

## RESPONSE TO COUNCIL QUESTIONS RE: 1/15/19 CITY COUNCIL AGENDA

### **Agenda Item #: 1.D**

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

Council Question: Please provide more information on the following payments:

- \$864,988.34 to Northern Underground Construction Inc. for Construction Services

Staff Response: This payment is a construction progress payment for the 2017 Waterline Replacement project. Council awarded a contract to Norther Underground for waterline replacement in the amount of \$3,660,610 on May 8, 2018 (RTC 18-0280).

- \$103,160.70 to Fire & Risk Alliance LLC for Miscellaneous Services

Staff Response: This payment is for personnel services to perform fire protection system plan reviews and inspection services for new construction. Council most recently awarded a contract amendment to Fire & Risk Alliance, LLC in the amount of \$600,000, increasing the agreement to a new not-to-exceed amount of \$1,475,000 on December 11, 2018 (RTC 18-0838).

- \$130,593.00 to State Water Resources Control Board for Taxes & Licenses – Misc

Staff Response: This payment is for the annual National Pollutant Discharge Elimination System (NPDES) permit for the Sunnyvale Water Pollution Control Plant. This payment is budgeted and made from the Regulatory Programs Operating Program.

### **Agenda Item #: 1.F**

#### **Title: Approve 2019 Board and Commission Work Plans**

Council Question: The work plans show a special joint meeting of the Arts and Parks & Rec Commissions on January 9 to review the Master Plan for Public Art but Legistar shows the Commissions meeting separately this month.

Staff Response: At the time the Arts Commission and the Parks and Recreation Commission (PRC) reviewed their Annual Work Plans for 2019, staff proposed a Joint Arts and PRC meeting to be held January 9, 2019 to review the Master Plan for Public Art. However, that joint meeting has been postponed and will be placed on the calendars at a future date yet to be determined. Revised Work Plans for both commissions is attached and will be placed on the dais Tuesday night for Council approval as submitted. The revised Work Plans will be posted to the City website via Legistar as Supplemental Materials.

### **Agenda Item #: 3**

#### **Title: Approve the Proposed 2019 Priority Advocacy Issues and Long-term Legislative Advocacy Positions (LAPs)**

Council Question: Please describe the City's Intergovernmental Relations Program as mentioned on page 1 of the Staff Report. What resources does the City have budgeted towards the Program and what are the workload and service level indicators and/or goals of the Program?

Staff Response: The Intergovernmental Relations Program promotes the interests of the City within local, regional, state and federal government agencies. The programs primary activities include tracking pending legislation and issues; advocating or opposing legislation that significantly impact the City; and managing Council's Intergovernmental Assignments. The City does not have a specific budget for this program, it is mainly comprised of staff time, and separately any expenses incurred by City Council when traveling to advocate on behalf of the City at conferences (such as the Congressional City Conference organized by the National League of Cities Conference).

Workload indicators relating to the Intergovernmental Relations Program are listed in the City budget under the Office of the City Manager Performance Indicators. Workload indicator reads "Number of legislative advocacy items reviewed," the indicator is meant to measure the volume of advocacy reviewed and/or addressed.

Council Question: It is unclear to me what happens when a policy topic becomes a Priority Advocacy Issue, a Long-Term Legislative Advocacy Position and/or a Short-Term Legislative Advocacy Position. Please elaborate. For example, what would happen differently at City Hall in 2019 if Council decided to not approve any one (or more) of the Priority Advocacy Issues or Legislative Advocacy Positions?

Staff Response: Legislative Advocacy Positions (LAP) are short-term in nature, typically speak to pending legislation and current issues, and support the General Plan and guide Council and staff on intergovernmental matters. The adopted LAP is utilized by Councilmembers and staff throughout the year to determine City positions on legislation and intergovernmental issues, and minimized the need for staff to request direction from Council on legislation and issues as they arise. If the Council were to not adopt a specific LAP, and that specific issue is not formally addressed through a Council Policy, previously adopted LAP, General Plan or Municipal Code, then Council would need to provide direction on that specific issue when it arises. If an LAP is adopted, the Mayor could advocate on the City's behalf without prior consultation with the Council.

Council Question: I would like for Sunnyvale to advocate in Sacramento for a change to the Labor Code such that tipped wait staff are exempt from Minimum Wage requirements. Would this be a PAI or a LAP and can Staff draft some language as appropriate?

