



Council Meeting: May 13, 2008

SUBJECT: Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes (Originally Titled *Policy for Allocation of Street Space*) - Study Issue. Revised Policy Recommendation

REPORT IN BRIEF

This Study Issue originated from the Bicycle and Pedestrian Advisory Commission (BPAC) and was supported by Council to consider policy on the allocation of available street (public right-of-way) space for various street uses (Attachment A). The BPAC desires to consider optimization of street space among the range of potential street users, and how to consider prioritization of some uses over others when available street space is limited and all uses and needs cannot be met.

The City Council considered an earlier set of policy recommendations at its February 12, 2008 meeting. At that time, staff and the BPAC did not agree on a recommendation. Council expressed concerns that the earlier policy proposal could unjustly pre-decide street space allocation issues. The Council directed staff and the BPAC to continue work on the street space allocation policy with the goal of developing a mutually agreeable recommendation.

Staff and the BPAC now concur and recommend approval of the attached policy and action statements (Attachment B) related to allocation of street space, and preparation of a General Plan Amendment to include these policies and action statements in the Land Use and Transportation Element of the General Plan.

BACKGROUND

The Policy on Allocation of Street Space study issue was initiated by the City's Bicycle and Pedestrian Advisory Commission (BPAC) and approved by Council in 2006. The BPAC would like policy to be developed regarding the allocation of street space to safely accommodate all potential users of the roadway. The study looked at general street space allocation issues among modes of transportation. The goal is to provide direction as to how to consider all modes of transportation when allocating roadway space, and what factors to evaluate when decisions must be made between uses of the public right-of-way.

In the year 2000, the City prepared a Bicycle Capital Improvement Program that provided a comprehensive strategy for retrofitting City streets with bike lanes. A number of bicycle lane project recommendations identified in the

Bicycle Capital Improvement Program could require the removal of on-street parking or other roadway reconfigurations because of right-of-way constraints. The Policy for Allocation of Street Space study issue came about primarily to facilitate the continued planning, design, and construction of a comprehensive bikeway network City wide. The BPAC would like Council to consider the adoption of this policy that would structure decision-making on street configurations when projects might require re-configuring existing street space allocation.

The BPAC outlined initial goals and objectives at its May 17, 2007 meeting. At an August 23, 2007 special meeting of the BPAC, the BPAC considered policy alternatives developed by staff. The BPAC indicated the nature of their desired policy from alternatives presented which was to create policy on how streets are used, rather than creating a process of prioritizing uses or changes. Utilizing this information, staff developed draft policy language which was considered by the BPAC at its September 17, 2007 meeting. The BPAC subsequently sponsored a public outreach meeting on the policy issue at its November 15, 2007 meeting to encourage general public input. Twenty-five to forty citizens attended the meeting and a number of individuals spoke to the issue. Public comments from the meeting are summarized in Attachment C. Staff has also received a number of emails and other written correspondence on this topic. These are included as Attachment D.

A City Council hearing was held on February 12, 2008. Minutes of that meeting are included as Attachment E. The Council directed staff and the BPAC to continue consideration of street space allocation policy with the goal of developing a mutually agreeable policy. The BPAC discussed the issue at its February 21, 2008 meeting, and staff and the BPAC agreed on a general framework for a revised policy. A revised set of policies was presented and refined at the March 20, 2008 BPAC. At its April 17, 2008 meeting, the BPAC voted unanimously to support the staff recommendation.

EXISTING POLICY

Land Use and Transportation Element C3, Attain a transportation system that is effective, safe, pleasant and convenient.

Land Use and Transportation Element C3.5 Support a variety of transportation modes.

Land Use and Transportation Element C3.5.4 Maximize the provision of bicycle and pedestrian facilities.

Land Use and Transportation Element C3.5.1 Promote alternate modes of travel to the automobile.

Land Use and Transportation Element C3.4.6 Manage on-street parking to assure safe, efficient traffic flow.

