

**FIRST AMENDMENT TO
CONSULTANT SERVICES AGREEMENT
BETWEEN
THE CITY OF SUNNYVALE AND PLACEWORKS, INC.
FOR COMMUNITY ENGAGEMENT SERVICES**

This FIRST AMENDMENT TO AGREEMENT is entered this ____ day of _____, 2018, by the CITY OF SUNNYVALE, a municipal corporation ("CITY"), and PLACEWORKS, INC. a California corporation ("CONSULTANT").

RECITALS

WHEREAS, on November 8, 2018, CITY and CONSULTANT entered into an agreement entitled "CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF SUNNYVALE AND PLACEWORKS, INC. FOR COMMUNITY ENGAGEMENT SERVICES" ("AGREEMENT") for development of a community outreach and engagement plan (the "Plan"); and

WHEREAS, CONSULTANT worked with CITY staff to prepare the Plan, which was presented to and approved by the City Council on December 11, 2018; and

WHEREAS, to implement the Plan, CITY and CONSULTANT desire to amend the AGREEMENT to amend the scope of work and to increase the total compensation allowed by \$312,522 for a total amount of \$332,863.

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

1. Section 4, "Compensation" is amended to read as follows:

"CITY agrees to pay CONSULTANT as set forth in Revised Exhibit B. Total compensation shall not exceed THREE HUNDRED THIRTY-TWO THOUSAND EIGHT HUNDRED SIXTY-THREE DOLLARS (\$332,863), including 10% contingency. CONSULTANT shall submit invoices to CITY to be paid in accordance with the procedures set forth in Revised Exhibit "B" attached and incorporated by reference.

CONSULTANT shall submit invoices to CITY no more frequently than monthly for services provided to date. All invoices, including detailed backup, shall be sent to City of Sunnyvale, attention Accounts Payable, P.O. Box 3707, Sunnyvale, CA 94088-3707. Payment shall be made within thirty (30) days upon receipt of an accurate, itemized invoice by CITY's Accounts Payable Unit."

2. Exhibit A-1, "Scope of Work- Community Engagement Plan Implementation" is added to read as shown in Exhibit A-1, attached and incorporated into this First Amendment.

3. Exhibit B-1, "Fee Schedule-Community Engagement Plan Implementation" is added to read as shown in Exhibit B-1, attached and incorporated into this First Amendment.

4. All of the terms and conditions of the original AGREEMENT not specifically modified by this First Amendment shall remain in full force and effect.

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

"CITY"

CITY OF SUNNYVALE, a municipal corporation

By _____
KENT STEFFENS
City Manager

"CONSULTANT"

PLACEWORKS, INC., a California corporation

By _____
RANDAL JACKSON
President

ATTEST:

By _____
KATHLEEN FRANCO SIMMONS
City Clerk

By _____
KEITH McCANN
Chief Financial Officer

APPROVED AS TO FORM:

By _____
JOHN A. NAGEL
City Attorney

EXHIBIT A-1
SCOPE OF WORK -
COMMUNITY ENGAGEMENT PLAN IMPLEMENTATION

PHASE 1: GETTING THE WORD OUT AND PUBLIC INPUT ON CHARTER MEASURE DECISION

1.1 COMMUNITY OUTREACH

The CITY and CONSULTANT will provide educational materials and meeting information to neighborhood associations, public schools, and other relevant cultural and community organizations regarding the district election project to:

- i. Build interest in the project;
- ii. Educate people about the need to change to district-based elections; and
- iii. Encourage participation in Phase 2 district mapping events and process.

Digital outreach efforts will include colored flyers containing text and infographics, background summaries of the project, and meeting dates and locations. CONSULTANT will translate meeting materials into English, Spanish, Chinese, and Hindi. Meeting materials include workshop and CAC presentations, workshop and CAC handouts, meeting agendas, posters and flyers, and the citywide newsletter.

Digital outreach and advertising opportunities include:

1. **Project Website.** CONSULTANT will create a project website that will include:
 - i. Background information and meeting materials
 - ii. Calendar of outreach events and public hearings
 - iii. Frequently Asked Questions
 - iv. Links to video recordings of public workshops, Citizens Advisory Committee meetings, and Council hearings
 - v. Contact information for CITY staff
 - vi. Instructions on how to submit public comment including a comment box
 - vii. Sign-up for email list

A link to the project website will be highly visible on the homepage of the CITY's website. The project website will be published at least one month in advance of the first public workshop.

