be construed as a waiver of a variation of any of the terms of this Agreement or any applicable agreement.

8.16. Agreement Complete. The foregoing constitutes the full and complete Agreement of the parties. There are no oral understandings or agreements not set forth in writing above. Any such agreements merge into this Agreement.

This document continues on the following page.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

City of Campbell

Approved as to form:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

City of Cupertino

Approved as to form:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

City of Gilroy

Approved as to form:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

City of Los Altos

Approved as to form:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Town of Los Altos Hills

Approved as to form:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Town of Los Gatos

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Milpitas

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Monte Sereno

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Morgan Hill

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Mountain View

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Palo Alto

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of San Jose

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Santa Clara

By: _____

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Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

County of Santa Clara

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Saratoga

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

City of Sunnyvale

By: _____

Name: _____

Title: _____

Santa Clara Valley Transportation
Authority

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____

Approved as to form:

By: _____

Name: _____

Title: _____



Silicon Valley Regional Interoperability Authority

TO: City Managers, Town Manager, County Administrator, City Attorneys, Town Attorney and County Counsel

FROM: Heather Tannehill-Plamondon, Executive Director SVRIA
Gary M. Baum, General Counsel SVRIA

SUBJECT: Request for Approval of Restated Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member.

REQUEST:

The Board of Directors of the Silicon Valley Regional Interoperability Authority (“SVRIA”) request that the current Members of SVRIA approve revisions to the Joint Powers Agreement (“JPA”) in order to accommodate a new member, the Santa Clara Valley Transportation Authority (“VTA”).

SUMMARY/DISCUSSION:

On May 26, 2016, the Board of Directors of the SVRIA reviewed and recommended certain changes to the Joint Powers Agreement in order to include the VTA as a voting member of the Board of Directors. These changes were based upon input from the Working Committee, City Attorneys, City Managers, County Administrator, and VTA as well as direction from the Board itself.

In the summer of 2015, VTA entered into a Memorandum of Understanding (“MOU”) with the SVRIA to become a participant in the Silicon Valley Regional Communication System (“SVRCS”). As part of their request, VTA agreed to share the costs of SVRCS. In addition, VTA required that they receive two seats on the Board of Directors of SVRIA. One of VTA’s seats will be an elected member of VTA’s Board or of its Policy Committee. The second Board seat will be designated for the VTA’s General Manager or designee.

VTA brings approximately 2000 new users into the SVRCS. This would make VTA the third largest member in SVRIA, after the City of San Jose and the County of Santa Clara. In addition, VTA will make proportionate capital payments to the SVRCS in an amount totaling approximately \$5,500,000 over three years. Starting in fiscal year 2018 – 2019, VTA would

begin making annual operations and maintenance payments in excess of \$700,000. By adding this additional Member, all other Members' payments will be reduced. VTA has requested two Board seats. This is proportionate with VTA's size and status as the third largest Member of SVRIA. The JPA requires that any changes to the JPA be approved unanimously in order for them to take effect. Thus, these changes will require approval every City and the County in order for the changes to take effect.

The changes recommended by the SVRIA Board of Directors address VTA's requests and those of the Working Committee, County Administrator and City Managers. Any additional changes at this time would require the approval of the Working Committee and Board of Directors. This would substantially delay VTA's entry onto the Board and SVRIA and ultimately could cause VTA to reconsider its commitment to SVRCS. Our goal is to complete the review and approval by all current Members no later than September 1, 2016.

The changes are summarized below.

1. Cover page change made to reflect the Restatement Date to be filled in following unanimous approval of all Members of SVRIA.
2. Page 1, first paragraph, original Effective Date is described by including the original date of adoption of the JPA document in November, 2009.
3. Page 1, first paragraph, Restatement Date is included as the date of unanimous approval by all Members of SVRIA.
4. Page 1, Recital H added to explain that the changes made are based upon the request of VTA.
5. Page 2, Section 1.9, the definition of Members is expanded to include the Santa Clara Valley Transportation Authority ("VTA").
6. Page 3, Section 1.12 added to define Restatement Date as the date the JPA Restatement is unanimously approved by all of the Member Agencies.
7. Page 6, Section 3.5 was amended to correct a reference to Section 3.3 that should have been listed as Section 3.4.
8. Page 6, Section 4 Members is expanded to include VTA as of the Restatement Date.
9. Page 7, paragraph 5 amended to reflect the increase in total Board of Directors from nine to eleven.
10. Page 8, paragraph 5.1.8 is added to reflect the addition of two new Directors by VTA. Both new directors will be appointed by the VTA's Board of Directors. One Director will be VTA General Manager or his or her designee of an Executive Level Staff Member and one Director will be an elected member of the VTA Board of Directors or Policy Advisory Committee from a City or Town that does not have a current member on the Board of Directors of SVRIA.
11. Page 8, Section 5.1.8, addition of last sentence of paragraph of: "Future Directors appointed to any seat may not be from the cities or town already represented by the VTA Directors." This requested change was made to make clear that any future Director appointment would not cause the sitting VTA Director to need to resign as any future appointment would need to be from a City not already on the Board.
12. Page 8, Paragraph under Section 5.1.8, addition of the following sentence: "If a Director shall cease to be an employee of VTA, his or her seat shall be deemed vacant." The

rationale is that if the VTA employee Director is no longer employed by VTA he or she can longer be a SVRIA Director.

13. Page 8, Paragraph following Section 5.1.8 has had a provision added to reflect that one of the Board Members from VTA will be an employee of VTA.
14. Page 8, paragraph 5.2, the increase in the Board of Director's quorum from 5 to 6 is listed.
15. Page 9, Section 5.5 has been amended to describe the procedure for Working Committee review of Board of Director's Bylaw amendments.
16. Page 13, Section 7.6 has been amended to include a requirement for VTA to pay \$13,157 within 30 days after the Restatement Date.
17. Page 11, paragraph 6.9.1.9 memorializes the already approved addition of two Committee Members from the VTA to the Working Committee.
18. Page 12, paragraph 6.9.3, this shows the increase in the quorum of the Working Committee from 6 to 7.
19. Page 14, Section 7.8.1 a provision was added as follows: "Notwithstanding the foregoing, on or after the Restatement Date, the Working Committee shall commission or obtain a cost allocation study which considers usage, overhead, and other reasonable cost factors and with that data shall propose, subject to the adoption of the Board, an allocation methodology for the VTA that is not based on population." The intent of this change is to address a formula for VTA participation for any future project that is outside of the SVRCS. For example [Heather do you want to add something here?]

FISCAL IMPACT:

If these JPA changes are approved by all current Members of the SVRIA and VTA completes the remaining requirements, then the current Members' costs will be reduced because the SVRCS's fixed costs will be spread over more Members. If one or more current Members declines to approve these JPA changes, then VTA could consider withdrawing from SVRCS. If this were to happen, the current Members' costs would rise proportionately.

ATTACHMENTS:

Redline copy of the Joint Powers Agreement Restatement showing proposed changes and a clean copy showing the final revised Joint Powers Agreement Restatement



City of Sunnyvale

Agenda Item

16-0783

Agenda Date: 8/9/2016

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 (Continued from July 26, 2016)

BACKGROUND

Council considered this item on July 26, 2016 (RTC No. 16-0601) and took action to continue it to August 9 in order for the City Attorney's Office to complete its review of matter. The City Attorney has completed his review and advises that the City Council may proceed with its consideration of this item.

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 the July 26 public hearing was sent to all affected property owners and after hearing an objection raised by one property owner the Council continued the hearing to August 9. 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 July 26 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

finest 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

Approved by: Walter C. Rossmann, Assistant City Manager for 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

									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
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

16-0769

Agenda Date: 8/9/2016

REPORT TO COUNCIL

SUBJECT

File #: 2016-7234

Location: 657-661 Vanderbilt Drive (APNs 202-07-001 through 202-07-002), 1188-1197 East Vanderbilt Court (202-07-003 through 202-07-008), 1190-1199 West Vanderbilt Court (202-07-009 through 202-07-014), 1176-1198 Hollenbeck (202-07-015 through 202-07-021), 1156-1168 Regia (202-07-22 through 202-07-028), 1154 -1170 Ribier (202-07-029 through 202-07-036), 662 Torrington (202-07-037) 1153-1193 Sesame (202-07-038 through 202-07-045)

Zoning: R-1

Proposed Project: Introduction of Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Applicant / Owner: John Sullivan (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Project Planner: Gerri Caruso (408) 730-7591, gcaruso@sunnyvale.ca.gov

SUMMARY OF PLANNING COMMISSION ACTION

On July 11, 2016, the Planning Commission considered this request from several property owners to rezone 45 single-family properties to the R-1/S zoning designation to limit homes in that area to single stories. The rezoning would only affect the 45 homes included in the application area, and would prohibit future additions resulting in two stories.

Four individuals spoke in favor of the rezone, including three property owners in the affected area. One nearby neighborhood (not a part of the subject application but who is a property owner of an area with a pending Single-Story rezoning application) spoke against the rezoning because it limits the potential use of the properties, reduces property values, and is unattractive for future buyers.

The Planning Commission voted unanimously to recommend to Council to rezone the properties to R-1/S. Planning Commission Minutes are in Attachment 8.

ALTERNATIVES

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Section 15305 and 15061b) (3).
2. Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).
3. Deny the rezone.

STAFF RECOMMENDATION

Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061b)(3); and, 2) Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

The draft ordinance with a map of the area is in Attachment 5.

Prepared by: Gerri Caruso, Principal Planner

Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. **Report to Planning Commission, July 11, 2016** (*without Attachments*)
2. Vicinity and Noticing Map
3. List of addresses and APNs within the proposed district
4. Applicant's letter
5. Draft Ordinance (**updated, Exhibit attached**)
6. Recommended Finding
7. Letter from City to property owners in proposed district

Additional Attachments for Report to Council

8. **Planning Commission Minutes, July 11, 2016**



City of Sunnyvale

Agenda Item

16-0560

Agenda Date: 7/11/2016

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2016-7234

Location: 657-661 Vanderbilt Drive (APNs 202-07-001 through 202-07-002), 1188-1197 East Vanderbilt Court (202-07-003 through 202-07-008), 1190-1199 West Vanderbilt Court (202-07-009 through 202-07-014), 1176-1198 Hollenbeck (202-07-015 through 202-07-021), 1156-1168 Regia (202-07-22 through 202-07-028), 1154 -1170 Ribier (202-07-029 through 202-07-036), 662 Torrington (202-07-037) 1153-1193 Sesame (202-07-038 through 202-07-045)

Zoning: R-1

Proposed Project: Introduction of Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Applicant / Owner: John Sullivan (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Project Planner: Gerri Caruso (408) 730-7591, gcaruso@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Residential Low Density

Existing Site Conditions: A cohesive residential neighborhood block consisting of 45 single story homes, one existing two-story home and one approved design review for one new two-story home.

Surrounding Land Uses

North: Single family homes across Torrington Drive

South: Single family homes across Vanderbilt Drive

East: Single family homes across Sesame Drive

West: Single family homes across Hollenbeck Avenue

Issues: Preservation of a single-family neighborhood of predominantly single-story Eichler homes.

Staff Recommendation: Planning Commission recommend to City Council: introduce an ordinance and approve the rezoning.

BACKGROUND

The application has been submitted by 39 property owners (86 percent) in the 45-lot project area. As indicated on the vicinity and noticing map, the project area consists of the entire block bounded by Torrington Drive on the north side, Sesame Drive on the east side, Vanderbilt Drive on the south side, Hollenbeck Avenue on the west side and includes Regia Court, Ribier Court, West Vanderbilt

16-0560**Agenda Date: 7/11/2016**

Court and East Vanderbilt Court (Attachment 2). A list of all the properties included is in Attachment 3. A project description letter from the applicant is in Attachment 4.

The request is to modify the current R-1 zoning designation (Low Density Residential) by combining it with an "S" single-story zoning designation for R-1/S. This would limit the existing single family homes in the project area to one story and 45 percent Floor Area Ratio (FAR). Other City site development standards and density would remain the same. The proposed district consists of 45 single-story homes, one existing two-story home and one approved design review for a new two-story home.

A draft ordinance with the proposed district map is in Attachment 5 and the recommended finding for the rezoning is in Attachment 6.

This application represents the fifth Single-Story combining district application to be considered by the City since the enabling zoning code changes became effective January 1, 2001. The existing single-story districts include:

- 54 Eichler homes on Wright Avenue, Edmonton Avenue and La Salle Drive on July 31, 2001
- 25 homes on Bobolink Circle and Bobwhite Avenue on June 11, 2002
- 116 Eichler homes located between Fremont Avenue and Ticonderoga Drive and between Pome Avenue and Mary Avenue on May 15, 2007
- 36 Eichler homes on Dartshire Way and Devonshire Way on April 19, 2016

The City Council is scheduled to consider this item on August 9, 2016.

EXISTING POLICY

Sunnyvale Municipal Code 19.26.200

The intent of the Council's action creating the Single-Story Combining District was to "modify the site development regulations of the R-0, R-1, and R-2 residential zoning districts to preserve and maintain single-family neighborhoods of predominantly single-story character."

ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15305 as it is a minor alteration in land use in an area with an average slope of less than 20% and will not result in any changes in land use of density. In addition, the Ordinance is exempt under the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA. (Section 15061(b)(3)).

DISCUSSION

The action under consideration is a rezoning to add a Single-Story combining district to an existing R-1 single-family neighborhood. The following items must be met in order to consider an application for a Single-Story combining district:

1. The zoning for the underlying district must be R-0, R-1 or R-2;
2. The application must be signed by at least 55 percent of the property owners in the proposed

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district;

3. The proposed district must be clearly delineated in the application and must consist of at least 20 homes;
4. At least 75 percent of the homes in the proposed district must be one-story; and
5. To the extent feasible, the proposed district shall follow a recognizable feature such as a street, stream, or tract boundary.

If adopted, the single-story combining district will remain in effect unless district owners initiate a similar application process to request that it be removed.

The proposed application meets all of the code requirements and is in an R-1 neighborhood. By using the City's GIS system and County Assessor information, staff has confirmed that 39 (86 percent) of the property owners have joined this application. The proposed boundaries follow logical street boundaries creating a solid residential block. There is only one existing two-story home in the neighborhood (1196 East Vanderbilt Court) and one recently approved Design Review for a new two-story home (1169 Sesame Drive) which are 4% of homes in the proposed district.

A letter was sent to the property owners in the proposed district providing them with a detailed outline of the new development limits for a single-story district (Attachment 6). The following development regulations will apply:

Single Story Limit

- There will be a limit of one habitable floor (story). Habitable areas are interiors conditioned for human occupancy (e.g. meet standards for heat, insulation, light and minimum ceiling heights).
- Lofts, mezzanines and similar areas will be prohibited as well as attics that meet habitable standards.

Building Height Limit

- The maximum building height will be 17 feet (currently 30 feet).

Maximum Gross Floor Area

- The maximum floor area ratio (FAR) of each home will be 45 percent, the same for any one story home in the R-1 zoning district.
- No future home additions beyond 45 percent FAR will be permitted unless a Variance is granted.

A basement is not considered a story unless it extends more than two feet above the ground; it would then be counted towards the floor area limit.

Legal Non-Conforming Homes

- Existing legally constructed homes that exceed 45 percent FAR or 17 feet in height will be considered legal and non-conforming if the properties are rezoned.
- Legal non-conforming homes can be maintained and repaired subject to City building permits as long as the non-conformity is not increased.

Existing Two-Story Homes

16-0560Agenda Date: 7/11/2016

- Existing two-story homes that were legally constructed with City building permits will be considered legal and non-conforming.
- Existing second stories cannot be expanded or increased in height but can be maintained and repaired subject to City building permits.
- Additions can be made to the first floor; however, the FAR of the entire home will be limited to 45 percent.
- The approved Design Review for a two-story home at 1169 Sesame Drive must be vested by securing a building permit within two years of the approval date on May 16, 2016.

Neighborhood Density

- The proposed single-story rezoning area is an R-1 single-family zone where only one dwelling units is allowed per lot. The new zoning designation will be R-1/S. The area will remain a single-family area with only one dwelling unit allowed on each lot. Accessory dwelling units are allowed on lots over 9,000 square feet, but must also meet the single story limitation.

Eichler Design Guidelines

- The area proposed for rezoning is an Eichler neighborhood and is therefore subject to the adopted Sunnyvale Eichler Design Guidelines.

By rezoning the proposed district to R-1/S, no impacts are expected to immediate surrounding properties or those in the vicinity of the proposed district.

FISCAL IMPACT

There is no development related to this application. No fiscal impacts other than normal fees and taxes associated with owning a single-family home are expected.

PUBLIC CONTACT

Public contact was made through posting of the Planning Commission agenda on the City's official-notice bulletin board, on the City's website, and the availability of the agenda and report in the Office of the City Clerk. 101 notices were sent to the project area and surrounding property owners. The block was posted with hearing notices. A neighborhood information meeting was conducted by staff on June 23, 2016 at the Community Center for the 45 property owners in the proposed single-story district. Six people attended the meeting. Four attendees were from the project area, and two were from other neighborhoods interested in the single-story rezoning process. An information letter outlining the restrictions of the Single-Story Combining District was sent to the property owners in the proposed district so that those who did not attend the information meeting would have complete information (Attachment 7).

ALTERNATIVES

Recommend to City Council:

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Section 15305 and 15061b) (3).
2. Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).
3. Deny the rezone.