DISCUSSION

Staff and the BPAC have considered a broad range of potential approaches to a street space allocation policy. Themes including “case by case” approaches, adoption of technical thresholds, outcome-based policy, process-based policy, and safety-based policy have been considered. As the discussion has evolved, and utilizing the City Council’s input and direction, staff and the BPAC have developed a set of policies and action statements that are grounded in the goal of safe accommodation for all transport modes. The proposed policy stresses the inclusion in any decision making process of information on the technical impacts of street configurations that minimally accommodate all transport users. Non-transport uses, particularly on-street parking, are identified as a lower priority for accommodation than minimum safe accommodation of transport uses. The policy does not absolutely prioritize or preclude any given use of street space, but instead generally states priorities to be considered.

The desired effect of the policy is to assure that the City Council has information on the effects and impacts of street space allocation options that accommodate all transport modes whenever they make decisions on street space allocation. The Council may be presented with other options, and there may be situations where there are compelling reasons not to accommodate certain uses of the street (including certain transport uses). However, the Council would always be able to understand the technical ramifications of providing safe accommodation for all users versus other options, and could subsequently make informed decisions.

The policy intends to deal more with the policy of how streets are used, rather than dictating priority uses. Chief considerations are provision for all users and safety as a primary measure of accommodation of users. Use of engineering standards and analysis of conditions should occur, but rather than prescribing what those standards are, the objective would be to assure that standards and analysis are applied according to a policy goal of safe accommodation of all users. Thorough analysis of conditions and alternatives is important to the BPAC. It is important to the BPAC that safe accommodation of all modes of travel (moving vehicles, bicycles and pedestrians) should take priority over non-travel related uses (parking, landscaping) of street space. This is not to be interpreted that non-travel uses should not be provided, but rather in a decision-making process, they should be considered alongside options that provide minimum safety standards for mobile travelers of all modes. The proposed policy includes a statement that on-street parking should be a lower priority consideration when making decisions, but this is meant as a guide for decision making, not a rule.

The policy for allocation of street space proposes to be implemented as a General Plan policy, with select action statements. Staff believes the proposed policy is consistent with broader existing policy to support and encourage a variety of transportation modes, but focuses more at a specific level of how facilities are to be used. Staff concurs that comprehensive technical analysis is vital to informing decision making on reconfiguring streets. Additionally, staff believes it is a logical objective to achieve minimum safe design standards for all modes on roadway facilities, rather than an ideal.

The policy proposal for the allocation of street space is presented in Attachment B of this report.

Public Outreach and Input

A key issue for the BPAC is that it believes that the opinion of individuals who might be more directly affected by roadway reconfiguration – mainly property owners or tenants that could have on-street parking removed from in front of a house or business, are currently given undue weight in the consideration of removal of parking or other roadway reconfigurations. Conversely, in the case of providing new bike or pedestrian facilities where none exist, the position of the bicyclists or the segment of the community that might bicycle if bicycle lanes were constructed is muted or potentially discounted in the discussion of specific projects, because those individuals are diluted throughout the community and not readily identified or notified. The example is that it is easy for the City to identify, notify and engage tenants and property owners on a potentially affected roadway segment; it is difficult to engage the broader community that might support improving alternative transportation opportunities. The BPAC believes this places undue burden on decision makers by misrepresenting the range and balance of community opinion.

This issue is not exclusive to bike lane projects, or even capital projects. The central issue of the recently adopted Community Engagement Sub-Element is informing and involving the broader community across the broad spectrum of City activities. Adopted policies of the Sub-Element stress the need to make efforts to inform a broad cross section of the public prior to decision making, and involving the public in decision making, particularly those residents, organizations, etc., that are affected by City actions. In the case of bike lane projects, staff has utilized many of the City's tools for reaching the broader public, such as the City web site, mailings to community groups, etc. However, based on the BPAC's input and the results of past outreach efforts, staff believes there is room for improving outreach to the bicycling community and the public in general. Increasing efforts to reach the bicycling community through methods such as developing and using a contact list of bicyclists, actively promoting and updating bicycle and pedestrian information on the City

web site, posting signs regarding upcoming projects along the project route, etc., may be a potential means to “level the playing field” of public opinion and input. These activities should take place early in the development of potential projects.