2. **Social Media.** CITY will utilize its Facebook, NextDoor, and Twitter accounts for the project. CITY staff and CONSULTANT will make regular posts on these accounts to update the public about the project including posting meeting dates and sharing background information about the project. Visibility will be "boosted" through paid advertising on these sites.

Meeting information will be posted as soon as the meeting date is set with reminders posted one week in advance of the meeting and on the day of the meeting.

3. **Emails.** CITY and CONSULTANT will distribute information electronically to neighborhood associations and community organizations for inclusion in their newsletters, as well as to individuals who added themselves to the project email list at public events or through the online engagement portal described below.
4. **Posters and Flyers.** CONSULTANT will prepare posters and flyers for the CITY to print and distribute to key businesses, libraries, community centers, and community groups throughout the CITY, with a particular focus on businesses or destinations frequented by underserved communities, including specialty markets and delis, cafes, grocery stores, recreation centers, and other destinations that serve a broad cross-section of the community. The CITY may also provide digital and printed formats of the flyers to cultural and community organizations that serve the targeted communities of interest. The posters and flyers will educate residents about district elections, the process of drawing district maps, and identify ways to get involved in the project.
5. **Voluntary Demographic Survey.** CONSULTANT will prepare a voluntary demographic survey that will be administered at all outreach events as well as online. The survey results will be used to assess the effectiveness of the outreach program in reaching all Sunnyvale demographics.
6. **Neighborhood Association Emails and Newsletters.** CONSULTANT will distribute advertisements regarding upcoming meeting dates and engagement opportunities in digital format to neighborhood associations to include in their newsletters and email groups.
7. **Presentations.** CONSULTANT will prepare a PowerPoint presentation containing pertinent background information about the project and dates of upcoming outreach events. CONSULTANT will use this presentation at the community workshops and at pop-up events to be held at Neighborhood Associations, PTAs, and churches and temples.
8. **Earned Media.** CONSULTANT will prepare up to three press releases that could lead to publication of unpaid news stories in the *Sunnyvale Sun*, a weekly publication covering local news, sports, business, and community events in Sunnyvale, and *The Mercury News*, a Bay Area newspaper.
9. **Paid Print Advertising.** CITY will place paid advertisements in publications targeting specific demographic groups historically

underrepresented, such as ethnic and racial minorities. These may include, but are not limited to, *Calitoday*, a Vietnamese-language newspaper; *World Journal*, a Chinese newspaper covering global issues with a San Francisco-based office; and *India West*, a popular Indian newspaper.

10. **Citywide Newsletter.** CONSULTANT will write an article for the CITY to place in the March 2019 Citywide newsletter (Horizons), which will be mailed to every home in Sunnyvale. The article will be published in English, Spanish, Chinese, and Hindi. The purpose of the article will be to inform residents about the project, provide a link to the project website, and publish initial outreach dates for the CAC and community workshops.
11. **Project Mailing List.** CITY and CONSULTANT will send out periodic project updates, including information about upcoming public meetings, to subscribers of the project mailing list.

1.2 EDUCATIONAL COMMUNITY WORKSHOPS

Once the outreach work is complete, Phase 1 will include two identical public education workshops. CONSULTANT will facilitate all workshops and will present information on district-based elections, including the financial and legal considerations prompting the CITY's recommendation for a Charter amendment and how the district system will impact representation of communities in Sunnyvale. These meetings are meant to educate residents, provide a platform for comments, build interest in the issue, and encourage people to think about areas for input on this process.

CITY and CONSULTANT will advertise the workshops a minimum of two weeks in advance of the workshops through the project website, CITY and project email lists, social media posts, and paid and earned media notices.

1.3 CITIZENS ADVISORY COMMITTEE #1

CONSULTANT will facilitate a kick-off meeting with the CAC at the outset of the project. At this meeting, the CAC will work to develop a list of community contacts that should receive notice of each workshop and public meeting so that the outreach efforts target a diverse audience. The list will contain both postal and email addresses of stakeholders, plus, in the case of agencies, businesses, and organizations, the names and role of key contact people. As the project unfolds, the list will expand over time as CITY and CONSULTANT receive feedback during Phase 1 and Phase 2 outreach events and hearings. The first CAC meeting is also an opportunity to identify talking points for workshops and meeting materials. Following the meeting, CONSULTANT will prepare a meeting summary.