STAFF RECOMMENDATION

16-0560**Agenda Date: 7/11/2016**

Recommend to City Council: Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061b)(3); and, 2) Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

Prepared by: Gerri Caruso, Principal Planner

Reviewed by: Andrew Miner, Planning Officer

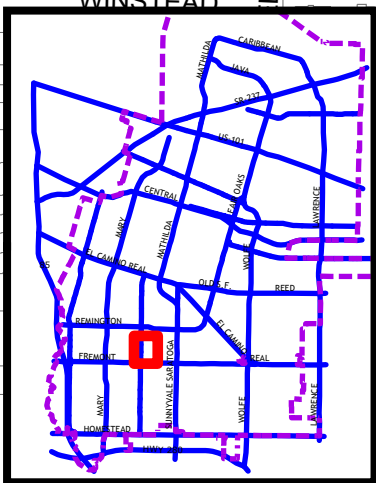
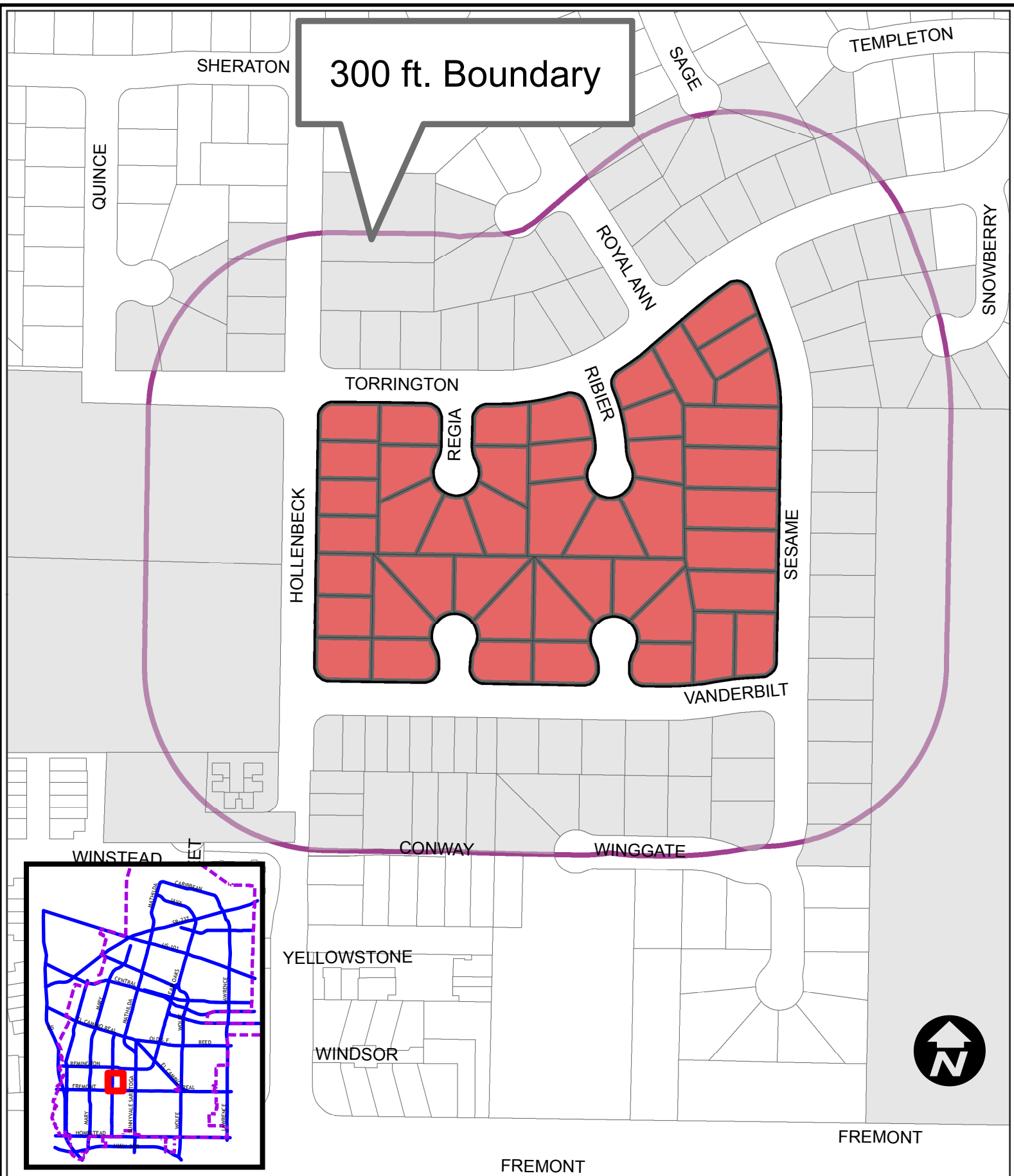
Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. *Not Used*
2. Vicinity and Noticing Map
3. List of addresses and APNs within the proposed district
4. Applicant's letter
5. Draft Ordinance
6. Recommended Finding
7. Letter from City to property owners in proposed district



2016-7234

657-661 Vanderbilt Dr, 1188-1197 East Vanderbilt Ct, 1190-1199 W Vanderbilt Ct, 1176-1198 Hollenbeck Ave, 1156-1168 Regia Ct, 1154 -1170 Ribier, 662 Torrington Dr ,1153-1193 Sesame Dr
Proposed Single-Story Overlay District

0 70 140 280 Feet

2016-7234 Single Story Rezoning

APN	SiteNumber	SiteStreet	Land Sq Ft	Building Sq Ft	Garage Sq Ft	FAR	Transfer Date
20207001	657	Vanderbilt	8352	2070	264	28%	06/12/02
20207002	661	Vanderbilt	8784	1952	501	28%	01/12/15
20207003	1196	Vanderbilt	7300	2780	550	46%	01/23/04
20207004	1192	Vanderbilt	9215	1866	550	26%	11/30/12
20207005	1188	Vanderbilt	8000	1948	334	29%	02/03/11
20207006	1189	Vanderbilt	7700	2620	550	41%	08/16/01
20207007	1193	Vanderbilt	9800	1948	334	23%	04/04/95
20207008	1197	Vanderbilt	7500	1952	501	33%	04/16/13
20207009	1198	Vanderbilt	7500	1952	501	33%	06/01/11
20207010	1194	Vanderbilt	9800	1866	550	25%	09/02/93
20207011	1190	Vanderbilt	9800	1948	334	23%	03/14/05
20207012	1191	Vanderbilt	9800	1866	550	25%	10/31/97
20207013	1195	Vanderbilt	9800	2066	550	27%	04/28/06
20207014	1199	Vanderbilt	7125	1948	334	32%	04/07/06
20207015	1198	Hollenbeck	7725	1948	334	30%	06/26/14
20207016	1196	Hollenbeck	7622	1952	501	32%	05/06/93
20207017	1194	Hollenbeck	7622	1948	334	30%	02/01/99
20207018	1192	Hollenbeck	7215	1755	399	30%	09/05/14
20207019	1186	Hollenbeck	7215	1661	260	27%	09/04/14
20207020	1180	Hollenbeck	7215	1755	399	30%	11/06/14
20207021	1176	Hollenbeck	7215	1755	399	30%	10/23/95
20207022	1157	Regia	7242	1994	260	31%	12/14/00
20207023	1161	Regia	7070	1813	399	31%	09/15/10
20207024	1165	Regia	11160	1748	299	18%	08/20/99
20207025	1168	Regia	8400	1660	299	23%	05/31/00
20207026	1164	Regia	9975	1941	260	22%	01/29/14
20207027	1160	Regia	7344	2154	0	29%	07/13/04
20207028	1156	Regia	7548	1660	299	26%	08/10/95
20207029	1157	Ribier	7300	1661	260	26%	06/18/15
20207030	1161	Ribier	6700	1660	299	29%	12/19/07
20207031	1165	Ribier	10800	2375	260	24%	06/16/04
20207032	1170	Ribier	9894	1661	260	19%	01/08/13
20207033	1166	Ribier	12350	2624	260	23%	10/06/06
20207034	1162	Ribier	7752	1966	299	29%	09/21/12
20207035	1158	Ribier	7616	1921	705	34%	11/19/99
20207036	1154	Ribier	5828	1300	480	31%	09/26/14
20207037	662	Torrington	8370	1755	399	26%	05/19/09
20207038	1153	Sesame	7500	1770	399	29%	11/24/15
20207039	1157	Sesame	7371	1755	399	29%	06/21/07
20207040	1161	Sesame	10545	1660	299	19%	04/29/10
20207041	1169	Sesame	11304	1952	501	22%	03/27/15
20207042	1175	Sesame	11304	1952	501	22%	03/24/15
20207043	1181	Sesame	11304	1957	519	22%	02/08/16
20207044	1189	Sesame	11232	1948	334	20%	10/19/90
20207045	1193	Sesame	10800	1952	501	23%	07/07/08
20209011	673	Torrington	8127	1755	399	27%	01/23/06
20209012	677	Torrington	9288	1624	480	23%	02/18/11

Approved or Existing Two-Story Home

John Sullivan

[REDACTED]
Sunnyvale, CA 94087

March 21, 2016

The Planning Commission
City of Sunnyvale
456 W Olive Avenue
Sunnyvale, CA 94086

Dear Commissioners:

Enclosed please find a Rezoning Application for a Residential Single Story Combining District (SSCD) for an area consisting of 45 Eichler homes as outlined on the attached map. The proposed district is bound by: Torrington Drive, Sesame Drive, Vanderbilt Drive and Hollenbeck Avenue.

We initially contacted homeowners via survey and, based on positive feedback, an organizing committee was formed to move ahead with the application process. A packet including maps and a copy of the City zoning code was mailed to all 45 houses in the proposed area.

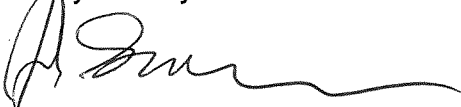
Many residents expressed their concerns about preserving the unique design of our single story Eichler neighborhood, as well as protecting the privacy of their homes and yards. Our completed application includes 38 signatures, which represents 84.4% agreement.

Eichler and his team of talented architects designed well-planned homes that take advantage of indoor/outdoor living in residential tract developments. In Joseph Eichler's own words:

"There are other builders who efficiently produce well-built houses and sell at a fair profit. The purchaser of one of these will get a good value. We believe our houses go beyond this because much more thought and care go into them. Nothing is spent for frills or gimmicks. Beauty is achieved by the architect's skill in designing details, his blend of materials and proper proportions, and above all, the exercise of good taste. In short, we produce a work of art that has gained international reputation."

-- Eichler Homes by Jerry Ditto, Lanning Stern

Thank you for your consideration.

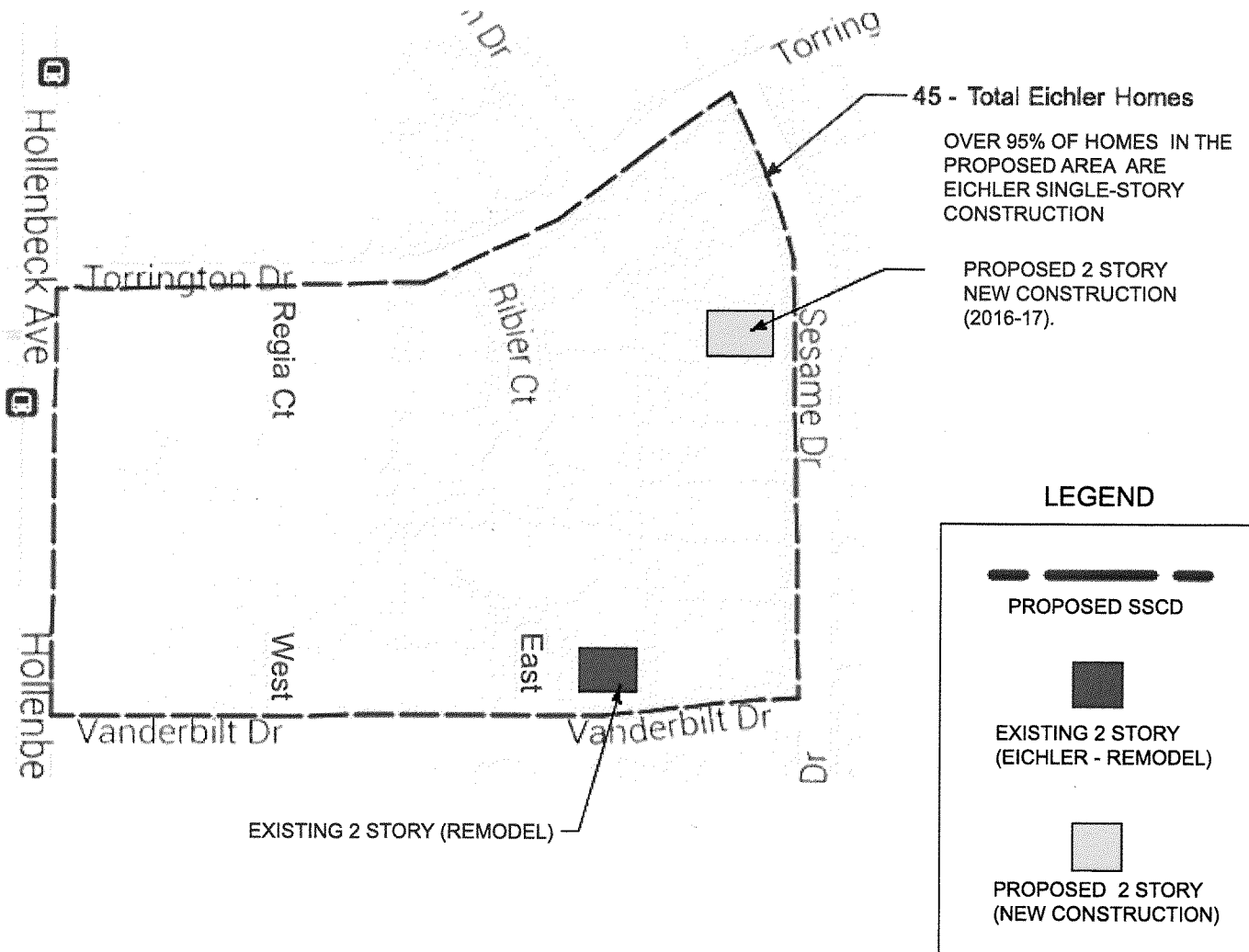


John Sullivan

EICHLER SINGLE-STORY COMBINING DISTRICT - PETITION MAP

Hollenbeck Ave -Torrington Dr - Sesame Dr - Vanderbilt Dr

RED DOTTED LINE: PROPOSED DEFINED AREA FOR SSCD



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTIES LOCATED BETWEEN TORRINGTON DRIVE, SESAME DRIVE, VANDERBILT DRIVE AND HOLLENBECK AVENUE FROM R-1 (LOW DENSITY RESIDENTIAL) ZONING DISTRICT TO R-1/S (LOW DENSITY RESIDENTIAL/SINGLE-STORY) ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to rezone certain 45 contiguous properties located at 657-661 Vanderbilt Drive (Assessor Parcel Numbers 202-07- through 202-07-), 1188-1197 East Vanderbilt Court (202-07-003 through 202-07-008), 1190-1199 West Vanderbilt Court (202-07-009 through 202-07-014), 1176-1198 Hollenbeck (202-07-015 through 202-07-021), 1156-1168 Regia (202-07-22 through 202-07-028), 1154 -1170 Ribier (202-07-029 through 202-07-036), 662 Torrington (202-07-037) 1153-1193 Sesame (202-07-038 through 202-07-045) to the R-1/S (Low Density Residential/Single-Story) Zoning District. The location of the property is set forth on the scale drawing attached as Exhibit A.

SECTION 2. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15305, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is a minor alteration in land use in an area with an average slope of less than 20% and will not result in any changes in land use of density. In addition, the Council finds that this ordinance is exempt pursuant to Section 15061(b)(3) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that the Planning Division may file a Notice of Exemption with the Santa Clara County Clerk in accordance with the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 118-04.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

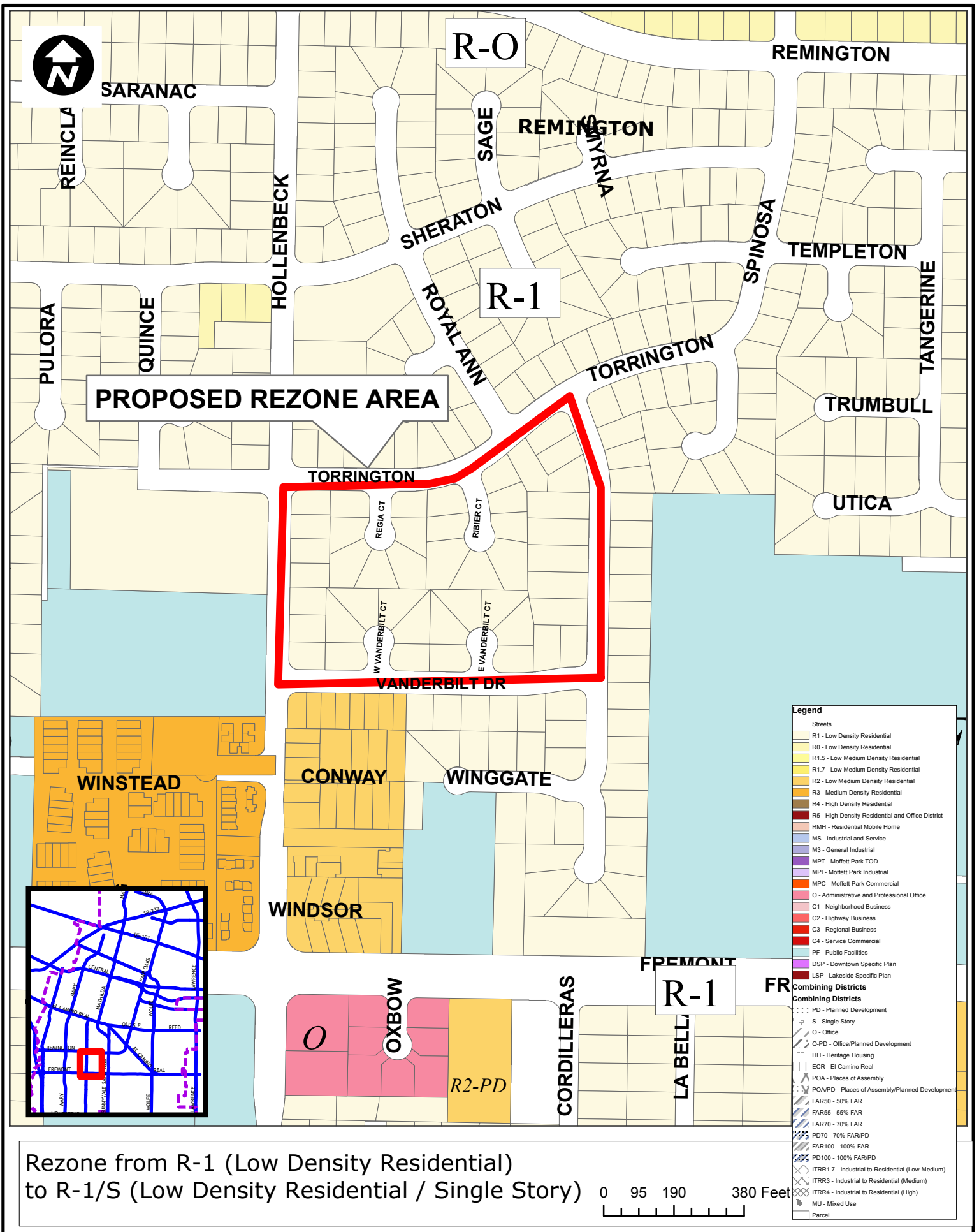
Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A



Finding Rezoning: The city council may approve a general plan or zoning amendment upon finding that the amendment, as proposed, changed or modified is deemed to be in the public interest. (SMC 19.92.080)

The proposed rezoning for the use of the Single-Story combining district is in the public interest as it would achieve the preservation of a predominantly R-0, single-story residential neighborhood where the property owners in the proposed district desire a single-story character. The intent of the Council's action creating the Single-Story combining district was to modify the site development regulations of the R-0, R-1, and R-2 residential zoning districts to preserve and maintain single-family neighborhoods of predominantly single-story character.