The BPAC does not believe that this issue is solely about removing on-street parking for bike lanes, but it certainly is the area with the most potential for controversy. The BPAC’s desire is that safely moving all transport modes should be more important than improving convenience for any one mode, i.e. providing extra motor vehicle capacity at the expense of bike space, or providing on-street parking at the expense of bike space. The BPAC believes that decisions about the ultimate configuration of roadways should include information on the impact on travel demand, parking supply and demand, and opportunities for aesthetic enhancement if minimum safe transport standards are met. This would not mean that on-street parking would be sacrificed by policy. In fact, some bike lane projects have resulted and could result in the addition of on-street parking (for example, the recent Evelyn Avenue bike lanes project). The demand or need for on-street parking would be factored with the demand or desirability of other roadway features such as turn lanes, additional travel lanes, landscaping, or widened sidewalks, and decisions made accordingly.

However, because Sunnyvale must retrofit existing streets to complete its bike network, it is likely that situations will arise where roadway space is limited, parking demand is high, and minimum safe transport standards cannot be met without eliminating parking or widening the roadway. The staff and BPAC policy proposal advocates for informed decision making when considering these kinds of trade offs.

The BPAC voted unanimously to support the staff recommendation.

FISCAL IMPACT

There is no fiscal impact associated with approval of the policy for allocation of street space. This policy would be utilized by the City as guidance for considering potential modifications to street configurations as opportunities develop and are funded.

PUBLIC CONTACT

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

The Bicycle and Pedestrian Advisory Commission has held public hearings on components of the Study at its May 17, 2007, August 16, 2007, August 23, 2007, September 20, October 18, 2007, November 15, 2007, January 31, 2008, February 21, 2008, March 20, 2008, and April 17, 2008 meetings.

ALTERNATIVES

1. Approve the policy on allocation of street space as described in Attachment B, and direct staff to prepare a General Plan Amendment to incorporate the proposed street allocation policies into the Land Use and Transportation Element of the General Plan.
2. Do not adopt the policy on allocation of street space.
3. Direct staff to develop action strategies for improving engagement of the bicycling community when developing bicycle improvement projects, consistent with Community Engagement Sub-Element policy.
4. Other action as directed by Council.

RECOMMENDATION

Staff and the BPAC recommend Alternatives 1 and 3: Adopt the policy on allocation of street space as described in Attachment B, and direct staff to develop action strategies for improving engagement of the bicycling community when developing bicycle improvement projects, consistent with Community Engagement Sub-Element policy.

Staff and the Bicycle and Pedestrian Advisory Commission believe that the proposed policy regarding the allocation of street space will emphasize the safe accommodation of all potential users of the roadway in decision making on street space use. The policy provides direction as to how to consider balancing roadway space among all modes of transportation, to identify factors to evaluate when decisions must be made between uses of the public right-of-way, and to assure minimum safe accommodation of all travel modes as consideration.

Reviewed by:

Marvin Rose, Director, Public Works

Prepared by: Jack Witthaus, Transportation and Traffic Manager

Approved by:

Amy Chan
City Manager

Attachments

- A. 2008 Study Issue Paper – Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes
- B. Proposed Policy for the Allocation of Street Space
- C. Summary of Public Outreach Meeting Comments
- D. Copies of correspondence received from the public
- E. February 12, 2008 Council Meeting Minutes

Proposed New Council Study Issue

ATTACHMENT A

Number DPW 10
Status Above the line
Calendar Year 2007
New or Previous Previous
Title Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes (Titled revised 2/21/07 from "Policy for Allocation of Street Space")
Lead Department Public Works
Element or SubElement Land Use and Transportation Element