Staff Response: Legislative Advocacy Position, Short-Term Advocacy position, and Priority Advocacy Issue are interchangeable. To consolidate documents, underscore important issues, and focus the City's limited advocacy resources, in 1982, LAP and Council Priority Issues were combined in a single policy, which is now City Council Policy 7.4.14. In the example listed above, the City's Priority Advocacy Issue would be the same as the Legislative Advocacy Position, and short-term advocacy issue. Staff will work on cleaning up language moving forward to reflect Legislative Advocacy Position as the official category.

If you wish to have City Council add a Legislative Advocacy Position (LAP), then you could make a motion that the City Council add an LAP to Support advocacy to repeal or modify Labor Code section 351, which prohibits employers from paying tipped employees less than the standard minimum wage. It should be noted that a provision is not spelled out in Sunnyvale's current ordinance. Any changes to Labor Code section 351 may require an amendment to the Sunnyvale's minimum wage ordinance to match the state's position.

## **2019 Master Work Plan Arts Commission Annual Calendar**

<b>MEETING DATE</b>	<b>AGENDA ITEM/ISSUE</b>
January 16	<ul style="list-style-type: none"><li>• Rank Study Issues by January 31</li></ul>
February 20	<ul style="list-style-type: none"><li>•</li></ul>
March 20	<ul style="list-style-type: none"><li>• Hands on the Arts Festival</li></ul>
April 17	<ul style="list-style-type: none"><li>•</li></ul>
May 22 Special Meeting	<ul style="list-style-type: none"><li>• Review Recommended Budget (Joint Meeting with Parks and Recreation Commission)</li></ul>
June 19	<ul style="list-style-type: none"><li>• Recognition of Service</li></ul>
July 17	<ul style="list-style-type: none"><li>• Selection of Chair and Vice Chair</li></ul>
August 21	<ul style="list-style-type: none"><li>•</li></ul>
September 18	<ul style="list-style-type: none"><li>• Creation of Webpage Highlighting City Artwork</li></ul>
October 16	<ul style="list-style-type: none"><li>• Final month to Propose Study Issues (Due to City Manager by December 3)</li><li>•</li></ul>
November 20	<ul style="list-style-type: none"><li>• Approve 2020 Master Work Plan</li></ul>
December 18	<ul style="list-style-type: none"><li>• Final month to Approve 2020 Master Work Plan</li><li>• Final month for Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials</li></ul>

**Additional items yet to be scheduled:**

- Review Master Plan for Public Art
- for the Arts Study Issues may be proposed at any meeting throughout the year
- Study Issues presentation dates will be added following approval by Council

## 2019 Master Work Plan

### Parks and Recreation Commission Annual Calendar

MEETING DATE	AGENDA ITEM/ISSUE
January 9	<ul style="list-style-type: none"><li>• Rank Study Issues by January 31</li></ul>
February 13	<ul style="list-style-type: none"><li>• Park Dedication Fund</li><li>• Volunteer Program Overview</li></ul>
March 13	<ul style="list-style-type: none"><li>• Washington Community Swim Center Update</li><li>• Animal Assisted Happiness Update</li></ul>
April 10	<ul style="list-style-type: none"><li>• Study Issues Overview</li><li>• Murphy Park Pre-School Playground</li><li>• Community Services Annual Events Calendar</li></ul>
May 22 Special Meeting	<ul style="list-style-type: none"><li>• Age-Friendly Update</li><li>• Review Recommended Budget (Joint Meeting with Arts Commission)</li></ul>
June 12	<ul style="list-style-type: none"><li>• Recognition of Service</li><li>• Fee Waiver Update</li></ul>
July 10	<ul style="list-style-type: none"><li>• Selection of Chair and Vice Chair</li><li>• Parks &amp; Recreation Month Report</li></ul>
August 14	<ul style="list-style-type: none"><li>• Urban Forest Management Plan</li></ul>
September 11	<ul style="list-style-type: none"><li>• Capital Improvement Projects Update</li><li>• Fair Oaks Park Project Update</li><li>• </li></ul>
October 9	<ul style="list-style-type: none"><li>• State of the City Review</li><li>• <b>Final month to Propose Study Issues (Due to City Manager by December 3)</b></li></ul>
November 13	<ul style="list-style-type: none"><li>• Approve 2020 Master Work Plan</li></ul>
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