1.4 COMMUNITY INPUT WORKSHOPS

Three identical public workshops will occur throughout the city: one each in the northern, central, and southern areas of the city. CONSULTANT will facilitate all workshops. Through facilitated small group discussions, community members will be invited to share ideas about:

- i. Preferred timeline for submitting a charter measure proposing a change to district-based Council elections to the voters, with options of March 2020 (first district elections to occur in November 2020), or November 2020 (first district elections to occur in November 2022);
- ii. Preferences related to number of districts, with options of seven districts, six districts with one at-large mayor, or some other composition;
- iii. Pros and cons of directly electing the mayor;
- iv. Criteria and standards important to the community for establishing district boundaries, which may include exercises involving coloring on physical maps the areas that define their community; and
- v. Other related information or election considerations of interest or importance to CITY voters, including preferences related to future redistricting.

Community members will leave the public workshop with an understanding of how their input will be used by the Council in determining ballot measure timing and content, and final district map development.

CITY and CONSULTANT will advertise the workshops a minimum of two weeks in advance of the workshops through the project website, CITY and project email lists, social media posts, and paid and earned media notices.

1.5 POP-UP EVENTS

CONSULTANT will conduct a total of 10 “pop-up” events at various community activities. There will be at least three pop-up events that will target participants who speak Spanish, Chinese, and Hindi.

There will be two types of pop-up events: Type 1 and Type 2 as described below.

Type 1 pop-ups will occur at larger organized events, such as faith-based events or the Sunnyvale Farmers’ Market, as well as smaller informal events, such as youth sports events where community members can quickly provide input on the key questions. While visiting the pop-up station, community members will be able to learn background information about the project, and/or describe their definition of community. They will also obtain a link to the online engagement website described below if they prefer to

participate online. Pop-ups are meant to educate residents in a more informal setting and encourage participation at the future workshops. Type 1 pop-up events may occur at:

- i. Sunnyvale Saturday Farmer's Market
- ii. Sunnyvale Public Library
- iii. Magic of Sunnyvale & Wine Stroll (mid-May)
- iv. Spring Craft Fair
- v. Hands on the Arts Festival
- vi. Fit & Fun Fair and other family events offered at Columbia Neighborhood Center
- vii. Faith-based community events
 - a. International Dinner at Sunnyvale International Church, the last Friday of every month
 - b. Preeti Bhoj at Sunnyvale Hindu Temple and Community Center, a community feast every Saturday, Sunday, and First Friday of the month
- viii. PTAs Meetings
- ix. Youth sports events
- x. Afternoons and weekends at popular parks such as Washington Park, Lakewood Park, Las Palmas Park, Sunnyvale Community Center Park, and Ponderosa Park

Type 2 pop-up events will be a full replication of the Community Input Workshops where community members will hear the same presentation and work through the same small group exercise. Type 2 pop-up events may occur at:

- i. Neighborhood Association meetings
- ii. Mid-Peninsula Housing Project Recreation Centers
- iii. Mobile Home Parks
- iv. Churches and temples

1.6 ON-LINE ENGAGEMENT

In addition to live, person-to-person interactions at public workshops, pop-up events, and CITY Council meetings, CONSULTANT will augment the project website to allow the public to engage in the Council district-based election planning process via the internet. The project website will be augmented to include online engagement tools which will include:

- i. **Online Comment and Discussion Forums.** Community members will be asked to define the qualities and physical characteristics of their community. Community members will also be able to leave general comments that can be viewed by all members of the public.

- ii. **Survey.** Community members will be asked questions to help inform the future ballot measure. Potential questions could include seeking input on the number of Council districts to be formed and the process for electing the Mayor.
- iii. **Community of Interest Mapping.** CONSULTANT will use its proprietary online engagement platform to create a web app that allows users to draw what they consider to be their own community of interest.
- iv. **Online District Mapping.** The CITY's demographer will create a web-based platform to allow users to build and comment on potential district maps, which CONSULTANT will include as a part of the project website. CONSULTANT is available to help to create this tool (at an additional cost) if necessary.