June 10, 2016

Re: City of Sunnyvale Rezoning Application 2016-7234 – Requesting a residential single-story zoning designation for the entire block of 45 contiguous properties bound by Hollenbeck Avenue on the west, Torrington Drive on the north, Sesame Drive on the east and Vanderbilt Drive on the south.

Dear Property Owner:

An application has been filed to change the zoning for your home to limit it to a single story. If approved, the zoning will be changed from R-1 (Low Density Residential) to R-1/S (Low Density Residential-Single Story).

This application was not initiated by the City. It has been initiated by 87% of property owners in the proposed single-story district. If adopted by the Sunnyvale City Council this revised zoning will apply to the entire block described above, including existing and approved 2-story homes, regardless if you were party to the application.

The proposed zoning change will not be in effect until it is considered and approved at public hearings by both the Sunnyvale Planning Commission on July 11, 2016 and the City Council on August 9, 2016. You will be mailed a separate notice of the hearing dates. If the rezoning is approved the following is an outline of the proposed changes and how it will affect the use of your property:

Neighborhood Density

- The proposed R-1/S area will remain a single-family zoning district. One dwelling unit is allowed per lot.

Single Story Limit

- There will be a limit of one habitable floor (story). Habitable areas are interiors conditioned for human occupancy (e.g. meet standards for heat, insulation, light and minimum ceiling heights).
- Lofts, mezzanines and similar areas will be prohibited as well as attics that meet habitable standards.

Building Height Limit

- The maximum building height will be 17 feet (currently 30 feet).
- Any proposed building height exceeding 17 feet will require approval of a Variance by the City. A Variance can only be granted due to specific hardships. Variances require a public hearing and can be denied. Notice of Variance hearings will be provided to surrounding property owners.

Maximum Gross Floor Area

- The maximum floor area ratio (FAR) of each home will be limited to 45%. FAR is the ratio of building square feet/lot area. Example - a 4,500 s.f. home on a 10,000 s.f. lot = 45% FAR.
- No future home additions or new homes beyond 45% FAR will be permitted unless a Variance is granted.
- Although a basement is not considered a story, a basement that extends more than two feet above the ground will be counted towards the maximum 45% FAR.

Legal Non-Conforming Homes

- Existing homes that are already two stories or existing homes that exceed 45% FAR or 17 feet in height will be considered legal and non-conforming if they were constructed with City permits.
- No changes are required to legal and non-conforming homes as a result of the single-story rezoning if they were legally constructed with City building permits.
- Legal non-conforming homes can be maintained and repaired subject to City building permit requirements.

Existing Two-Story Homes

- Existing two-story homes that were legally constructed with City building permits will be considered legal and non-conforming.
- Existing two-story homes do not need to be modified if the single-story zoning is approved.
- Existing second stories cannot be expanded or increased in height but can be maintained and repaired subject to City building permit requirements.
- Additions can be made to the first floor up to the maximum 45% FAR for the entire home.

Eichler Design Guidelines

- The area proposed for rezoning is an Eichler neighborhood. New additions, architectural changes and new homes are subject to the adopted Sunnyvale Eichler Design Guidelines.

If you have any questions about the proposed R-1/S zoning change and how it affects your property or how the public hearing process will occur, please contact me at (408) 730-7591 or gcaruso@sunnyvale.ca.gov. I will be happy to clarify this information and answer any questions.

Regards,

Gerri Caruso
Principal Planner

Present: 6 - Chair Russell Melton
Vice Chair Sue Harrison
Commissioner Larry Klein
Commissioner Ken Olevson
Commissioner Ken Rheaume
Commissioner Carol Weiss
Absent: 1 - Commissioner David Simons

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

MOTION: Commissioner Klein moved and Vice Chair Harrison seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Klein
Commissioner Olevson
Commissioner Rheaume
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Simons

1.A [16-0696](#) Approve Planning Commission Meeting Minutes of June 27, 2016

PUBLIC HEARINGS/GENERAL BUSINESS

2 [16-0560](#) **File #:** 2016-7234
Location: 657-661 Vanderbilt Drive (APNs 202-07-001 through 202-07-002), 1188-1197 East Vanderbilt Court (202-07-003 through 202-07-008), 1190-1199 West Vanderbilt Court (202-07-009 through 202-07-014), 1176-1198 Hollenbeck (202-07-015 through 202-07-021), 1156-1168 Regia (202-07-22 through 202-07-028), 1154 -1170 Ribier (202-07-029 through 202-07-036), 662 Torrington (202-07-037) 1153-1193 Sesame (202-07-038 through 202-07-045)
Zoning: R-1
Proposed Project: Introduction of Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
Applicant / Owner: John Sullivan (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Project Planner: Gerri Caruso (408) 730-7591,
gcaruso@sunnyvale.ca.gov

Planning Officer Andrew Miner presented the staff report.

Commissioner Olevson verified with Planning Officer Miner that there have been no objections from homeowners who may have been constrained by approval of the combining district.

Commissioner Rheaume confirmed with Planning Officer Miner that if an addition to an existing two-story home brings the Floor Area Ratio (FAR) above 45 percent, the project would need to be considered by the Planning Commission for approval. Planning Officer Miner added that if a single-story home has a proposed FAR beyond 45 percent it would also go beyond 45 percent lot coverage which would require a Variance.

Commissioner Weiss confirmed with Planning Officer Miner that if half or more of a proposed basement is below ground it would not count toward FAR.

Commissioner Klein and Planning Officer Miner discussed the process of creating a flag lot on a subject property and confirmed that any home on a flag lot or accessory living unit would need to comply with the same requirements of the single story combining district.

Chair Melton opened the Public Hearing.

Applicant Donald Buck provided information about the single-story combining district application.

Stephen Meier, co-sponsor of the petition, suggested as a process improvement having access to the names of spouses on deeds of trust provided by the County.

Joe Ragey, co-sponsor of the petition, provided background information about the process of gathering support for the application.

Commissioner Klein further discussed the approval process with Mr. Ragey.

Maria Hamilton, Sunnyvale resident, spoke in support of the application.

Eran Dor, Sunnyvale resident, spoke in opposition to the application.

Applicant Donald Buck discussed how remodeling Eichler homes with original-looking Eichler features allows the home to adapt to and enhance the community.

Chair Melton closed the Public Hearing.

MOTION: Commissioner Klein moved and Commissioner Olevson seconded the motion for Alternatives:

1. Find the project exempt from CEQA pursuant to CEQA Guidelines Section 15305 and 15061b)
(3); and,
2. Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

Commissioner Klein said this application is about neighbors getting together to preserve their quality of life and that it helps protect the community and its specific vision for this block. He said he understands the concerns about restricting homeowners who want to build additions, but that they will still be able to add onto their homes, just not in the form of a second story. He said the R-1/S zoning designation is not only for Eichler homes and there is a process for citizens to preserve their privacy, vision, and community. He applauded the applicants for being proactive and not waiting until the first or second two-story home is built in their neighborhood to apply for the combining district. He added that he was able to make the findings that the neighbors followed the process, got the required signatures and paid the fees.

Commissioner Olevson said he supports the motion and that he approaches any recommendation to City Council that will change the property rights for existing owners with great caution. He said he is impressed by the near unanimity for the application and by the current owners' willingness to restrict themselves to maintain a lifestyle they find important. He said while the overlay would limit future growth in terms of height and building size, the current owners say it is what they want and that there are ways to increase living space without building up. He said with the support of 87 percent of the neighbors and taking at face value the comments of

those who did not sign the petition he can support the motion.

Vice Chair Harrison said that although she completely agrees with all of the points made by Mr. Dor, the applicants followed the process and she will support the motion.

Commissioner Weiss said she is impressed by the neighbors gathering together to discuss the combining district, which will preserve the sense of a very special neighborhood in terms of architecture and heritage.

Chair Melton commended the applicants who are implementing a policy tool that exists in in the Municipal Code, and that a finding that should be made is that the application is deemed to be in the public interest. He said this is a broad finding and he looks at whether the benefits outweigh the negatives, of which there are not many on this application. He said several things could change the equation on another application, including if there was substantially more opposition to an overlay within the contemplated district, if there was no broad commonality of architecture or if there was overreach in terms of geography, none of which he sees on this application, so he is supporting the motion.

The motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Klein
Commissioner Olevson
Commissioner Rheume
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Simons

- 3 [16-0376](#) Forward a recommendation to the City Council to 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.

Principal Planner Amber Blizinski presented the staff report.

Commissioner Klein discussed with Senior Assistant City Attorney Rebecca Moon solar access rights in California and legislation enacted by local governments to preserve access to sunlight. They also discussed whether economic loss resulting from a new project would make it appealable or would have to go through the court,



City of Sunnyvale

Agenda Item

16-0670

Agenda Date: 8/9/2016

REPORT TO COUNCIL

SUBJECT

Discuss Status and Provide Direction Related to Financing Options for the Silicon Valley Clean Energy Authority (SVCEA)

BACKGROUND

On December 15, 2015, the Sunnyvale City Council unanimously approved the actions required to form and participate in the Silicon Valley Clean Energy Authority (SVCEA). SVCEA will operate a Community Choice Energy (CCE) program to pool the electricity demand within the twelve participating jurisdictions to directly procure or generate electrical power supplies on behalf of their residents and businesses.

The December 2015 report to Council (RTC 15-0952) detailed the next steps for forming SVCEA and the early operational steps to develop and launch a CCE program. The report discussed that SVCEA would require operating capital and significant credit capacity for its initial power supply purchases until sufficient ratepayer revenues are received, and it also described that such financing would likely require some form of limited term guaranty typically provided by one or more member agencies. The report also noted that staff would return to Council with an update and potential action regarding this bridge financing.

EXISTING POLICY

Climate Action Plan, *Provide a Sustainable Energy Portfolio (EP)*, Reduction Measure EP-1.1: Create or join a community choice aggregation (CCA) program to take control of power generation for city residents and businesses

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 sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

Since formation, SVCEA has convened its Board of Directors, hired a Chief Executive Officer, and made significant progress toward launch of a CCE program. In July, SVCEA submitted its Implementation Plan for certification by the California Public Utilities Commission, and it established a tentative customer rollout approach that seeks a swift implementation of all customers between April and October 2017. Actions in progress related to staffing the organization, procuring energy and additional support services, and community engagement are all geared toward that launch window.

The City of Mountain View has taken the lead in evaluating financing options for SVCEA to provide

the essential financing that bridges the early operations and electricity purchases until sufficient revenues are received. The financing team has initiated a request for proposal (RFP) for credit and banking services on behalf of SVCEA, and Sunnyvale staff is currently participating as part of the team reviewing the RFP responses.

Initially, it was anticipated that the member agencies may need to provide some form of limited guarantee to a bank, or provide direct financing to SVCEA. A preliminary review of the proposals indicates that the credit terms provided by the banks are such that direct loans from the member agencies may not be required. However there still is likely some level of short-term (1-2 years) guarantee that will be required. At the August 9, 2016, meeting, staff will provide an update on the RFP process, and will provide a recommendation for Council discussion regarding how Sunnyvale can best support the financing needed to launch SVCEA's program.

The financing team has determined that in order to meet SVCEA's timeline for program launch, it is valuable for member agencies involved in the financing to take action in September. This report seeks Council's feedback on financing options, as well as providing parameters for negotiation on both direct loans or guarantees. Staff will return to Council in September for approval of financing agreements.

FISCAL IMPACT

There is no fiscal impact associated with this status update.

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. Provide City Manager and staff with feedback on the recommended options for supporting SVCEA's financing needs.
2. Provide direction to City Manager with respect to negotiating an agreement to provide either a direct loan to or loan guaranty for SVCEA.

STAFF RECOMMENDATION

Alternatives 1 and 2: 1) Provide staff with feedback on the recommended options for supporting SVCEA's financing needs; and 2) Provide direction to City Manager with respect to negotiating an agreement to provide either a direct loan to or loan guaranty for SVCEA.

Prepared by: Melody Tovar, Regulatory Programs Division Manager

Reviewed by: John Stufflebean, Director of Environmental Services

Reviewed by: Timothy J. Kirby, Director of Finance

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



City of Sunnyvale

Agenda Item

16-0766

Agenda Date: 8/9/2016

REPORT TO COUNCIL

SUBJECT

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

SUMMARY OF PLANNING COMMISSION ACTION

This item was considered by the Planning Commission at their July 11, 2016 hearing. Staff answered questions from the Commissioners and further clarified the issue of solar access rights (Attachment 6). One member of the public spoke on the item.

The Planning Commission recommended Alternative 1: to introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code that allows solar access to be calculated based on an initial analysis conducted on December 21st and if that analysis shows a conflict with solar access greater than 10%, then a second analysis of the full 365 day solar cycle must be performed (The Commission made one edit to the Draft Ordinance it considered, which is reflected in the Ordinance included as Attachment 3), and clarifying when Pacific Time and Pacific Standard Time will be used.

The Report to Planning Commission can be found in Attachment 1. Minutes from the Planning Commission hearing can be found in Attachment 10.

SUMMARY OF THE SUSTAINABILITY COMMISSION ACTION

This item was considered by the Sustainability Commission at their July 18, 2016 hearing. Staff presented the item and answered questions from the Commissioners. No members of the public spoke on this item.

The Sustainability Commission recommended introduction of an ordinance with modifications to the staff recommendation. The Sustainability Commission suggested two modifications to the draft ordinance: 1) to also require a shading measurement for June 21 (with adjusted times), and 2) to require the annual solar cycle measurement with adjustments to the hours based on the day of the solar cycle (exact language is in the Sustainability Commission Minutes in Attachment 11).

Staff is not recommending incorporating the suggested changes from the Sustainability Commission. Many applicants have voluntarily provided the additional summer solstice (June 21) shading data and staff cannot recall any instance when there was additional shading in summer. It is unlikely that even the expanded hours would result in higher shading level than the winter solstice. In addition, staff consulted with solar companies while working on the draft ordinance and none of the companies suggested that testing on June 21st would result in more shadowing or that that the staff recommendation would cause solar access issues.

Maintaining simple and less complicated requirements that have clear and defined time boundaries will make the process more efficient. Adjusting the time linearly throughout the year may complicate the analysis and burden development applicants, particularly for single-family property owners.

The Sustainability Commission received the same report as the Planning Commission (Attachment 1). The Sustainability Commission's meeting minutes can be found in Attachment 11.

ALTERNATIVES

1. Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code related to solar access requirements.
2. Introduce an Ordinance with the modifications recommended by the Sustainability Commission.
3. Introduce an ordinance with other modifications to the staff recommendation.
4. Do not amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code and make no changes to the current standard of practice for solar access requirement evaluation.

RECOMMENDATION

Alternative 1: Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code related to solar access requirements.

Staff concurs with the clarification provided by the Planning Commission and has incorporated it into the draft ordinance. The recommended amendments to the Sunnyvale Municipal Code will help clarify the existing solar access requirements and also provide more flexibility to balance property owners' solar access, for the purpose of photovoltaic installation, with property owners' rights (e.g. the potential to build to heights allowed in the Sunnyvale Municipal Code).

Prepared by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Director, Community Development

Reviewed by: Walter C. Rossmann, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. **Planning Commission Report from July 11, 2016** (*without attachments*)
2. Study Issue Paper
3. Draft Ordinance (**updated for City Council hearing**)
4. Full Text of Council Policy 3.5.1 (Energy)
5. Information on Other Options to Consider
6. City Attorney Office Memo Regarding Solar Access Rights
7. Solar Access and Shadow Analysis Handout
8. Summary of California State Laws Related to Solar Access
9. Other Jurisdiction's Solar Access Regulations

Additional Attachments - for Report to Council

10. **Planning Commission Minutes of July 11, 2016**

11. **Sustainability Commission Minutes of July 18, 2016**



City of Sunnyvale

Agenda Item

16-0376

Agenda Date: 7/11/2016

REPORT TO PLANNING COMMISSION

SUBJECT

Forward a recommendation to the City Council to 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.

REPORT IN BRIEF

On October 26, 2015, following the approval of a solar access variance, the Planning Commission sponsored this study issue (**Attachment 2**) to evaluate the current practice of solar access requirements and regulation of solar shading on adjacent parcels.

As stated in the study issue paper, this study is intended to determine whether the threshold for determining solar access regulations should be based on an analysis on December 21st (shortest day of the year) or consider a broader criteria such as a 365-day solar cycle analysis. The purpose of the study was to:

- Examine whether the current regulations are effective for all types of development and improvements being made to properties;
- Look at solar access for an entire parcel, not just roof-top solar access;
- Examine whether certain areas of the City should have different solar access requirements;
- Consider whether shading standards should vary between residential and non-residential buildings.

Sunnyvale is one of only a few cities that regulate solar access. Solar collection systems have both direct and indirect benefits to the City. They contribute to the City meeting the emissions reductions goals enumerated in the Sunnyvale Climate Action Plan (CAP) while also moving community members away from dependence on non-renewable sources of energy.

