

## RESPONSE(S) TO COUNCIL QUESTION(S)

RE: 8/23/2016 AGENDA

### Agenda Item #: 1G

**Title:** Amendment to a FY 2015/16 Agreement for Traffic Signal Maintenance Services and Approve Budget Modification No. 38 (F17-003)

**Question(s):** Why is it we're not able to recover even a "significant amount" of the cost to replace our signal lights from those who caused the accidents?

**Staff Response(s):** Recovery of costs from damage caused by accidents is a challenge. Generally, the City has two options, both of which can require significant staff time and cost, which are: filing a legal action or filing a claim with an insurance company. However, if the accident was caused by a Driver Under the Influence (DUI), the City can often recover the full cost for which reimbursement is most often spread over many years by the Court to match the resources available to make the payment. In the case of non-DUI accidents, the City has two options, to make a claim against the driver's insurance, or to pursue the driver legally. In many cases, the liability coverage retained by drivers is limited and does not result in a "significant amount" of the cost being recovered. In evaluating the likelihood of being paid at all versus at least recovering some of the cost, the City will often opt to get as much money from insurance as possible, but it is rarely enough to cover the full cost of repairing traffic signals. In addition, staff has to consider the cost (of City staff time) to pursue the recoverable cost for the loss of the signal against the administrative capacity and cost to do that administrative work. Staff is looking at improving our efforts to recover these costs, and works closely with other departments and the court system to recover as much as possible in a timely manner.

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### Agenda Item #: 2

**Title:** Informational Report to Council Regarding Twin Pines Fire

**Question(s):** Staff's initial call for help used GoFundMe, but then subsequent calls focused on SCS direct donations, in light of the overhead charged by GoFundMe and the fact that its donations are not tax-deductible. Has any effort been made to streamline the SCS donation process so that it can be the initial recipient of cash donations in the future?

**Staff Response(s):** During the first few days of the fire recovery period, staff was still ramping up and coordinating with SCS on the crisis. The initiation of the GoFundMe provided a bridge to begin accepting donations immediately via credit or debit card on-line, with the ultimate intent to pass those donations on to SCS. The GoFundMe account also allowed for social media integration, strengthening the City's ability to reach potential donors. Understanding that there would be a cost associated with the GoFundMe account, staff was also suggesting that donations could be made directly to SCS if they so desired. SCS has a donation portal on their website that does allow donations to be designated. As part of the learning process from the Twin Pines Fire,

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staff is looking closely at improving its coordination with local aid groups in terms of advertising and managing donations.

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### Agenda Item #: 5

**Title:** Adopt a Resolution to Certify the Programmatic EIR, Make the Findings Required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring Program, and Adopt the WPCP Master Plan for the Sunnyvale Clean Water Program

**Question(s):** Who was Donald M. Somers?

**Staff Response(s):** He was the Public Works Director when the Plant was built.

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### Agenda Item #: 6

**Title:** Amend the Salary Resolution for Various Benefits and Language Clarifications for Consistency Among Various Employee Groups

**Question(s):** Would [staff] work on CCEs be an example of something that would qualify as "out of class pay for special assignment work"?

**Staff Response(s):** The "out of class" for special assignment work was recently negotiated into the SMA MOU. Therefore, it is recommended to be placed in the Salary Resolution for unrepresented managers. The definition for "out of class" pay for special assignment is a temporary pay adjustment for an employee given a specific temporary assignment clearly beyond the scope of the regular job description as determined by the Director of Human Resources or designee. This special assignment pay is temporary and shall be a minimum of 2 consecutive weeks and up to a maximum of 1 year, with the ability for up to a one year extension. To determine qualifications for participation the department director makes the request and a review of the job description and discussion would take place to determine if the assignment meets the intent and definition of the MOU or Salary Resolution. Based on the concept of advancing special projects and work assignments that support innovation, portions of this assignment/work effort could qualify for special assignment pay while other parts would be deemed part of the regular job description.

Non-management employees have special assignment pay for a higher classification, therefore the additional compensation is made available only if there is a budgeted vacancy or temporarily unfilled position. The City is currently in labor negotiations so some of the "out of class" benefits may change based upon the outcome of negotiations. The special assignment work is currently not available for classifications outside of management.

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