1. What are the key elements of the issue? What precipitated it?

The BPAC would like a policy to be developed regarding the allocation of street space to accommodate bicyclists. This would look at general street space allocation issues, such as lane reductions, lane narrowing, and on-street parking. A number of bicycle lane projects in the Bicycle Capital Improvement Program would require the removal of on-street parking or other roadway reconfigurations because of right-of-way constraints. In order to assure that these projects are successfully carried out, the BPAC would like Council to consider the adoption of a policy that would standardize the decision to eliminate parking when it involves the provision of a bicycle lane. This issue was ranked in 2006 and fell below the line.

2. How does this relate to the General Plan or existing City Policy?

C3.5.4 Maximize the provision of bicycle and pedestrian facilities.

3. Origin of issue

- Council Member(s)
- General Plan
- City Staff
- Public
- Board or Commission Bicycle and Pedestrian Advisory Committee

4. Multiple Year Project? No Planned Complete Date 10/30/07

5. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
 Does this issue require review by a Board/Commission? Yes
 If so, which?
 Bicycle and Pedestrian Advisory Committee
 Is a Council Study Session anticipated? No
 What is the public participation process?
 This would require an extensive public participation process, because it is anticipated that this would be a controversial issue. At least 5 public meetings gathering public input would be required.

6. Cost of Study

Operating Budget Program covering costs

115 Transportation Operations

Project Budget covering costs

Budget modification \$ amount needed for study

\$10,000

Explain below what the additional funding will be used for

Additional funding would be used for engineering consultant services, production of presentation materials, direct mailings, and document reproduction services.

7. Potential fiscal impact to implement recommendations in the Study approved by Council

Capital expenditure range \$500 - \$50K

Operating expenditure range None

New revenues/savings range None

Explain impact briefly

Funding could be required for the installation of no-parking signs.

8. Recommendation for this calendar year

Board or Commission ranked this

study issue ____ of ____

2 of 4

Board or Commission ranking comments

Staff Recommendation None

If 'For Study' or 'Against Study', explain

9. Estimated consultant hours for completion of the study issue

Managers

Role	Manager	Hours
Lead	Withhaus, Jack	Mgr CY1: 20 Mgr CY2: 0
		Staff CY1: 160 Staff CY2: 0

Total Hours CY1: 180

Total Hours CY2: 0

Note: If staff's recommendation is 'For Study' or 'Against Study', the Director should note the relative importance of this Study to other major projects that the Department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by

Maria A. Rao

Department Director

2/21/07

Date

Approved by

Ray Ohan

City Manager

2/27/07

Date

Attachment B

Proposed Policy for the Allocation of Street Space

Modal Balance

Appropriate accommodations for motor vehicles, bicycles, and pedestrians shall be determined for City streets to increase the use of bicycles for transportation and to enhance the safety and efficiency of the overall street network for bicyclists, pedestrians, and motor vehicles.

All modes of transportation shall have safe access to City streets.

The City should consider enhancing standards for pedestrian facilities.

Transport Versus Non-Transport Uses

City streets are public space dedicated to the movement of vehicles, bicycles and pedestrians. Providing safe accommodation for all transportation modes takes priority over non-transport uses. Facilities that meet minimum appropriate safety standards for transport uses shall be considered before non-transport uses are considered.

Parking is the storage of transportation vehicles and shall not be considered a transport use.

Historical precedence for street space dedicated for parking shall be a lesser consideration than providing street space for transportation uses when determining the appropriate future use of street space.

Parking requirements for private development shall apply to off-street parking only.

Action statement: Incentives to offset impacts of roadway changes to non-transportation users shall be considered when retrofitting roadways.

Use of Engineering/Planning Criteria

When decisions on the configuration of roadway space are made, staff shall present options, including at a minimum an option that meets minimum safety-related design standards for motor vehicles, bicycles and pedestrians.

