

RESPONSE TO COUNCIL QUESTIONS RE: 2/28/17 AGENDA

Agenda Item #1.B. 16-1125

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

Council Question: On the payment for \$192,801.60 to Alaniz Construction Inc, please describe the nature of the payment and the work performed by the vendor. Further, please describe the internal financial control processes in place to ensure the payment was duly authorized and properly accounted for.

Staff Response: On June 28, 2016, City Council awarded a construction contract in the amount of \$230,354 to Alaniz Construction for resurfacing of downtown parking lots along Evelyn and Sunnyvale Avenues and McKinley and Carrol Avenues. This payment was made to Alaniz for construction work performed under this contract. Construction Progress Payments like these are paid based upon the bid amounts received during the bid opening. Each month the contractor and the City review all the progress that has been completed and the contractor generates a pay letter application according to the construction contract's payment schedule. The City's construction inspector and construction manager for this project receive and review the payment request and ensure that it aligns with the work performed and the contract. After any discrepancies are resolved it is reviewed again and ultimately approved by the Department of Public Works in accordance with established approval levels and sent to Finance for payment. Budgetary control is set by Council.

Agenda Item #1.E. 17-0052

Title: Award a Contract for the Installation of an Emergency Vehicle Traffic Signal Preemption System (F17-073) and Approve Budget Modification No. 33

Council Question: Is the draft contract shown in Attachment 1 to be governed under the laws of California, Illinois or some other state? Which court would have jurisdiction in case of a dispute between Owner and Contractor?

Staff Response: The contract will be governed by the laws of California, and the jurisdiction for disputes is Santa Clara County. This provision was inadvertently omitted from the draft contract and will be added prior to contract execution.

Council Question: How many signalized interchanges do we have in Sunnyvale?

Staff Response: 132 Signalized intersections

Council Question: All signalized interchanges will have the spread spectrum technology upgrade?

Staff Response: Yes

Council Question: Which 17 interchanges is Apple saying they will pay for?

Staff Response: 1) Wolfe Road at Inverness, Marion, Fremont, Maria, Iris, Old San Francisco, Evelyn, Kifer, Central Expressway, and Arques; 2) Homestead at Kennewick, and Mary; 3) Mary at Helena, The Dalles, Cascade, Fremont, and Ticonderoga.

Council Question: During the roll-out period for traffic signalization, all Emergency Vehicles will have both systems the old Emtrac system with the new System?

Staff Response: Yes.

Council Question: The 110 Hours of overtime is spread between how many vehicles that will be upgraded?

Staff Response: 39 vehicles

Agenda Item #4 16-0992

Approve Loan and Regulatory Agreements with MP Edwina Benner Associates, LP for a Loan of \$7.43 Million in Housing Mitigation Funds and a Loan of \$600,000 in HOME Funds for Edwina Benner Plaza Affordable Housing Development at 460 Persian Drive and Approve Budget Modification No. 31

Council Question: I wanted to get a better idea on the restrictions of the Below Market Rate In Lieu Reserve that is proposed on being used. I am assuming this reserve is collected from Below Market Rate (BMR) In Lieu fee from the 12.5% BMR Rate. Does it need to go towards For-Sale Housing only?

Staff Response: Yes, BMR in Lieu fees are collected in the Below Market Rate Housing Trust Fund. Sunnyvale Municipal Code Section 19.67.110 titled Below Market Rate Housing Trust Fund stipulates that monies in the fund shall be used for developing or preserving affordable housing in the city.