This report provides options for solar access regulations, describing the pros and cons for each option. Staff recommends that the Planning Commission make the recommendation to the City Council to adopt an ordinance (**Attachment 3**) to amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code to amend the solar access requirements to a solar cycle vs. only on the shortest day of the year. This approach would clarify the existing regulation, provide options in determining the potential shading impact that new construction would have on an adjacent parcel, and allow for continued consistency with the Sunnyvale Climate Action Plan's policies on alternative energy.

BACKGROUND

Current Solar Access Requirements

In December 1985, the Planning Commission recommended that the City Council adopt standards

16-0376**Agenda Date: 7/11/2016**

regulating access to solar energy by establishing the concept of a solar envelope. At the 1985 Planning Commission hearing, staff stated that the proposed Ordinance was, “mainly intended for single-family areas where the construction of two-story homes may shade adjacent structures and thus prohibit their neighbors from installing effective solar panels.” However, the Ordinance as written applied to all zones in the City, including commercial and industrial. The City Council adopted the Ordinance on January 7, 1986.

The current solar access requirements were adopted when most solar energy systems were used for thermal water heating. The siting and effectiveness of solar hot water installations generally needed to be located on top of the structure where they would be utilized to minimize heat loss during transmission of the heated water. Hot water solar installations collect energy mainly when there is sufficient direct solar availability; the consumer uses the collected energy on-site. Solar hot water systems do not have capacity to store energy for future use. In Sunnyvale, solar hot water systems are mostly used for domestic hot water and for heating the water for swimming pools.

In contrast, current photovoltaic (PV) energy systems collect energy anytime solar access is available (even on cloudy days) and are able to collect more energy than the daily needed amount of the use or building where the system is located. Excess energy is collected and sold back to the utility company to be bought back by the user when needed (called Net Metering). This approach allows constant supply of energy to be available regardless of shading or cloud cover that may be present on certain days of the year. The change in solar system technology and usage means the need is not as absolute for direct and constant solar access at every day throughout the year. Some PV systems also store the energy for future use by charging on-site batteries.

The ordinance adopted in 1986 describes a solar cycle as an entire year, but the language in the Report to the City Council that accompanied the Ordinance focused the analysis on the solar access condition at the shortest day of the year with the lowest sun angle. After the Council adopted the solar energy ordinance in 1986, staff prepared a worksheet describing the use of the shortest day of the year on how to calculate solar shading, representing the extent of solar shading under the worst-case conditions. This approach has created confusion about why the solar cycle was included in the ordinance. Further, the worksheet appears to be intended for use primarily with single-family residential buildings and separate guidance for multi-family residential and nonresidential development was not created.

Current Solar Access Conditions

Development patterns, buildings heights, proximity of buildings to each other, and solar technology have changed since 1986. While the current standards are still effective for residential uses, they create difficulties for use in redeveloping areas, such as El Camino Real and Downtown. For example, as non-residential properties along El Camino Real redevelop with multiple story buildings, properties on the north side of the proposed buildings are likely to be shaded. But once the older, shorter building redevelops, the solar shading issue no longer exists. This situation makes it more difficult to implement the plan with newer multiple-story buildings due to solar shading issues. To address this issue, the Downtown Specific Plan (DSP) zoning exempts properties in the DSP from the solar access requirements.

On October 12 and 26, 2015, the Planning Commission considered variance applications to the solar access requirements for two separate projects involving redevelopment of two sites into separate five-story hotels on El Camino Real. Analysis of these sites showed that the hotels would inhibit solar

16-0376**Agenda Date: 7/11/2016**

access to the roof of the adjacent properties beyond the allowable level of 10 percent at 9 a.m. and 3 p.m. on December 21st (the current standard of). None of the adjacent structures would be shaded more than 10 percent throughout the solar cycle

On October 26, 2015, following these two variance requests, the Planning Commission sponsored the study issue regarding Solar Access Requirements (see **Attachment 2**) and it was ranked first by the City Council for the Community Development Department's 2016 Study Issues.

The City Council is scheduled to consider this item on August 9, 2016.

EXISTING POLICY

SUNNYVALE CLIMATE ACTION PLAN

Local Renewable Energy Policy

Action EP-2.1 - Require new homes and businesses and major remodels to be "solar ready" by pre-wiring for solar water heating and solar electricity.

Action EP-2.3 - Prevent buildings and additions from shading more than 10% of roofs of other structures.

COUNCIL POLICY MANUAL

Policy 3.5.1 Energy (see **Attachment 4** for complete policy)

It is the purpose of this Energy Policy to:

- Promote economic development
- Maintain a healthy environment
- Maximize limited natural resources
- Encourage alternative forms of transportation
- Encourage cost reduction in City operations

Sunnyvale Municipal Code

Alternative Energy Systems (Chapter 19.56)

19.12.200 (16) "Solar cycle" means a year-long interval, beginning at twelve noon, Pacific Standard Time, December 21st, in any calendar year, and ending at twelve noon, Pacific Standard Time, December 21st of the subsequent calendar year.

19.56.020 - Solar Energy Systems - Impairment of Solar Access by Structures

(a) No building permit shall be issued for any construction that would interfere with solar access to the rooftop of any structure or to any preexisting solar collector on nearby property. Solar access means the blocking or reducing exposure to sun more than 10% daily from 9 a.m. to 3 p.m. throughout any solar cycle.

California State Law

There have been several state laws passed relative to solar access (titles are listed below); summaries of these laws can be found in **Attachment 8**.

- Voluntary Solar Easement Rights
- Solar Easements in Conjunction with the Subdivision Map Act
- Solar Rights Act for Installation of Solar Energy Systems
- Local Government Review Authority of Solar Applications

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- Protection of Solar Systems from Vegetative Shading
- Solar Garden Regulations

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. In addition, the action is exempt from CEQA pursuant to CEQA Guidelines section 15305, minor alterations in land use limitations in which do not result in any changes in land use or density.

Projects that are subject to the requirements of the amended chapters will be evaluated pursuant to CEQA on an individual basis.

DISCUSSION**Overview**

Solar access protection laws recognize the importance of guaranteeing consumers the financial value of solar access on their property for already installed solar systems and potential future systems. Shading from nearby structures or foliage can significantly impact the financial value of a solar collector system through lost energy production. Conserving energy and improving energy efficiency in the built environment is a priority for the City, and includes shifting energy consumption that cannot be reduced through energy efficiency away from traditional electricity and natural gas to renewable energy sources. Solar collection systems are one way the City of Sunnyvale can reduce greenhouse gas emission and encourage the transition from traditional electricity production and natural gas sources to on-site renewable sources.

Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code is intended to protect the rooftop of structures or existing active solar collectors from interference of solar access. Solar Access means the blocking or reducing exposure to the sun to an extent greater than 10 percent daily during the hours between 9 a.m. to 3 p.m. throughout any solar cycle. The City has historically implemented this code using the definition that shading of solar access can be no more than 10 percent at 9 a.m. and 3 p.m. on the shortest day of the year, December 21st.

Subsequent to the adoption of the current ordinance, staff has received applications for approximately 13 variances to solar access requirements. From 1989 to 1999, the applications were only for properties within low-density and medium-low density zoning districts and resulted in a few denials. More recently (2000-2016), the variance applications have shifted to non-residential uses. As of July 2016, there are three pending solar access variance applications, two related to commercial and office development proposals and one related to a single-family second story addition. The need for the variance is based on interpretation of the code using the shortest day of the year, December 21st at 9 a.m. and 3 p.m.

The proposed study is to make a more precise definition of the context of solar shading (shortest day of the year or a yearly average) and to find a fair balance between the interest in allowing older buildings and properties to redevelop in accordance with City plans and in protecting solar access to lower scale buildings.

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Calculation of Solar Access

There are several factors to consider when selecting an appropriate solar access requirement:

- **Time at Which Solar Shading is Measured**
 - Since the location of the sun in relation to a property varies over the course of the day (and over the course of the year) it is important to remember that shading is most extreme at the beginning and end of the daylight hours and is even more extreme in winter where the sun is lower in the sky at the beginning and end of the day. A shading threshold calculated on the shortest day of year is what has been used by Sunnyvale and appears to be the most common approach found in other cities ordinances.
 - While solar access varies extensively day by day, the electricity provided to the grid by solar systems in California are metered over the course of an entire year not a single day. To gain a better sense of what shading threshold is appropriate, staff contacted local solar PV installers. In general, these local providers indicated that solar access on the area of the property available for installation should be 85% or greater in the entire annual solar cycle (or no more than 15% shading).
- **Prescriptive vs Discretionary**
 - While most solar access ordinances have specific shading thresholds established, it is possible to allow for a discretionary approach where staff analyzes potential shading issues for each development in coordination with a solar expert to decide whether solar access can be optimized and development can still occur.
- **Rooftop Protections vs Whole Property Protections**
 - Solar shading requirements can be applied to building rooftops or on the property as a whole. In general, analyzing shading effects on an existing rooftop is more restrictive, although this is dependent on the location of the shaded structure on the neighboring property and its relationship to the proposed project. Additionally, in medium and high density residential zoning districts it is more likely that existing older structures will be re-developed and at similar heights to adjacent residential uses as compared with single-family and low-medium density developments where the difference between one and two stories could potentially create shading on adjacent structures.

Other Cities

Staff researched how other cities regulate solar access and generally found no jurisdictions near Sunnyvale have ordinances specific to solar shading to protect solar access from adjacent structures. The City Attorney's office reached out to colleagues statewide but did not get any responses, probably because relatively few cities regulate solar access.

The search was broadened to beyond Santa Clara County; a handful of jurisdictions in the state and country have solar regulations that were relevant to the study; however, none were found that regulated access in a similar fashion as the City of Sunnyvale. The regulations are described in more detail in **Attachment 9, along with links to the full text of each.**

Options to Consider

There are several different ways to address the solar access issue, including the following:

Option A (Staff Recommendation):

Amend the code to follow the year long solar-cycle approach

1. This option requires minimal changes to the zoning code, but would result in a change of

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practice in how solar access requirements are evaluated by establishing the following steps for solar access review: Require applicants to demonstrate the percent of shading on adjacent roofs on the shortest day of the year (December 21st). If shading does not exceed 10% of the roof, no further solar shading review is necessary.

2. If the shading study determines there is more than 10% shading on December 21st, a more detailed evaluation must be prepared to show the amount of shading over a solar cycle (365 days).
3. If it can be shown that the adjacent property is not shaded by more than 10% throughout the solar cycle, no further study is required.
4. If shading exceeds 10% throughout the solar cycle the project must be redesigned to show compliance with the code. Alternatively an applicant could pursue other measures (such as solar easements) or a Variance must be approved to allow the project to move forward.

This option codifies the practice that has been used since the regulations were adopted in 1986, and clarifies the use of the solar cycle to evaluate shading.

Pros:

- Calculation of solar access as described in this option may provide a more accurate depiction of the solar access needs of a property.
- It would be consistent with the methods for calculation used by many solar installers and net metering policies of California investor owned utilities.
- Evaluation in this manner may provide a better balance between the rights to solar access and property rights.
- Retain consistency with the policies in the Sunnyvale Climate Action Plan.
- Clarifies the process by adding specific language to the ordinance on the requirements for solar shading analysis.
- Most applicants can use the existing solar shading analysis because the majority of projects do not shade an adjacent roof more than 10% on the shortest day of the year. A solar-cycle analysis would likely be required for few applications.

Cons:

- The year-round calculation of shading is more complex than the method currently in process. Single-day shading calculations are completed by most architects, but year-round analysis may require on-site modeling using an electronic device, such as a Solar Pathfinder.
- Use of this threshold may require applicants that cannot meet the shortest day of the year threshold to retain a qualified solar consultant to complete the solar cycle analysis.
- Overall solar access may be decreased to some extent by changing the standard way of analyzing solar access.

Option B:

Retain shortest day threshold for single-family residential zoned properties

This option would maintain the same thresholds and procedures as Option A for low and low-medium density residential zoning districts which consist of mainly single-family and duplex-style housing units (i.e. less than 14 units per acre: R-1, R-0, R-1.5, R-1.7 and R-2 zoning districts), but allows the year-long solar cycle to be used for medium and higher density residential and non-residential properties.

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In this option, shading of the low and low-medium density zoning districts would be based on the shading analysis performed at 9 a.m. and 3 p.m. on December 21st and not the solar cycle. The application of this regulation would be based on the adjacent property's zoning designation so a commercial parcel that was adjacent to a low-density residentially zoned parcel would calculate shading based on the regulations required for the low-density residential parcel.

Pros:

- For medium density and higher residential zoning districts, the pros would be similar to those listed above in Option A.
- For low and low-medium density zoning districts, retention of an easy approach to calculating solar shading.

Cons:

- For medium density and higher residential zoning districts, the cons would be similar to those listed above in Option A.
- It could be confusing to have two sets of standards.

Option C: Other Options to Consider

The following options were considered but not recommended (additional details can be found in **Attachment 5**).

- Evaluate Shading in accordance with Option A for Low-Density and Low-Medium Density Residential Zoning Districts but Determine an Appropriate Percentage of the Site that could be Shaded for Other Zoning Districts.
- Evaluate Shading on December 21st only and Average the Results between 9 a.m. and 3 p.m. or Increase the Allowable Percentage of Neighboring Rooftop to be Shaded.
- Evaluate Shading in accordance with Option A for Low-Density and Low-Medium Density Residential Zoning Districts and have no Solar Access Requirements for other Zoning Districts.

Option D: Maintain the Status Quo

This option would maintain the existing method used by staff to determine compliance with the solar access requirements. If this option is selected, it would be important to clarify the practice and regulation by amending the ordinance to remove the reference to a solar cycle. The Planning brochure on Solar Access and Shadow Analysis reflects the current practice (**Attachment 7**).

Pros:

- This method can be interpreted to be consistent with the Sunnyvale Climate Action Plan.
- The calculation required for single day analysis of shading at two time points is simpler than some other thresholds.
- Does not affect the majority of new construction applications.

Cons:

- This threshold may be unnecessarily strict, not providing fair balance with interests of neighboring property owners and solar access needs.
- May lead to further confusion and questions on the meaning of this ordinance.
- May result in more variance requests, which typically can be interpreted as an unrealistic code

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requirement.

FISCAL IMPACT

The proposed modifications to the Sunnyvale Municipal Code associated with the solar access requirements study issue would have no fiscal impacts.

PUBLIC CONTACT

Public contact regarding this item was made through the following ways:

1. Posting the Agenda for Planning Commission on the City's official-notice bulletin board outside City Hall and by making the agenda and report available at the Sunnyvale Public Library and on the City's website;
2. Publication in the *Sun* newspaper, at least 10 days prior to the hearing;
3. E-mail notification of the hearing dates sent to all interested parties and neighborhood associations; and
4. One community outreach meeting held to discuss the study issue on April 7, 2016.

Planning Commission Study Session

A study session with the Planning Commission was held on March 28, 2016 with all seven of the commissioners in attendance. The Commission was interested in simplifying the solar shading analysis process as much as possible, while maintaining its effectiveness in promoting alternative energy systems. In addition to the solar access requirements as described in the Study Issue Paper (**Attachment 2**), the Planning Commissioners also discussed a topic that went beyond the original scope of this study issue, solar rights and rights to sunlight in respect to individual property rights. In an effort to address this comment, a memo from the Office of the City Attorney is included (**Attachment 6**) to further explain this concept.

A few members of the public also attended the study session and spoke about their interest in preserving the right of property owners to solar access and alternative energy systems. One member of the public also mentioned an interest in allowing for advancements in solar technology.

Community Outreach Meeting

Staff conducted an outreach meeting on April 7, 2016. Two people attended the meeting, one from the development community and one community member.

The individual from the development community re-iterated interest that the solar access ordinance be modified to allow for some additional flexibility, and with analysis requirements that are clear and relatively easy to complete.

The community member shared a concern that modifications to the solar ordinance may unfairly limit solar access and that analyzing shading percentage over the course of the year rather than the shortest day would not be consistent with current practices and may not protect solar access rights. In addition, the community member stated that the City should look at solar rights generally for an entire property (or based on use) while also evaluating a best and fair alternative for implementing Sunnyvale Municipal Code Chapter 19.56.

ALTERNATIVES

Recommend to City Council:

1. Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the

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Sunnyvale Municipal Code that allows solar access to be calculated based on a full 365 day solar cycle.

2. Introduce and ordinance with modifications to the staff recommendation.
3. Do not amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code and make no changes to the current standard of practice for solar access requirement evaluation.

RECOMMENDATION

Recommend to the City Council Alternative 1: to introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code that allows solar access to be calculated based on a full 365 day solar cycle.

The recommended modifications to the Sunnyvale Municipal Code will help clarify the existing solar access requirements and also provide more flexibility to balance property owners' solar access, for the purpose of PV installation, with property owners' rights (e.g. the potential to build to heights allowed in the Sunnyvale Municipal Code).

Prepared by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Director, Community Development

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. *Not Used (for use with Report to Council)*
2. Study Issue Paper
3. Draft Ordinance
4. Full Text of Council Policy 3.5.1 (Energy)
5. Information on Other Options to Consider
6. City Attorney Office Memo Regarding Solar Access Rights
7. Solar Access and Shadow Analysis Handout
8. Summary of California State Laws Related to Solar Access
9. Other Jurisdiction's Solar Access Regulations



City of Sunnyvale

Agenda Item

15-0989

Agenda Date: 1/29/2016

2016 COUNCIL STUDY ISSUE

NUMBER

CDD 16-13

TITLE Solar Access Requirements

BACKGROUND

Lead Department: Community Development
Support Department(s): Environmental Services

Sponsor(s):
 City Manager

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

SCOPE OF THE STUDY

What are the key elements of the study?

Solar access requirements were adopted in 1986 when most solar energy systems were thermal water heating. Solar hot water installations were primarily located on the roofs of buildings-close to the location the hot water would be used. Advances in solar technology now allow greater flexibility in locating solar facilities on a property. The study would examine whether the current regulations are still appropriate or if modifications to the regulations are desirable. The study would look at solar access to the entire parcel and not just the roof-top solar access. The study would examine whether additional areas of the City should have no solar access or different solar access requirements. The types of structures being shaded might also suggest different standards, such as shading of residential or non-residential buildings. The study could also look at whether solar easements or other compensating requirements are possible or appropriate.