Bike retrofit projects shall be evaluated based on the merits of each project in the context of engineering and planning criteria.

Action Statement: The City shall maintain engineering and planning criteria with respect to roadway geometry, collisions, travel speed, motor vehicle traffic volume, and parking supply and demand (on and off street) to guide decisions on the provision of bike lanes.

The City Council shall make the final decisions on roadway space reconfiguration when roadway reconfiguration will result in changes to existing accommodations.

Public input on roadway space reconfiguration shall be encouraged and presented independently of technical engineering and planning analyses.

Design Standards/Safety

If street configurations do not meet minimum design and safety standards for all users, than standardization for all users shall be priority.

Safety considerations of all modes shall take priority over capacity considerations of any one mode.

Action Statement: For each roadway space retrofit project, a bike and pedestrian safety study shall be included in the staff report to evaluate the route in question.

Attachment C

**Summary of Public Comments
Sunnyvale Bicycle and Pedestrian Commission Meeting
November 15, 2007
Sunnyvale City Council Chambers
7:00 P.M.
Policy on Allocation of Street Space**

Mike Murray-Sunnyvale/Remington area, concerned about loss of on street parking, transportation vs. no transport policy. Assuming that parking is not a transportation use concerns him. We don't need bike lanes on every road, car traffic should have priority over bikes. Likes more convenient parking, fed up w/ car hatred policy of government.

Linda E. - 17 year resident- She rides to Homestead High School, doesn't hate cars but is also a bicyclist. She want to get from point A to point B on a bike as efficiently as in an automobile. Wants any extra room, not necessarily like lanes. Fair Oaks, Hollenbeck are important, logically these routes should have more room.

Luc Hermage- Bike circulation, DPW is stealing roads and parking from citizens. Road dieting studies are bogus, roads are for vehicles, not less then 1% of users (cyclists). Wolfe Road is ruined, Sunnyvale Ave is too slow. Doesn't see more bike use. Density of dwellings is increasing, more cars are coming.

Art Schwartz- Cool Cities official announcement - residents, Council supported a bikeable, walkable city. Council adopted greenhouse gas limit. Policy needs to embrace alternative transport. Cool Cities opposes adding lanes for car traffic. This is the first Cool Cities policy, may be adjusted.

Personal opinion- he rides a bike 90% time, drives on roads with reduced lanes. Finds that appearance of reduced capacity isn't fact because the roads operate more efficiently and calmly after lane reductions. In favor of reducing lanes, thinks existing bike lane striping isn't obvious enough to drivers- suggest red lines or brick would be a safety improvement. Wide gutters put juncture of gutter, pavement right in the riding

commute traffic shouldn't be accommodated; bike lanes should never be removed for parking or travel lanes.

Jan Boehm- Supports 3 lane Mary Ave and bike lanes. Property parking is a necessity. Exiting driveways would be easier. Slower moving traffic improves neighborhood and pedestrian conditions.

Eleanor Hansen- 2006 bike plan advocates restriction, elimination of parking on Mary Ave. Doesn't want traffic system designed by engineers. Need public input and need polling of residents to provide direction.

Mark Platy- Bike commuter for 20 yrs. Road designs should assure travel lanes, bike lanes initially, and then work from there.

Cathy Switzer- supports a balanced plan, should support all modes of travel- cars, bikes, people. Evelyn Ave. is safer now for pedestrians, encourages more pedestrian enhancements. She is a biker that uses Sunnyvale businesses, facilities should encourage their use.

Connie Portele- Encourages a balanced plan. She has a parking demand conflict with nearby business to her home. Need coordination between city departments. Need business, but don't force solutions. Important to poll and educate people about transportation alternatives.

Daniel Gutierrez- Concerned about Evelyn Ave. more congested, thinks widening like Mountain View would be better. Businesses provide sufficient parking. Growth of Town and Country will add lots more traffic.