1.7 FINAL OUTREACH SYNTHESIS REPORT

CONSULTANT will prepare a report that summarizes all input received during the outreach events, meetings, and online engagement in Phase 1. The report will include a brief background of the project, outreach goals, outreach results and comments on the four key input areas identified above, and maps and graphics to illustrate participation rates and responses across the city.

1.8 CITIZENS ADVISORY COMMITTEE #2

CONSULTANT will present the findings of the outreach synthesis report. The CAC will review and comment on the report before it is presented to the CITY Council. Following the meeting, CONSULTANT will prepare a meeting summary.

1.9 CITY COUNCIL MEETING

CONSULTANT will present the findings of the Outreach Report at a CITY Council meeting. CONSULTANT will present the community's input on the preferred timing for submitting a charter measure, preferences related to the number of districts, criteria and standards for creating district boundaries, and other relevant information.

PHASE 2: DISTRICT MAP ADOPTION

2.1 MAPPING INTRODUCTION AND TRAINING SESSION

CITY's demographer will conduct an introduction to the district mapping process and a training for online and paper-based tools that residents may use to participate in the district drawing process. Tips for providing effective public comment may also be discussed. A representative from CONSULTANT will attend this meeting for project continuity.

2.2 INTRODUCTORY PUBLIC HEARINGS

CITY will hold two public hearings within 30 days to introduce the district mapping process, review the community priorities for mapping developed in Phase 1, and receive further input from the community regarding composition of districts. A representative from CONSULTANT will attend these meetings for project continuity.

2.3 COMMUNITY MAP DRAWING MEETINGS

CONSULTANT will conduct at least three meetings in different geographical areas of the CITY for the community to provide input on maps and district boundaries. CITY's demographer will prepare and publish in advance of the first meeting one to three sample maps based on previous community input developed during Phase 1 on "communities of interest" and the community priorities for mapping, and will describe the methodology used for boundary development. Attendees will be allowed to testify about the sample maps, create their own maps, or to submit anonymous written comment cards. All maps will be placed on the project website.

CITY and CONSULTANT will advertise the workshops a minimum of two weeks in advance of the workshops through the project website, CITY and project email lists, social media posts, and paid and earned media notices.

2.4 CITIZENS ADVISORY COMMITTEE #3

CONSULTANT will facilitate a Citizen's Advisory Committee public meeting at which the demographer will present a summary of public input from the map drawing meetings. The CAC will provide comment to the demographer for use in developing the draft map(s) to be presented to the City Council. Following the meeting, CONSULTANT will prepare a meeting summary.

2.5 CITY COUNCIL HEARINGS AND DISTRICT MAP ADOPTION

The City Council will hold a minimum of three public hearings for the purpose of discussing and adopting district maps. Following the map drawing meetings, CITY's demographer shall prepare at least one draft map responsive to community input from the community map drawing meetings, which the CITY will publish a minimum of seven days before the first City Council hearing along with the potential sequence of the elections if Council members will be elected in their districts at different times to provide for staggered terms of office.

CONSULTANT will facilitate two Council hearings to present draft district map(s) within a 45-day period. At the first meeting, the demographer will present an overview of the mapping meetings, a summary of community input received at those meetings, and the draft map(s). At the first and second meetings, the Council and the public may provide comment regarding the content of the draft map or maps and the proposed sequence of elections. The Council may also provide instructions for changes to district boundaries.

CITY's demographer will update the district map to incorporate City Council direction, and if a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted. At the third Council meeting, CONSULTANT will introduce the map for Council to consider for adoption. It is possible that the Council will need more than three hearings to adopt the final district map. This scope of work will be adjusted as necessary.

SCHEDULE

The proposed schedule for completion of the Outreach Plan is shown in Table 1. As shown in the schedule, CONSULTANT anticipates that the final district map can be completed by Winter 2019.

TABLE 1: PROJECT SCHEDULE

Task	Timing
Phase 1: Getting the Word Out & Public Input	January – May 2019
Council determination of election date, ballot content, and community priorities for district drawing	June 2019
Phase 2: District Map Drawing	July – December 2019
Charter Amendment Vote ¹⁰	March 2020 or November 2020
First By-District Council Election ¹¹	November 2020 or November 2022

¹⁰ To be determined by Council in June 2019, at the conclusion of Phase 1.