What precipitated this study?

Recently, the Planning Commission has considered variance applications for solar access associated with multi-story buildings along El Camino Real. In two cases the proposal for a 5-floor hotel building created shadow on the roof of adjacent small one-story buildings in excess of allowable shading. In one case there was additional shadow on the outdoor use (miniature golf). The Planning Commission also expressed that the criteria for solar shading should be reevaluated, i.e. whether the maximum amount of solar shading should apply to the winter solstice (shorter day of the year) or consider a broader criteria such as a year-round average. There are pending applications in other areas of the City with similar issues where the zoning code allows or incentivizes taller buildings to meet the vision for that area, creating tension between the two standards. The Downtown Specific Plan area has a blanket exemption from the solar access requirements. Plans for the Peery Park Specific Plan,

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Lawrence Station Area Plan and update to the Precise Plan for El Camino Real are opportunities to craft regulations specific to those areas.

Planned Completion Year: 2016

FISCAL IMPACT**Cost to Conduct Study**

Level of staff effort required: Moderate/Minor

Amount of funding above current budget required: \$ 0

Funding Source: N/A

Explanation of Cost: N/A

Cost to Implement Study Results

Some cost to implement

Explanation of Cost: Depending on what new regulations are adopted there would be a range of costs for training of staff. These costs could be offset with development application fees.

EXPECTED PARTICIPATION IN THE PROCESS

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission, Sustainability Commission

STAFF RECOMMENDATION

Position: Support

Explanation: Staff finds this issue a priority based on the type of applications that are currently pending. If ranked high, the study could be completed early in 2016 to provide potentially alternative solar access requirements for pending applications.

Prepared By: Trudi Ryan, Director, Community Development

Reviewed By: Hanson Hom, Assistant City Manager

Reviewed By: Kent Steffens, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE TO AMEND SECTION 19.56.020 OF
CHAPTER 19.56 (ALTERNATIVE ENERGY SYSTEMS) OF
TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL
CODE RELATING TO IMPAIRMENT OF SOLAR ACCESS
BY STRUCTURES**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS
FOLLOWS:

SECTION 1. SECTION 19.56.020 AMENDED. Section 19.56.020 of Chapter 19.56 (Alternative Energy Systems) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

19.56.020. Solar energy systems—Impairment of solar access by structures.

(a) No building permit shall be issued for any construction, the effect of which when completed would be to interfere with solar access to the rooftops of ~~any~~ the sum of all permitted structures on an adjacent property or to any preexisting active solar collector on ~~nearby~~ an adjacent property. Solar access means the absence of shadows blocking or reducing exposure to the sun to an extent greater than ten percent daily during the hours between nine a.m. to three p.m., Pacific ~~Standard~~ Time, throughout any solar cycle. Nothing contained herein shall require modification to any structure, the shade pattern of which would impair solar access to rooftops or active solar collectors established later in time.

(b) Applications for new construction above the first level of any structure shall include the following solar shading analysis by a qualified professional:

(1) The solar shading analysis shall show the extent to which the proposed construction will shade adjacent rooftops and solar collectors at nine a.m. and three p.m. Pacific Time on December 21st.

(2) If the above solar shading analysis shows a conflict with solar access greater than ten percent, the applicant shall provide an additional analysis which calculates the extent to which the proposed construction will shade adjacent rooftops and solar collectors between nine a.m. to three p.m. Pacific Time throughout the entire 365-day solar cycle. If the analysis shows a cumulative shadowing effect of less than ten percent total over the course of the 365-day solar cycle, the application shall be deemed to be in compliance with this section.

(~~b~~c) [Renumbered; text unchanged]

SECTION 2. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations Section 15378(a) that this project is exempt from the requirements of the California Environmental Quality Act (CEQA) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. In addition, the action is exempt from CEQA pursuant to CEQA Guidelines section 15305, minor alterations in land use limitations in which do not result in any changes in land use or density.

SECTION 3. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

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

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney

Policy 3.5.1 Energy

POLICY PURPOSE:

The City of Sunnyvale finds that the preservation of natural resources through the use of energy efficient activities is of great importance to the citizens and businesses of Sunnyvale. It is the purpose of this Energy Policy to:

- Promote economic development
- Maintain a healthy environment
- Maximize limited natural resources
- Encourage alternative forms of transportation
- Encourage cost reduction in City operations

POLICY STATEMENT:

It is the policy of the City of Sunnyvale that the City will:

- Minimize energy consumption in City operations
- Promote the development of alternative energy resources and support the enhancement of existing technologies
- Provide for efficient vehicular movement on City streets
- Promote alternative modes of transportation to the single-occupant gasoline powered automobile such as mass transit, carpooling, bicycling and walking
- Use energy efficient street light and traffic signal systems
- Reduce energy consumption through Land Use and Community Design Policies
- Utilize alternative energy sources at the Sunnyvale Water Pollution Control Plant
- Support installation of cost-effective energy efficiency measures in municipally owned buildings and facilities
- Support Federal, State, and other Local agency energy-related legislation when consistent with this policy
- Support efforts to provide affordable, reliable, diverse, safe, and environmentally acceptable power to the citizens and businesses of Sunnyvale

(Adopted: RTC 00-317 (12/19/2000); (Clerical/clarity update, Policy Update Project 7/2005))

Lead Department: Department of Public Works

**Solar Access Requirements Study Issue
Information on the Other Options to Consider**

Evaluate Shading in accordance with Option A for Low-Density and Low-Medium Density Residential Zoning Districts but Determine an Appropriate Percentage of the Site that could be Shaded for Other Zoning Districts

This option has the same thresholds and procedures as Option A for low and low-medium density residential zoning districts, but would acknowledge that it is generally easier to place solar collection systems on carports, parking lots, open space, shade structures and other surfaces within the other zoning districts due to larger lot sizes. Therefore, it may be more appropriate to come up with a percentage of the overall lot size to remain free from shading instead of a portion of the roof structures.

In this case and in any other option involving separate standards for lower density residential zoning districts and all other zoning districts the requirement in effect would be based on the zoning designation of the shaded parcel, not the zoning designation of the development parcel. This would mean that commercial properties adjacent to lower density residential zoning districts would follow the requirements of the district the parcel was having the shading effect on.

This option would essentially remove the existing buildings on an adjacent site from the equation by basing the solar access requirement on the effect that the new development has on the adjacent site as a whole. This option would also alleviate the problem that new development has on adjacent existing sites that may be redeveloped in the near future.

Using this threshold concept, the ordinance could be modified to create a two-step process similar to the one described in Option A in that no new construction would be allowed to shade more than a certain percentage of the total neighboring property, including rooftops and other surface area, measured across a solar cycle. The procedure for analysis could be as follows:

1. A solar access analysis drawing would be required with any application involving a two-story (or higher) development—on a single day, December 21st, at 9 a.m. and 3 p.m.
2. If the above-stated analysis indicates shading would exceed the allowed percentage on December 21st at 9 a.m. and 3 p.m., the applicant would either have to re-design their proposed development project or they would need to submit the results of an on-site 365 day solar cycle study performed by a qualified professional. In this case, if the project is found to shade less than the allowed percentage of the adjacent property, the solar access requirement would be met.

As this would be a new standard and one that has not been guided by any research or other regulations, it would require further assessment to determine what the appropriate

percentage would be for the site. It would require retaining a consultant to do analysis on a few recent development projects to come up with an appropriate percentage.

Evaluate Shading on December 21st only but Average the Results between 9 a.m. and 3 p.m. or Increase the Allowable Percentage of Neighboring Rooftop to be Shaded.

This option would retain the same procedures as the status quo, but may increase the threshold of allowable shading from 10% to 15% or 20% on December 21st between 9 a.m. and 3 p.m.

Analysis would need to be done at every hour between 9 a.m. and 3 p.m. and the results would then be averaged to create the percentage of solar shading on adjacent structures. This option would codify the current process as it relates to the date on which solar shading analysis is conducted and expand the process by studying the effects of the shading throughout the entire day on December 21st to create more information about solar access on that day.

Evaluate Shading in accordance with Option A for Low-Density and Low-Medium Density Residential Zoning Districts but have no Solar Access Requirements for other Zoning Districts.

This option has the same thresholds and procedures as Option A for low and low-medium density residential zoning districts but would not require shading analysis for other zoning districts or areas covered by a specific or area plan.

In this option, shading of an adjacent site would be regulated by the maximum building standards (lot coverage, floor area, etc.) instead of using a percentage of the site or roof structures as a threshold. Similar to Option B, the regulation would apply based on the adjacent property so a commercial parcel that was adjacent to a low-density residentially zoned parcel would use provide shading requirements as required for the low-density residential parcel.



Office of the City Attorney

Memorandum

TO: Amber Blizinski
Principal Planner

FROM: REBECCA MOON
Sr. Assistant City Attorney

SUBJECT: SOLAR ACCESS

DATE: June 30, 2016

OVERVIEW OF SOLAR RIGHTS IN CALIFORNIA

Somewhat surprisingly, American law does not recognize any general right to prevent a property owner from blocking a neighbor's access sunlight.¹ Property rights were historically viewed as extending to the limits of the sky, which gave property owners an essentially unrestricted right to build vertically. In addition, economic development of property was favored over neighbors' interests in preserving access to sunlight and air.²

In reaction to these legal principles, which sometimes had harsh results, many local governments enacted legislation to ensure that property owners cannot exercise their development rights in ways that have a detrimental impact on neighbors. The primary legislative tools to preserve access to sunlight and air include zoning, setbacks, and building height limitations. These laws are enacted through a city's police power and are constitutional as long as the restrictions are reasonably related to the public interest and do not deprive a property owner of all economic use of their property.³

Solar easements are another legal tool sometimes used to ensure that solar energy systems will have access to sunlight. A solar easement gives one property owner the right to prevent another property owner from building a structure or allowing landscaping that causes excess shade. Because solar easements are an agreement between private parties, they can go beyond the development restrictions imposed by the city's zoning code. Once created and recorded, the easement is binding on future owners of the property. A major limitation is that solar easements

¹ "As a general rule, a landowner has no natural right to air, light or an unobstructed view and the law is reluctant to imply such a right." *Pacifica Homeowners' Assn. v. Wesley Palms Retirement Community* (1986) 178 Cal.App.3d 1147, 1152.

² In an article about solar access laws over a century ago, the *New York Times*, July 7, 1878, p.6, argued that "encouragement of building is more needed than restrictions upon it".

³ *Associated Home Builders etc., Inc. v. City of Livermore* (1976) 18 Cal.3d 582, 604.

have to be privately negotiated and purchased. Also, enforcement options are generally limited to filing a private lawsuit.

Some cities have adopted ordinances that require developers to convey and record solar easements for each parcel at the time a property is subdivided. (Gov. Code Section 66475.3.) These ordinances, however, only apply to future construction. As a result, they tend to have the greatest impact in cities where there are still significant tracts of undeveloped land. In cities that are largely built out, appropriate building height and setback requirements coupled with local solar access ordinances are a more effective way to preserve solar access for most residents.

During the 1970's, the state of California enacted two laws designed to encourage use of solar energy by protecting access to sunlight. The Solar Rights Act requires HOAs and local government agencies to allow the installation of solar energy systems (Civil Code 714). The Act also authorizes (but does not require) the creation of solar easements (Civil Code 801.5) and requires local government agencies to adopt streamlined permitting processes for solar energy systems (Gov. Code 65850.5).

The Solar Shade Control Act (Pub. Res. Code 25980 et seq.) provides limited protection to owners of solar energy systems from shading caused by trees and shrubs on adjacent properties. The law prevents a property owner from allowing trees or shrubs to shade an existing solar energy system installed on a neighboring property, provided the shading trees or shrubs were planted after the solar collecting device was installed. The Solar Shade Control Act only applies to vegetation, not structures.

Sunnyvale is one of only a handful of cities nationwide that have adopted ordinances to prevent shading of solar systems. Ashland, Oregon, and Boulder, Colorado (which are often cited as model ordinances), allow the owner of a solar collection system to apply for a "solar permit" that prevents neighboring property owners from allowing vegetation to shade existing solar collectors. Ashland and Boulder also use the concept of a "solar fence" to limit shading from new construction. If properly drafted, solar access ordinances can have essentially the same impact as privately-negotiated solar easements. A downside, however, is that solar access laws may be perceived as unfairly restricting development, particularly on properties with unusual site characteristics.



SOLAR ACCESS AND SHADOW ANALYSIS

ILLUSTRATIONS OF HOW TO COMPLETE AN ANALYSIS

As required by SMC 19.56 and the Community Development Director

BACKGROUND

The City of Sunnyvale has a solar Access Ordinance which is intended to preserve the ability of residents to add functional solar panels to their roof. For this reason, each new second story addition needs to be analyzed to determine the extent of projected shadow on neighboring roofs.

The Sunnyvale Municipal Code (SMC) states that no new construction may shade more than 10% of the area of a neighboring roof on the shortest day of the year, December 21st, from 9 a.m. to 3 p.m. It also states that no new construction may shade any part of an existing solar collector. Please keep that in mind when designing your second story. The complete Solar Access Ordinance is located in Chapter 19.56 of the SMC, and can be obtained at the One-Stop counter or online at <http://Sunnyvaleplanning.com>

The following five pages provide step by step illustrations of how to complete the analysis. This method requires only a scale and a protractor. Please contact the Planning Division if you have any questions.

KEY TERMS

The sun's position is defined by two angles: the **altitude angle** and the **azimuth angle**.

Altitude Angle - the angle measured from the horizon up to the sun. For example, when the sun is on the horizon, the altitude angle is 0°. When the sun is directly overhead, the angle is 90°.

Azimuth Angle - The angle measured from the position of the city to the "true" or geographic north.

Shortest Day of the Year = On December 21st

The azimuth angle of Sunnyvale, California at 9:00 a.m. is 137° east from north. At 3:00 p.m., Sunnyvale's azimuth angle is 137° west from north.

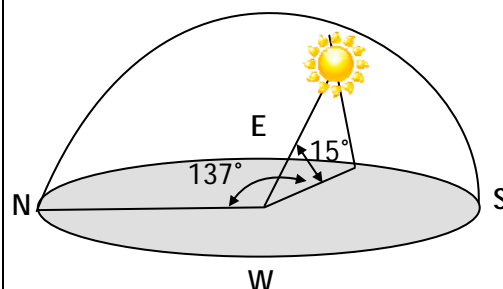
The altitude angle of Sunnyvale California at 9:00 a.m. and 3:00 p.m. is 15°.

INSTRUCTIONS

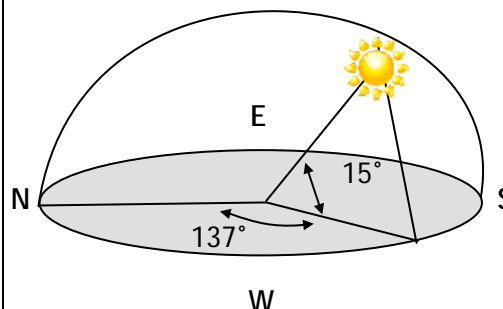
Refer to pages 2 through 7 for directions and illustrations.

SUN ANGLES:

DECEMBER 21ST
9:00 A.M.



DECEMBER 21ST
3:00 P.M.



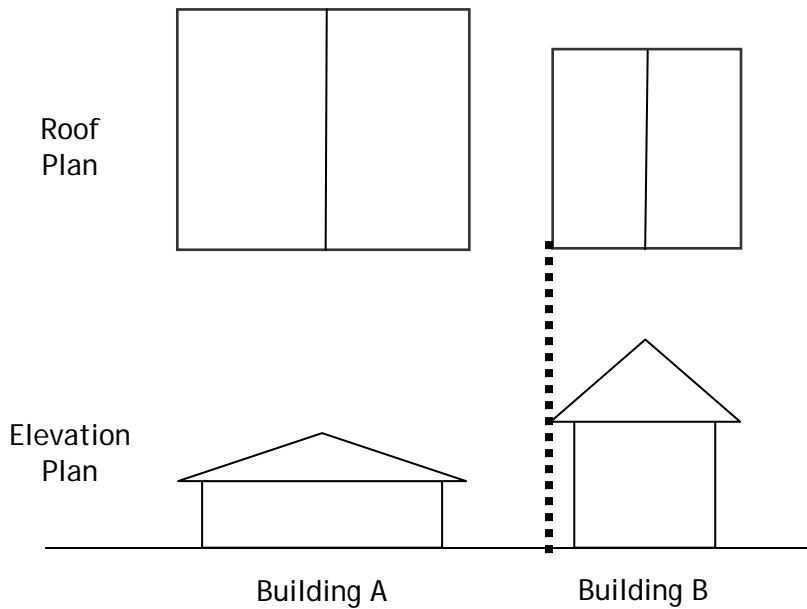
INSTRUCTIONS FOR CALCULATING THE
MAXIMUM SHADOW AT 3:00 PM

1. Draw elevations of the proposed structure and the affected building. Next draw a roof plan directly above the elevation making sure each roof plan aligns with the elevation. These drawings must be placed on the same plan and drawn to the same scale (min. 1:1/8). The roof plans must line up with the elevation drawings (see dotted line lining up the roofs on Building B).

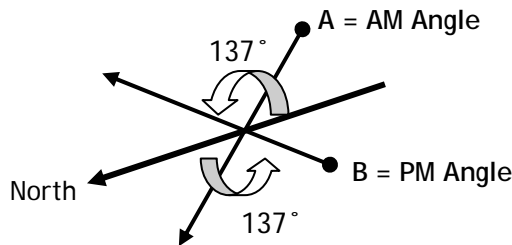
2. Identify the north direction and draw two 137° angles from the north direction (see points A and B). These lines demonstrate the sun angles at 9 a.m. and 3 p.m. on December 21st, (the shortest day of the year).

3. Draw shadow lines parallel to the PM angle from each edge of the roof plan. These lines show how the sun will be angled across the roofs.

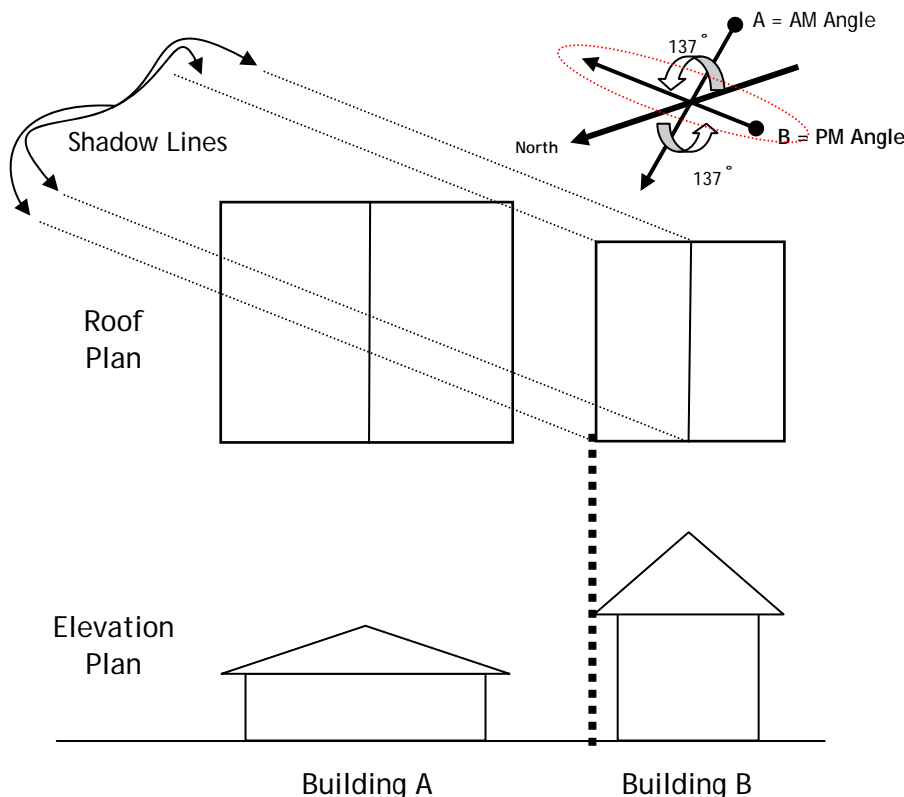
Step 1



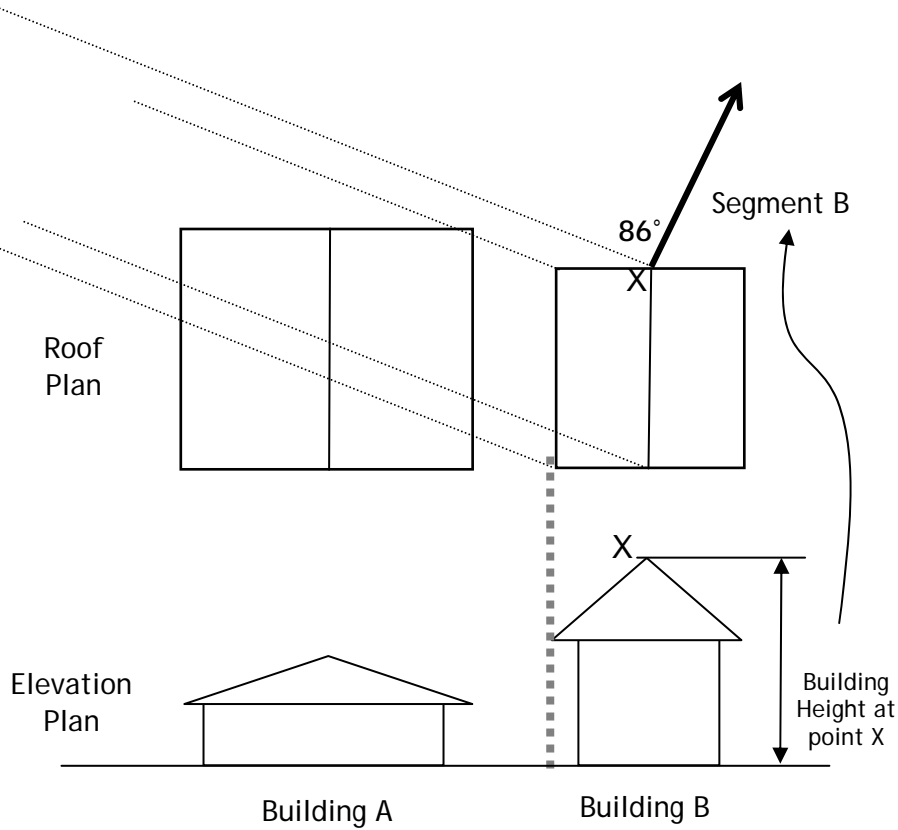
Step 2



Step 3

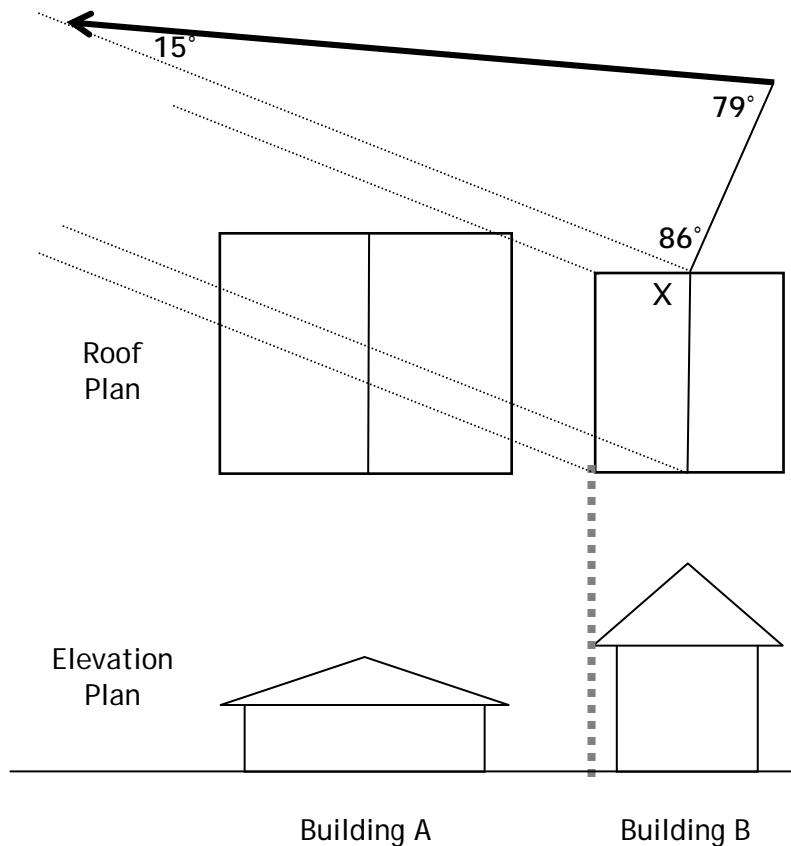


Step 4



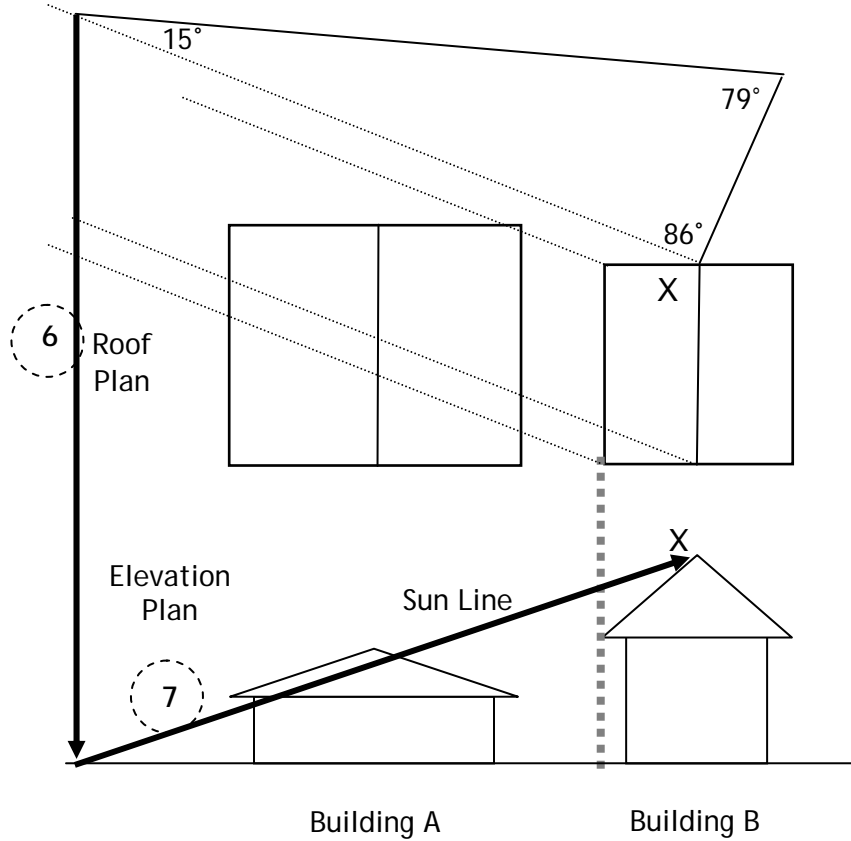
4. Choose one edge on the roof plan of Building B to draw the altitude angle. For this illustration, point X was used, but any roof edge may be used successfully. Draw a line segment ("Segment B") at an 86° angle to the shadow line at Point X (this will be parallel to the AM angle). The length of Segment B should be equal to the building height at point X, where Segment B is drawn.

Step 5

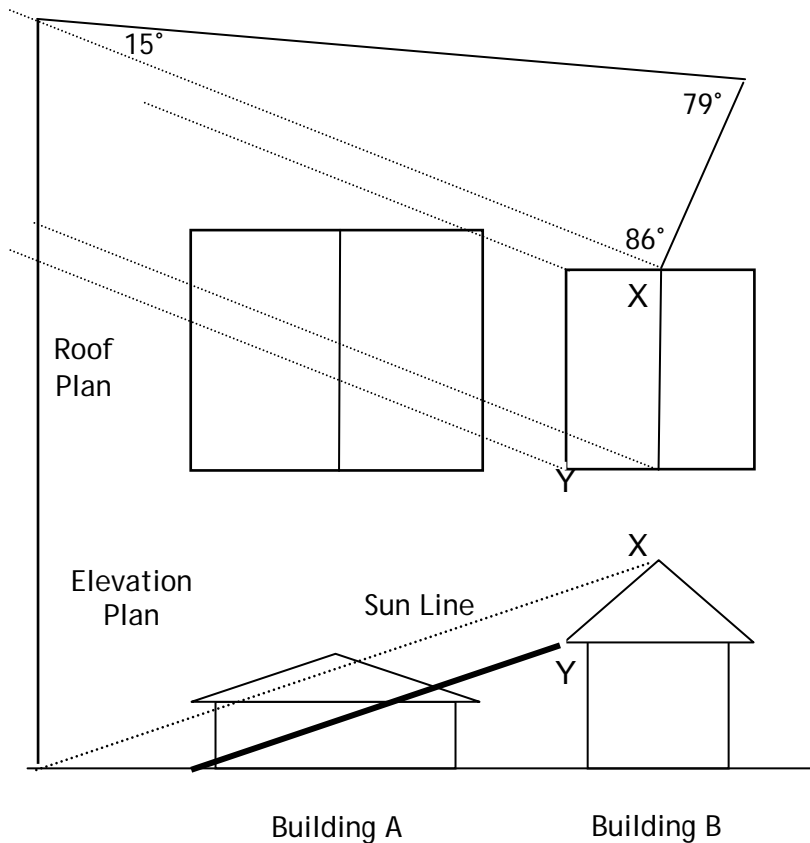


5. Draw a 79° angle from the end of Segment B. Find the point at which this new line intersects the shadow line. This creates a 15° angle - the altitude angle of the sun.

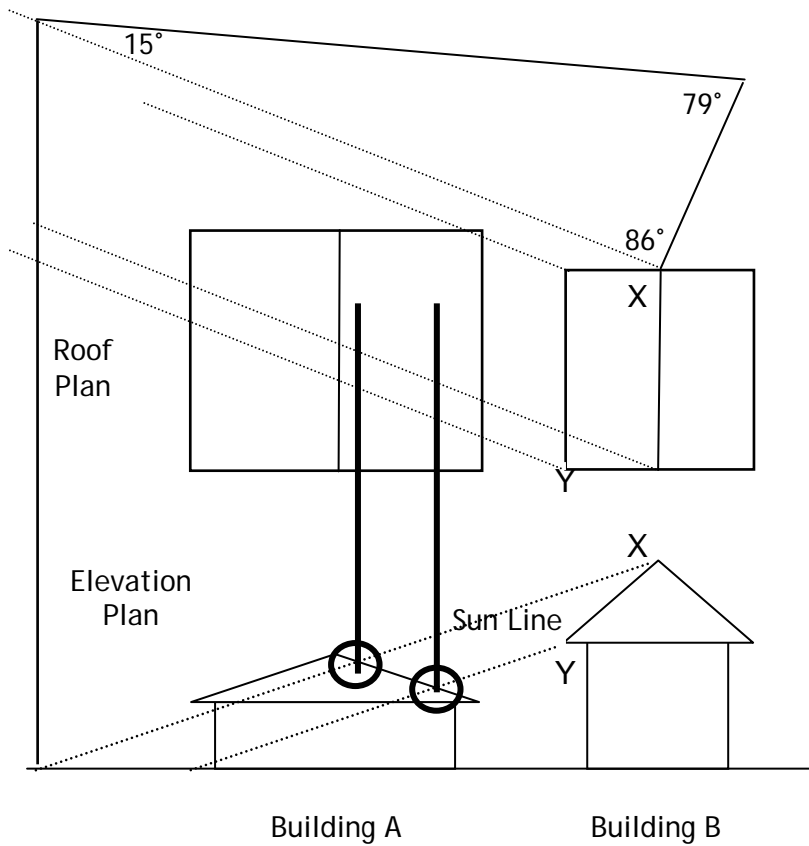
Steps 6 and 7



Step 8

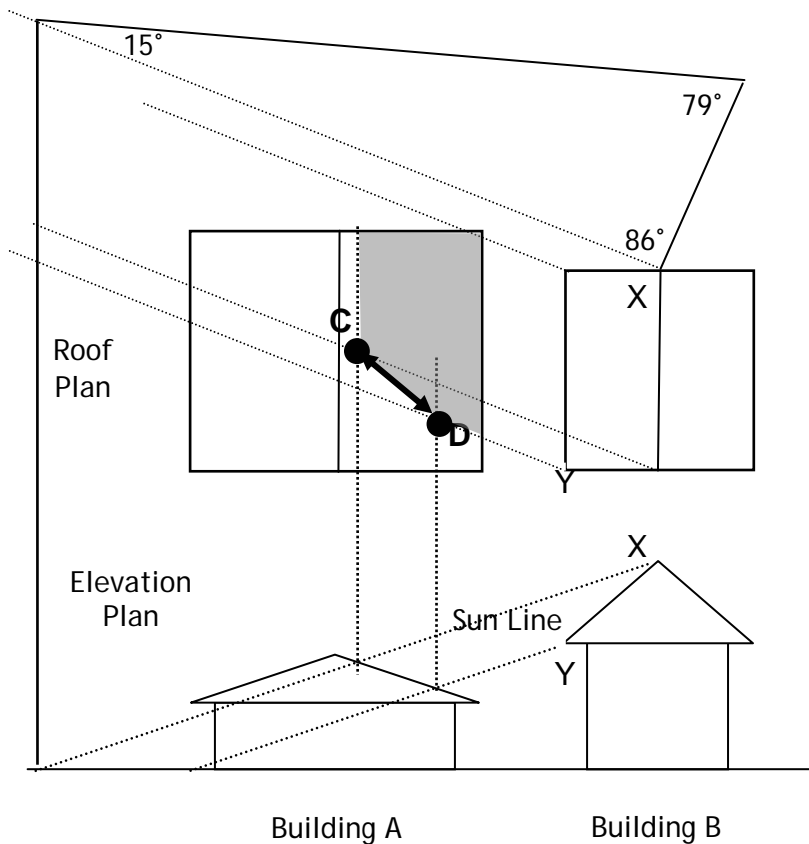


Steps 9 and 10



9. On the elevation drawing, find the points at which the shadow lines intersect with the roof on Building A. These are circled on the elevations.
10. Draw these lines straight up through the roof plan.

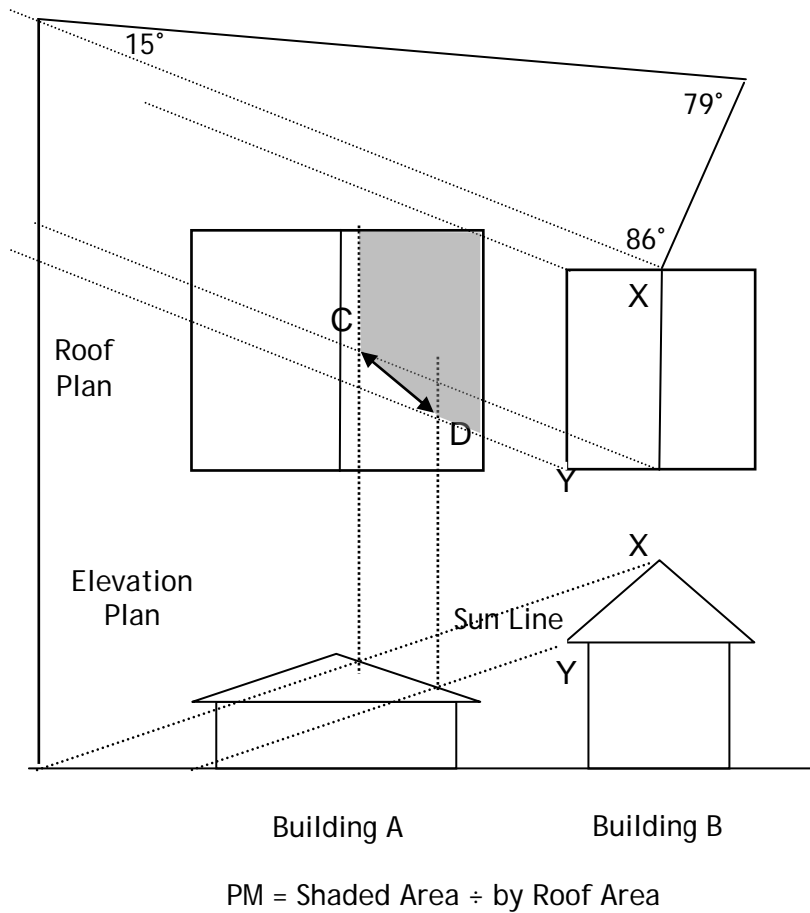
Step 11



11. Locate where the two sets of the lines intersect on the roof plan of Building A. Shade in the corresponding amount of shadow on the roof plan. The diagonal line was drawn between points C and D to reflect the shadow of the roof form between the top of the ridge and the lower edge of the roof.