¹¹ Dependent on Council action.

EXHIBIT B-1

FEE SCHEDULE - COMMUNITY ENGAGEMENT PLAN IMPLEMENTATION

	PLACEWORKS													SUBCONSULTANTS						
	David Early	Carey Stone	Rob Mazur	Jessica Setiawan	Erin Voss	Nando Sandoval	Cliff Lau	Pranjali Deokule	Graphics	WP / Clerical				Translation	Cameron Washington					
	Principal-in-Charge \$290	Project Manager \$165	GIS \$165	Associate \$135	Planner \$95	Planner \$100	Web Designer \$125	Planner \$105	\$100	\$125	PlaceWorks Hours	PlaceWorks 2% Office Expenses	PlaceWorks Total	Translation	Videography	10% Subconsultant Markup	Subconsultant Total	Total Task Budget		
PHASE 1: Getting the Word Out and Public Input on Charter Measure Decision																				
1.1 Community Outreach	20	60			16	24	55	24	40		239	\$660	\$33,675	0	0	\$0	\$0	\$33,675		
1.2 Educational Community Workshops (2)	20	34			56	16			12		138	\$391	\$19,921	1,640	2,400	\$404	\$4,444	\$24,365		
1.3 Citizens Advisory Committee #1	11	24			10				6	2	53	\$179	\$9,129	0	800	\$80	\$880	\$10,009		
1.4 Community Input Workshops (3)	30	46		8	70	16	4		12		186	\$546	\$27,866	2,460	3,600	\$606	\$6,666	\$34,532		
1.5 Pop-up Events	13	118			80	80		80	20		391	\$985	\$50,225	0	0	\$0	\$0	\$50,225		
1.6 On-line Engagement	5	12	26	24	16		24				107	\$310	\$15,790	0	0	\$0	\$0	\$15,790		
1.7 Final Outreach Synthesis Report	22	42		16	60		2		6	8	156	\$460	\$23,480	0	0	\$0	\$0	\$23,480		
1.8 Citizens Advisory Committee #2	11	24			10				6	2	53	\$179	\$9,129	0	800	\$80	\$880	\$10,009		
1.9 City Council Meeting (1)	8	16							2		26	\$103	\$5,263	0	0	\$0	\$0	\$5,263		
Phase 1 Subtotal	140	376	26	48	318	136	85	104	104	12	1349	\$3,813	\$194,478	\$4,100	\$7,600	\$1,170	\$12,870	\$207,348		
PHASE 2: District Map Adoption																				
2.1 Mapping Introduction and Training Session	5	2									7	\$36	\$1,816	0	0	\$0	\$0	\$1,816		
2.2 Introductory Public Hearings (2)	10	2			0						12	\$65	\$3,295	0	0	\$0	\$0	\$3,295		
2.3 Community Map Drawing Meetings (3)	30	46		8	70	16	4	4	8		186	\$547	\$27,887	2,460	3,600	\$606	\$6,666	\$34,553		
2.4 Citizens Advisory Committee #3	11	24			10				6	2	53	\$179	\$9,129	0	800	\$80	\$880	\$10,009		
2.5 City Council Hearings and District Map Adoption (3)	24	48	0	0	0	0	0	0	6	0	78	\$310	\$15,790	0	0	\$0	\$0	\$15,790		
Phase 2 Subtotal	80	122	0	8	80	16	4	4	20	2	336	\$1,137	\$57,917	\$2,460	\$4,400	\$686	\$7,546	\$65,463		
Labor Hours Total	220	498	26	56	398	152	89	108	124	14	1685									
Labor Dollars Total	\$63,800	\$82,170	\$676	\$9,240	\$37,810	\$15,200	\$11,125	\$11,340	\$12,400	\$1,750		\$4,950	\$252,395	\$6,560	\$12,000		\$20,416	\$272,811		
PlaceWorks Percent of Total Labor	13%	30%	2%	3%	24%	9%	5%	6%	7%	1%										
EXPENSES																				
EXPENSES TOTAL																	\$11,300			
GRAND TOTAL																			\$284,111	