Calculate the area shaded as a percentage of the total roof area of Building A for the PM analysis.

Completed PM Solar Analysis



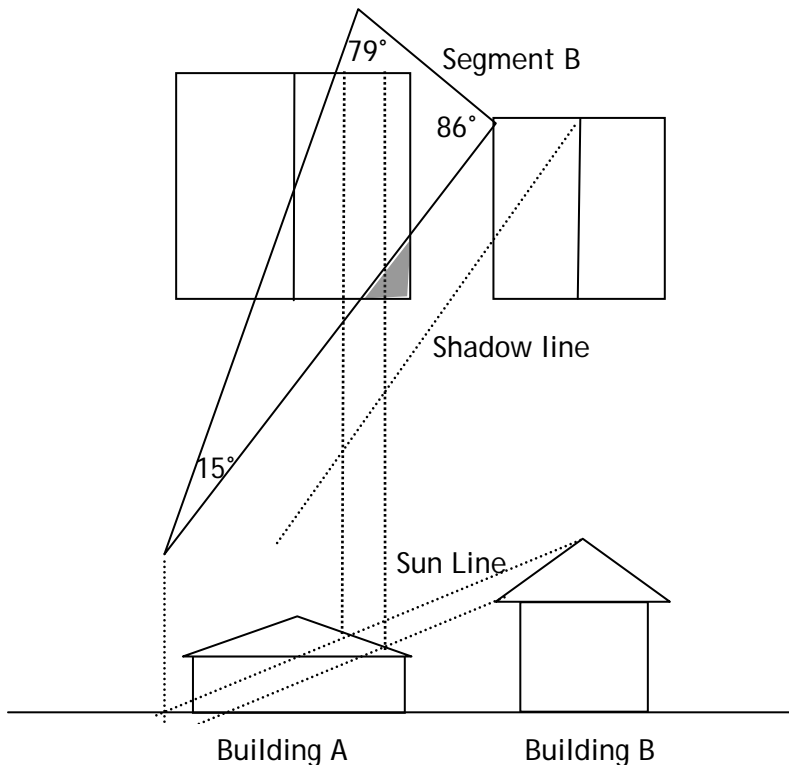
11. This is what a completed PM Solar Analysis looks like. It should include all the angles and line used to arrive at the shadow area.
12. Repeat steps 3-11 and refer to Example 1 below.

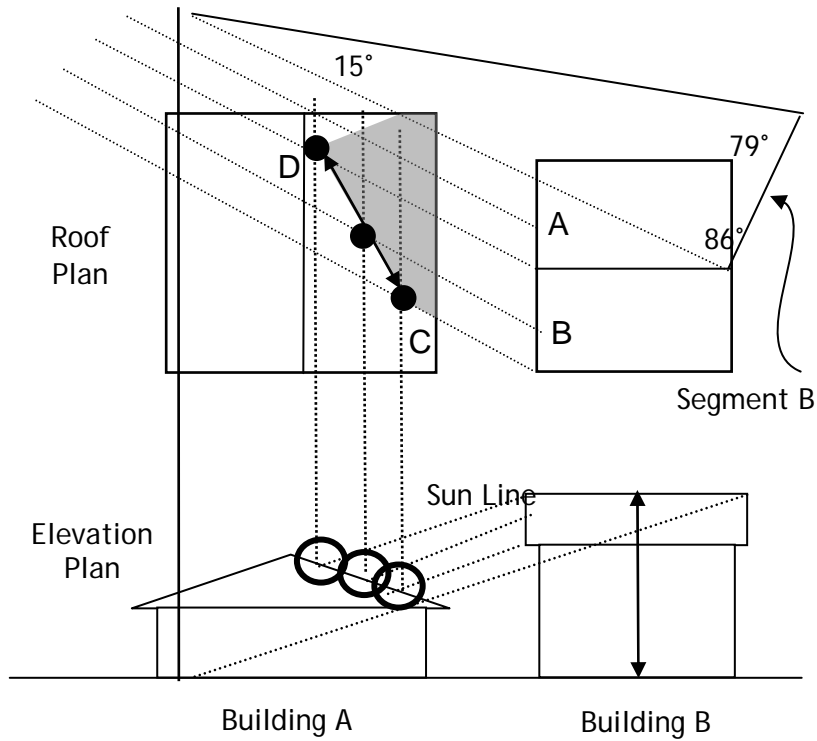
Submit the analysis for both the AM and PM to the Planning Division with your Planning Application.

Example 1
AM Solar Analysis

Perform steps 3-11 for the AM analysis. Use the AM line for step 3 and the PM line in step 4 to determine the shadows for the AM Analysis.

Example AM Solar Analysis



Example PM Solar Analysis

**Example 2
PM Solar Analysis with
Different Roof Form**

In this example the gable roof form of Building B is perpendicular to Building A. Note how a shadow line was drawn from the midpoint of each gable, points A and B. This helps determine how the angled roof affects the shadow lines. A diagonal line was drawn from point C to point D to reflect the changing roof height from the lower edge to the top ridge.

Summary of California State Law Related to Solar Access

Voluntary solar easements

Civil Code 801.5

Ensures that neighbors may voluntarily sign easements to guarantee the right to receive sunlight for active or passive solar energy systems.

Subdivision Map Act—Solar Easements

Gov. Code 66475.3

Allows local governments to pass ordinances to require solar easements in subdivision projects.

Solar Rights Act

Civil Code 714

Prohibits any covenant, restriction or condition contained in any deed or other contractual restriction to limit the installation or use of a solar energy system on any property.

Local Government Review of Solar Applications

Gov. Code 65850.5 and Health and Safety Code 17959.1

Law limits local governments to non-discretionary review of applications to install solar energy systems. Additionally, the law limits review to whether the solar system meets health and safety requirements, and expressly prohibits review for aesthetic purposes.

SB 1399--Protection from Vegetative Shading

Public Resources Code Sections 25981, 25982, 25984, and 25985

Code sections provide limited protections against shading from vegetation on adjacent properties. Specifically, the law prohibits adjacent property owners to allow new trees or shrubs to grow so as to cast a shadow that covers more than 10 percent of the solar system's absorption area between 10 a.m. and 2 p.m. SB 1399 of 2008 amended the previous code to exempt trees and shrubs planted prior to the installation of a solar system. Also exempted are trees and shrubs that are subject to a local ordinance, or the replacement of trees or shrubs that had been growing prior to the installation of the solar device.

SB-43--Solar Gardens

Section 2831 of the California the Public Utilities Code

Establishes the Green Tariff Shared Renewables Program, which requires that IOU utilities (including Pacific Gas and Electric) implement programs enabling ratepayers to participate directly in off-site electrical generation facilities that use eligible renewable energy resources, consistent with certain legislative findings and statements of intent.

Solar Access Requirements Study Issue Information on Other Jurisdiction's Solar Access Ordinances and Links to each of the Related Ordinances

Cities of Boulder & Fort Collins, Colorado and Ashland, Oregon

- These jurisdictions apply a Solar Fence concept to define allowable shading. From the Ashland, OR ordinance, the solar fence concept can be described as:
 - The goal is to assure that no structure casts a shadow across the northern property line greater than that, which would be cast by a 6 foot tall fence located at the northerly property line.
 - The time of year used to determine the shadow length is during the winter solstice, at 12 noon on December 21.
 - The angle of the sun above the horizon at that time is about 24° (*appropriate for Ashland Oregon*).

City of Clackamas, Oregon

A point is identified on a lot where a point two feet above may not be shaded by structures based on the sun's altitude and azimuth. The calculation is based from the point of the shading structure that casts the longest shadow at that altitude and azimuth.

State of Wisconsin

Wisconsin state law allows municipalities to grant solar access permits to property owners who have existing (or proposed) solar collectors. The law requires neighboring property owners to be notified of the pending permit before it can be granted. Impacted neighbors are able to request a hearing to adequately review the merits of the permit.

- If granted, the permit protects the solar collectors from shading between 9 a.m. and 3 p.m. year-round.

Cities of Sebastopol and San Luis Obispo, California

- Both of these cities have codified a state law that allows local jurisdictions to require the creation of solar easements when approving subdivision projects.
 - San Luis Obispo's ordinance differs from Sebastopol's to specify that the solar easement only protects solar access between 10 a.m. and 2 p.m. on the winter solstice.
 - Sunnyvale has similar language on this topic in Sunnyvale Municipal Code Section Chapter 19.56.030 (Attachment 65).

West Hollywood, California

West Hollywood prohibits construction of any structure that interferes with an existing (functioning) solar collector system unless the applicant pays for the relocation of their neighbor's solar collector system.

Note: Several of the programs listed above (Ashland, Clackamas, Wisconsin) could significantly increase required building setbacks. These systems may be more

appropriate where minimum lot sizes are 10,000 to 20,000 square feet, or more.

Links to the full Text of the Above-Mentioned Ordinances

1. City of Boulder, CO Solar Access Ordinance:
https://www2.municode.com/library/co/boulder/codes/municipal_code?nodeId=TI9LAUSCO_CH9DEST_9-9-17SOAC
2. City of Fort Collins, CO Solar Access, Orientation, Shading Ordinance:
https://www2.municode.com/library/co/fort_collins/codes/land_use?nodeId=ART3GEDEST_DIV3.2SIPLDEST_3.2.3SOACORSH
3. City of Ashland, OR Solar Access Ordinance:
http://my.solarroadmap.com/userfiles/Resource-Section_Solar-Access-Ashland-Municipal-Code.pdf
4. City of Clackamas, OR Solar Access Permit Ordinance:
<http://www.clackamas.us/planning/documents/zdo/ZDO1019.pdf>
5. State of Wisconsin State Solar Policy Website: <http://www.seia.org/state-solar-policy/wisconsin>
6. City of Sebastopol, CA Zoning Ordinance – Section 16.36.060 Dedication of Solar Easements:
http://ci.sebastopol.ca.us/sites/default/files/rmansour/zoning_ordinance_related_and_use_ordinances_adopied_january_2016.pdf
7. City of San Luis Obispo, CA Easements for Solar Access Ordinance:
<http://www.codepublishing.com/CA/SanLuisObispo/#!/SanLuisObispo16/SanLuisObispo1618.html#16.18.170>
8. City of West Hollywood, CA Solar Access and Solar Equipment Ordinance:
http://qcode.us/codes/westhollywood/view.php?topic=19-19_3-19_20-19_20_170&frames=off

those who did not sign the petition he can support the motion.

Vice Chair Harrison said that although she completely agrees with all of the points made by Mr. Dor, the applicants followed the process and she will support the motion.

Commissioner Weiss said she is impressed by the neighbors gathering together to discuss the combining district, which will preserve the sense of a very special neighborhood in terms of architecture and heritage.

Chair Melton commended the applicants who are implementing a policy tool that exists in in the Municipal Code, and that a finding that should be made is that the application is deemed to be in the public interest. He said this is a broad finding and he looks at whether the benefits outweigh the negatives, of which there are not many on this application. He said several things could change the equation on another application, including if there was substantially more opposition to an overlay within the contemplated district, if there was no broad commonality of architecture or if there was overreach in terms of geography, none of which he sees on this application, so he is supporting the motion.

The motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Klein
Commissioner Olevson
Commissioner Rheume
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Simons

- 3** [16-0376](#) Forward a recommendation to the City Council to 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.

Principal Planner Amber Blizinski presented the staff report.

Commissioner Klein discussed with Senior Assistant City Attorney Rebecca Moon solar access rights in California and legislation enacted by local governments to preserve access to sunlight. They also discussed whether economic loss resulting from a new project would make it appealable or would have to go through the court,

and whether recently considered solar Variance requests would have passed if solar access was calculated based on a full 365 day solar cycle. Commissioner Klein discussed with Principal Planner Blizinski the cost of conducting a solar analysis.

Commissioner Rheume confirmed with Principal Planner Blizinski that shading would be evaluated based on the percentage of neighboring rooftop shading, rather than site shading.

Commissioner Olevson clarified with staff whether the 365-day solar cycle analysis would include daylight savings time, and discussed why staff had no positive or negative examples of the other solar access options listed in Attachment 5.

Commissioner Weiss discussed with Principal Planner Blizinski the appropriateness of having different standards for low and low-medium density developments in comparison to high density developments.

Vice Chair Harrison confirmed with staff the process of putting language about solar shading requirements into the City's specific plans that are tailored to each area.

Chair Melton discussed with Principal Planner Blizinski the original intent of the Ordinance on solar access requirements, and discussed with staff how the staff recommendation aims to reduce solar Variance requests for properties to the south of a one-story building. Chair Melton also discussed with Planning Officer Miner what the findings would have looked like for a project such as the one proposed at the former SummerWinds site if the 1985 Ordinance was in place as intended, and discussed the result of recommending to City Council directing staff to conduct research on measuring solar access rights based on shading of the whole parcel.

Commissioner Klein clarified with Senior Assistant City Attorney Moon the purpose of solar easements, and discussed the feasibility of property owners being compensated to give up their solar rights.

Commissioner Olevson commented on the precedent of a property owner selling their rights.

Chair Melton opened the Public Hearing.

Zachary Kaufman, Sunnyvale resident, noted that the draft Ordinance refers to a "solar collector on an adjacent property," which he notes is singular and should be

plural.

Chair Melton closed the Public Hearing.

MOTION: Vice Chair Harrison moved and Commissioner Klein seconded the motion to recommend to City Council Alternative 1 to introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code that allows solar access to be calculated based on a full 365 day solar cycle.

Vice Chair Harrison said she has struggled with the Ordinance saying one thing while the general interpretation said another, and that the staff recommendation brings the two into line. She said the dominant thing is the basic regulation rather than the implementation measure, and that with the knowledge that we will be looking at solar access requirements within each specific plan, she can forward the motion and recommendation to City Council.

Commissioner Klein said he is supporting the motion with reservations, and that what has been crafted would will reduce a majority of the Variances requested and speed up the processes of staff and the Planning Commission. He said we are raising the Variance level and that the feedback that can be given to developers if they go through the first and second barriers and are still requesting more than ten percent shading is that the project will not be approved. He said we should be encouraging solar access, and that he was disappointed that the staff report did not capture the multiple items requested in the study issue.

Commissioner Olevson said that as much as he appreciates the report adding clarity and correcting what looked like a three-decades old mistake, he is abstaining from voting on this item because he did not receive all attachments of the report in time to fully vet and appreciate the City Attorney's memo and the information on other jurisdictions. He added that this is a good Ordinance to recommend to the City Council.

Chair Melton said he is supporting the motion and thanked staff for the research and City Attorney's memo supporting the overall document. He said this is the right recommendation for City Council, and that we are helping to reduce solar Variance requests for properties to the south of a one-story building. He said the Ordinance syncs up the reality of what we are trying to accomplish with its revised language.

The motion carried by the following vote:

Yes: 5 - Chair Melton
Vice Chair Harrison
Commissioner Klein
Commissioner Rheume
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Simons

Abstained: 1 - Commissioner Olevson

4 [16-0702](#) Selection of Chair

Planning Officer Miner described the process of selecting a new chair and said the vote would be taken by hand.

Commissioner Klein nominated Vice Chair Harrison for Chair of the Planning Commission for 2016-2017.

Commissioner Harrison accepted.

The nomination resulted in a unanimous vote for Commissioner Harrison as Chair.

Chair Melton said it has been an honor and pleasure to serve as Chair of the Planning Commission and to work with City staff.

5 [16-0703](#) Selection of Vice Chair

Vice Chair Harrison nominated Commissioner Rheume for Vice Chair of the Planning Commission for 2016-2017.

Commissioner Rheume Harrison accepted.

The nomination resulted in a unanimous vote for Commissioner Rheume as Vice Chair.

6 [16-0704](#) Selection of Seats

Chair Melton noted that the order of the selection of seats would be determined by seniority.

Selection of seats resulted in the following arrangement (from left to right, facing the dais from the podium):

commented that PG&E must provide a transparent process for true-up billing. While supporting the installation of a photovoltaic system at a Sunnyvale school, he observed that PG&E charged true-up charges within two months of installing the system, which wiped out one-third of the benefits of this initiative.

CONSENT CALENDAR

- 2** [16-0684](#) Approve the Sustainability Commission Meeting Minutes of June 20, 2016

Chair Paton pulled the draft June 20, 2016 minutes from the consent calendar and requested that they be amended to accurately reflect Commissioner's Glaser's years of service on the Commission and to correct a typo on page 4.

Vice Chair Srivastava moved and Commissioner Hafeman seconded a motion to approve the June 20, 2016 meeting minutes as amended. The motion carried by the following vote:

Yes: 3 - Chair Paton
 Vice Chair Srivastava
 Commissioner Hafeman

No: 0

Absent: 3 - Commissioner Glazebrook
 Commissioner Kisyova
 Commissioner Zornetzer

Abstain: 1 - Commissioner Wickham

Commissioner Wickham abstained as she was not present at the June meeting.

PUBLIC HEARINGS/GENERAL BUSINESS

- 3** [16-0740](#) Forward a recommendation to the City Council to 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.

Amber Blizinski, Principal Planner, provided a summary of findings from Solar Access Requirements Study Issue (CDD 16-13), which was sponsored by the Planning Commission. Based on the findings, staff recommends amending Chapter 19.56 "Alternate Energy Systems" of the Sunnyvale Municipal Code to define solar access criteria based on solar cycle analysis instead of an analysis based only on the shortest day of the year (i.e., December 21).

The Commission asked clarification questions about the study. Commissioner Hafeman commended Sunnyvale's efforts in this area, noting that the City is leading the nation with regard to solar access.

The Commission provided the following comments on the report: (1) Evaluating shading at 3 p.m. seems too early in the day, as there should be abundant light at that hour on most days; (2) In certain seasons, the direction of the sun may be Northeast-Northwest or Southeast-Southwest., which may make a difference in the shading; (3) The shading analysis should include two time points (8 a.m. and 6 p.m.) to reflect 2 hours after sunrise and before sundown, respectively, on longest day in the year (i.e., June 21) in addition to the currently used shortest day analysis.

Commissioner Hafeman moved and Commissioner Srivastava seconded a motion to recommend that Council accept the staff recommendation (Option A) of the report, with the following modifications: (1) step 1 should include an evaluation of the percent of shading on adjacent roofs at 8 a.m. and 6 p.m. on June 21, in addition to the currently required December 21 evaluation at 9 a.m. and 3 p.m.; (2) the required solar cycle calculation in step 2 should be adjusted linearly throughout the solar cycle to better simulate the impact of shading. The motion carried by the following vote:

Yes: 4 - Chair Paton
Vice Chair Srivastava
Commissioner Hafeman
Commissioner Wickham

No: 0

Absent: 3 - Commissioner Glazebrook
Commissioner Kisyova
Commissioner Zornetzer

4 [16-0716](#) Sustainability Speaker Series Coordination

The Commission discussed working with Sunnyvale Cool to tap into their experience in coordinating speaker events. Potential topics of interest for the Speaker Series discussed by the Commission included: renewable energy and greenhouse gas reduction; transportation; land use and housing; estimating carbon footprints; smart growth; greywater systems; zero net energy; and adaptation to climate change.



City of Sunnyvale

Agenda Item

16-0760

Agenda Date: 8/9/2016

Tentative Council Meeting Agenda Calendar



City of Sunnyvale

Tentative Council Meeting Agenda Calendar

Tuesday, August 23, 2016 - City Council

Study Session

- 16-0082** 5 P.M. SPECIAL COUNCIL MEETING (Study Session)
Board and Commission Interviews
- 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

- 16-0657** Introduce an Ordinance Adding Chapter 18.50 to Title 18 (Subdivisions) of
the Sunnyvale Municipal Code to Designate the Director of Public Works to
Summarily Vacate Any Public Service Easement by Administrative
Resolution of Vacation; Adopt a Resolution to Establish a Fee for Filing the
Request for Summary Vacation; and Find CEQA Exemption per Guideline
15061(b)(3).
- 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
- 16-0663** Adopt a Resolution to Certify the Programmatic Environmental Impact
Report, Make the Findings Required by CEQA, Adopt a Statement of
Overriding Considerations and Mitigation Monitoring Program, and Adopt
the Water Pollution Control Plant Master Plan for the Sunnyvale Clean
Water Program
- 16-0754** Informational Report to Council 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

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

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

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

16-0646 City-wide Residential Food Scraps Collection Program

16-0750 Consider Alternative Method of Service Delivery for Crossing Guard Services, Award a Contract for Crossing Guard Services (F16-102), and Approve Budget Modification No. __ in the Amount of __

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

- 16-0559** 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

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- 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

- 16-0690** Receive and File the FY 2015/16 Budgetary Year-End Financial Report, Comprehensive Annual Financial Report (CAFR) and Sunnyvale Financing

Authority Financial Report

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)

Date to be Determined - City Council

Public Hearings/General Business

14-0035 Pilot Bicycle Boulevard Project on East-West and North-South Routes (Study Issue, Deferred to January 2017)

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)

16-0664 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



City of Sunnyvale

Agenda Item

16-0619

Agenda Date: 8/9/2016

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	7/20/16
4.	7/26/16	Can the ADA compliant audible pedestrian signal volume be changed	DPW		8/4/16
5.	7/26/16	Over the last few years has there been an upward trend of the maximum contaminant level of chromium in the City's water	ESD		8/4/16

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

16-0765

Agenda Date: 8/9/2016

Study Session Summary of June 28, 2016 - Mobile Home Park Policies

Call to Order:

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

City Councilmembers Present:

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

City Councilmembers Absent:

None.

Public Comment:

Marsha Marciano
Michael McCarthy
Drew Elkhart
Ronald Banks
Mary-Lou Clark
Christopher Fallon
David Adams
Louis Shouse
2 residents of Cape Code Village (mobile home park)
Arleen Musci

Study Session Summary:

Suzanne Isé, Housing Officer, and Trudi Ryan, Director of Community Development, provided a brief slide presentation with background on mobile home parks and California law as well as various City policies related to mobile home parks. These policies include: zoning and land use designations for mobile home park exclusive uses; a policy to maintain at least 400 acres of land in the City within the mobile home park zoning district; the mobile home park conversion ordinance; and several housing and human services programs funded by the City that are available to residents of mobile home parks. Staff mentioned that there was a measure on the local ballot in 1993 regarding rent stabilization that did not pass. Staff also mentioned that residents of the Plaza del Rey mobile home park had recently contacted the City regarding concerns about the new owner of Plaza Del Rey and rent increases imposed by the park owner. Some residents had requested that the City impose a new rent control or rent stabilization ordinance on mobile home parks to prevent steep rent increases in the future. In response to these concerns, staff referred residents, park management and the park

owner to Project Sentinel, a local agency that provides dispute resolution and mediation services related to housing disputes. Staff noted that consideration of policy options related to mobile home space rent might include: monitoring regional developments on this topic; a new study issue; and, continuing to facilitate discussions between the residents and park management, with the assistance of Project Sentinel.

Mayor Hendricks opened up the discussion for Council questions. Questions and responses included:

- What would the City have to do to impose rent control on the mobile home parks?
 - The Council could adopt an ordinance or a ballot referendum could be referred to the voters, or both actions could be taken.
 - Many communities place such measures on the ballot because then the regulation can only be modified or repealed by future actions of the voters.
- What is the total acreage, citywide, in the mobile home park zoning district, and which parks are not covered by that zoning?
 - About 418 acres in total are zoned for mobile home park only and only Aloha RV Park and Blue Bonnet Mobile Home Park are not zoned Residential- Mobile Home.
- What is the zoning for Thunderbird and the adjacent mobile home park?
 - Both Thunderbird and Ranchero mobile home parks are zoned Residential-Mobile Home but do not have the General Plan land use designation of Mobile Home Park.

Mayor Hendricks opened up the session for public comment.

Public speakers, most of whom were residents of Plaza del Rey or other Sunnyvale mobile home parks, expressed concerns related to space rent increases, new ownership, park management issues, space rents for new buyers (\$1,600), gentrification, the steep rent increases due to expansions by major businesses, loss of home equity due to increased space rents for new buyers into Plaza del Rey, concerns of seniors on fixed incomes, and the desire to see a rent control measure or moratorium on rent increases.

Councilmembers asked staff several follow-up questions regarding property tax assessment of mobile home parks and the services of Project Sentinel. Staff agreed to follow up with Project Sentinel to attempt to facilitate discussions and/or dispute resolution services between the park management and residents, assuming both parties agreed to participate.

Adjournment:

Mayor Hendricks adjourned the meeting at 7:03 p.m.



City of Sunnyvale

Agenda Item

16-0705

Agenda Date: 8/9/2016

Board/Commission Meeting Minutes



City of Sunnyvale

Meeting Minutes - Final

Sustainability Commission

Monday, June 20, 2016

7:00 PM

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

CALL TO ORDER

Chair Paton called the meeting to order at 7:02 p.m. in the West Conference Room.

SALUTE TO THE FLAG

Chair Paton led the salute to the flag.

ROLL CALL

Present: 5 - Chair Bruce Paton
Vice Chair Amit Srivastava
Commissioner Gerald Glaser
Commissioner Dan Hafeman
Commissioner Steven Zornetzer
Absent: 2 - Commissioner Brian Glazebrook
Commissioner Petya Kisyova

Commissioner Hafeman arrived at 7:06 p.m.

Commissioners Glazebrook's and Kisyova's absences are excused.

Council Liaison - Jim Davis (present)

PRESENTATION

1 [16-0626](#) Recognition of Service

Councilmember Davis presented Commissioner Glaser with a Certificate of Appreciation for his four years of service on the Sustainability Commission and presented Commissioner Zornetzer with a Certificate of Appreciation for his service on the Commission to date. Additionally, Councilmember Davis recognized all the commissioners for their dedication, commitment, and service to the City of Sunnyvale.

2 [16-0627](#) Traffic Lights and Controls Information

Carmen Talavera, Senior Traffic Engineer, provided information to the Commission on the City's Traffic Lights program including the number of street lights that the City owns and controls, which lights are owned and controlled by CalTrans (El Camino and some close to freeway on-ramps), and which are controlled by the County (Lawrence and Central Expressways). Ms. Talavera also provided an update on the City's efforts to install a Traffic Management System and to the upcoming schedule to retune traffic lights in various areas around the City.

3 [16-0628](#) Zero Waste Strategic Plan Update

Mark Bowers, Solid Waste Division Manager, and Karen Gissibl, Environmental Programs Manager, provided an update on the City's implementation of the Zero Waste Strategic Plan including results of recent efforts to improve processing at the SMaRT Station, early results from the residential food waste pilot program, and work with restaurants and bars to increase collection of glass bottles.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR**4** [16-0636](#) Approve the Sustainability Commission Meeting Minutes of May 16, 2016

Approve the Sustainability Commission Minutes of May 16, 2016 as submitted.

Yes: 4 - Chair Paton
 Vice Chair Srivastava
 Commissioner Hafeman
 Commissioner Zornetzer

No: 0

Absent: 2 - Commissioner Glazebrook
 Commissioner Kisyo

Abstain: 1 - Commissioner Glaser

5 [16-0638](#) Approve the Sustainability Commission Meeting Minutes of May 23, 2016

Approve the Sustainability Commission Minutes of May 23, 2016 as submitted.

Yes: 3 - Chair Paton
Commissioner Hafeman
Commissioner Zornetzer

No: 0

Absent: 2 - Commissioner Glazebrook
Commissioner Kisyova

Abstain: 2 - Vice Chair Srivastava
Commissioner Glaser

PUBLIC HEARINGS/GENERAL BUSINESS

6 [16-0629](#) Overview of the Lawrence Station Area Plan and Draft EIR

Andrew Miner, Planning Official, provided a presentation on the Lawrence Station Area Plan and the Draft Environmental Impact Report which is currently out for public comment. Mr. Miner shared the goals for the LSAP: improve circulation; protect residential zoning; incentive zoning; and transformation of the area. Mr. Miner also noted that the Sustainability Commission will have an opportunity to formally comment on the LSAP later this year prior to City Council's approval of the LSAP.

Chair Paton opened the Public Hearing.

John Cordes, Sunnyvale resident, provided comments about increasing the building height limits in the area for housing and shared that he was excited to see the circulation improvements in the area work and see more shuttles to the train station.

Chair Paton closed the Public Hearing.

The Commission asked questions about how the City would ensure the housing/jobs balance is maintained with the flexible land uses proposed and about CalTrain capacity limits. Commissioner Glaser commented that it made sense to have more industrial land uses in the Lawrence Station area because the North Sunnyvale area will be at risk of sea level rise. Commissioner Hafeman commented that he was disappointed that certain Santa Clara parcels were allowed to develop with a circulation route that was contrary what was intended to facilitate entry into the train station.

No action was taken by the Commission.

7 [16-0631](#) Property Assessed Clean Energy Financing Evaluation and Update

Elaine Marshall provided a presentation on the staff's evaluation of Property Assessed Clean Energy (PACE) Financing Programs and draft staff recommendations that the City Council authorize the City to sign-on to the Association of Bay Area Governments (ABAG) Regional Services Collaborative Agreement with PACE providers and that the City Council authorize new PACE providers that have signed the ABAG agreement.

Chair Paton opened the Public Hearing.

None.

Chair Paton closed the Public Hearing.

Commissioner Srivastava commented that it was a good thing to have more options available to Sunnyvale property owners. Commissioner Glaser commented that PACE and CCA were two cornerstones of the CAP and that it is good to see that PACE is now moving forward as well.

Commissioner Srivastava moved and Commissioner Glaser seconded a motion that the Sustainability Commission fully supports the draft staff recommendation to the City Council and recommends that stronger marketing and promotions by the City (such as utility bill inserts) are included. The motion passed by the following vote:

Yes: 5 - Chair Paton
 Vice Chair Srivastava
 Commissioner Glaser
 Commissioner Hafeman
 Commissioner Zornetzer

No: 0

Absent: 2 - Commissioner Glazebrook
 Commissioner Kisyova

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Commissioner Srivastava attended a Friends of CalTrain meeting last week that included a presentation on the El Camino Grand Boulevard Initiative.

Chair Paton thanked Commissioner Glaser for his many years of service to the City of Sunnyvale including his service on the Horizon 2035 committee, Sustainability Committee, and Planning Committee. Chair Paton also noted that he would be attending an upcoming Silicon Valley Leadership Group energy meeting.

-Staff Comments

None.

ADJOURNMENT

The meeting was adjourned at 9:42 p.m.



City of Sunnyvale

Meeting Minutes - Draft Parks and Recreation Commission

Wednesday, July 13, 2016

7:00 PM

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

CALL TO ORDER

Chair Pasqua called the meeting to order at 7:00 p.m. in the Council Chambers.

SALUTE TO THE FLAG

Chair Pasqua led the salute to the flag.

ROLL CALL

Present: 4 - Commissioner Craig Pasqua
Vice Chair Ralph Kenton
Chair Henry Alexander III
Commissioner Robert Pochowski
Absent: 1 - Commissioner Omar Din

Commissioner Din's absence is excused.
Council Liaison Davis (present)

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

- 1 [16-0724](#) Approve the Parks and Recreation Commission Meeting
Minutes of June 8, 2016

Commissioner Alexander III moved, and Vice Chair Kenton seconded the motion to approve the Parks and Recreation Commission Minutes of June 8, 2016 as submitted. Commissioner Pochowski abstained. The motion carried by the following vote:

Yes: 3 - Commissioner Pasqua
Vice Chair Kenton
Chair Alexander III

No: 0

Absent: 1 - Commissioner Din

Abstain: 1 - Commissioner Pochowski

PUBLIC HEARINGS/GENERAL BUSINESS

2 [16-0725](#) Update on California Theatre Center Agreement

Superintendent Wax noted that at their June 14 meeting, Council approved the agreement between the City of Sunnyvale and California Theatre Center (CTC) for the period September 26, 2016 through May 31, 2017. The agreement allows a special rate of \$74,130 to CTC for use of City Facilities. Superintendent Wax provided the Commission with an overview of the Report to Council regarding the CTC Agreement. CTC has been a long time renter of City facilities and offers a wide array of community theater programs including their School and Family Series. Approximately 33,000 students have participated in these programs.

Commissioners expressed their concerns that the agreement was presented to Council without feedback from the Commission and inquired why the agreement is for a one year term. Superintendent Wax indicated that the agreement was not presented to the Commission due to time constraints and in the future the Commission will be provided an opportunity to review agreements within their purview. CTC specifically requested a one year agreement to allow them the flexibility to evaluate their programs and services on an annual basis.

3 [16-0726](#) Review of Report to Council "Sister City Relationship"

Sr. Management Analyst Yvette Blackford provided the Commission with a brief overview of the Report to Council regarding the development of a Sister City Relationship. She noted that at their June 21 meeting, Council approved establishing a Sister City Relationship/Agreement with the City of Iizuka, Japan; funding of up to \$10,000 towards increased engagement; and authorized membership in Sister Cities International. She also noted that Council directed staff to inform the Parks and Recreation and Arts Commission of the new relationship and request their support of future initiatives regarding the relationship.

Commissioners provided suggestions on how to pursue the relationship during this initial year:

- develop a scholarship program which would help subsidize travel costs for exchange students
- live stream/recorded video of groundbreaking ceremony of Braly Park project

Staff answered Commissioner's questions. Each year for the past three years, two to five dignitaries have traveled to Sunnyvale from Iizuka and approximately 7-10 middle school aged children have participated in the exchange program. Staff will follow up regarding the Iizuka government structure in an attempt to identify the Parks and Recreation Commission constituent.

4 [16-0727](#) Election of Officers

Nominations were opened for Chair to the Parks and Recreation Commission. Commissioner Alexander III nominated Vice Chair Kenton who declined the nomination. Commissioner Pochowski nominated Commissioner Alexander III who accepted the nomination. Commissioner Alexander III nominated Chair Pasqua who declined the nomination. Commissioner Alexander III nominated Commissioner Pochowski who declined the nomination. No further nominations were presented.

Vote on nomination for Chair:

Yes: 4 - Commissioner Pasqua
 Vice Chair Kenton
 Chair Alexander III
 Commissioner Pochowski

No: 0

Absent: 1 - Commissioner Din

Commissioner Alexander III noted that during his term as Chair he would like to focus on community outreach and exposure for the Commission.

Nominations were opened for Vice Chair to the Parks and Recreation Commission. Commissioner Pochowski nominated Vice Chair Kenton who accepted the nomination. Chair Pasqua nominated Commissioner Pochowski who declined the nomination. No further nominations were presented.

Vote on nomination for Vice Chair:

Yes: 4 - Commissioner Pasqua
 Vice Chair Kenton
 Chair Alexander III
 Commissioner Pochowski

No: 0

Absent: 1 - Commissioner Din

Vice Chair Kenton noted he enjoys working with fellow Commissioners and looks forward to the coming year.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Vice Chair Kenton congratulated City staff for their work with the State of the City event. The event was successful, fun and an overall great event.

Gratitude for this past year's work on the Commission was shared amongst Commissioners.

-Staff Comments

Superintendent Wax noted the following:

- The State of the City event was held on Saturday, July 9 at the Civic Center and was a great success with a larger turnout compared to prior years.
- July is Parks and Recreation Month. This year's theme, "When Our Powers Combine, We Change Lives", features The Park and Rec Brigade. The Brigade will make appearances throughout the month at numerous events. Handout provided.

ADJOURNMENT

Chair Pasqua adjourned the meeting at 7:52 p.m.