Crista Ansberg- Doesn't see anything about public transit. Can't plan that doubling of population should provide doubling of road capacity, 1% of bikes doesn't mean 1% of the road lots of people own bikes.

Attachment D

Correspondence Received

Jack Witthaus - Walking and bicycles

From: "[REDACTED] et>
To: <jwitthaus@ci.sunnyvale.ca.us>
Date: 11/3/2007 9:56 AM
Subject: Walking and bicycles

Dear Mr. Witthaus,

I am not able to attend the meeting at 7pm on Nov. 15, so I thought I'd just write to you and say that I think Sunnyvale would be an even nicer place to live if there were more protected bicycle and pedestrian paths through town. I love it here - it is where we've happily chosen to raise two sons. But I never feel comfortable about the boys being out on bicycles because of the cars. As a result, they need me to drive them everywhere in the car. These boys are 12 and 14 and certainly old enough to go about responsibly on bicycles. But they don't. It's a part of childhood that I'm sorry they cannot enjoy here the way things are now.

I realize you have to balance the priorities of parking and traffic needs, but I assure you there would be less cars to deal with if people were more comfortable on bicycles. We certainly have the right weather for it. And when the downtown is complete, it would be so nice if people could come and go easily on bicycles. A protected bike path to downtown and a secure bike rack for parking bikes would be a very worthwhile investment.

Thanks for reading this far!

Sincerely,
Kathy Welsh

From: "Cor van de Water" <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/6/2007 2:42 PM
Subject: Nov 15 public input on draft policies for prioritization of bicycle and pedestrian traffic

Hello,

I want to promote safe cycling and walking in Sunnyvale,
please approve these policies.

Regards,

Cor van de Water
Resident of Sunnyvale

From: Thomas Sarsfield <[REDACTED]>
To: <jwitthaus@ci.sunnyvale.ca.us>
Date: 11/7/2007 2:05 PM
Subject: Hearing On Nov. 15

Unfortunately, I will not be able to attend the hearing due to school commitments, but do have a question for you. What does the city consider major roads? I am a resident of Alturas Avenue, affected by the upcoming bike bridge construction and the elimination of parking spaces on Ahwanee as well as the baracades eventually leading drivers from Ahwanee to use our residential street to get through. I worry about the criterion for a major street as it seems seems as though it will unfairly affect those who have invested in homes on those major streets.

Please let me know at your earliest convenience,
Lisa Sarsfield

Jack Witthaus - Fwd: [SVBC] Opposition brewing for Sunnyvale transportation plans

From: Thomas Mayer <[REDACTED]>
To: Jack Witthaus <jwitthaus@ci.sunnyvale.ca.us>
Date: 11/8/2007 9:44 PM
Subject: Fwd: [SVBC] Opposition brewing for Sunnyvale transportation plans

Begin forwarded message:

From: "Rick Warner" <[REDACTED]>
Date: November 8, 2007 8:22:08 PM PST
To: "Jeremy Hubble" <[REDACTED]>
Cc: "bikes@svbcbikes.org" <bikes@svbcbikes.org>
Subject: Re: [SVBC] Opposition brewing for Sunnyvale transportation plans

Of course if they actually read the proposed policy

On Nov 8, 2007 4:32 PM, Jeremy Hubble <[REDACTED]> wrote:

This is the same group that also would like to stop the Mary/101 overpass and turn Mary in to a 2 lane + bike lanes street.

----- Forwarded message -----

From: Gopal Patangay <[REDACTED]>
Date: Nov 8, 2007 2:52 PM
Subject: [SunnyvaleWest] Public hearing meeting on November 15, 2007.
To: Sunnyvale West <SunnyvaleWest@yahoogroups.com>

Hello SWNA Friends,

As you already know, the city is holding a public hearing meeting, along with the Sunnyvale 's Bicycle and Pedestrian Advisory Commission (BPAC) at *City hall on November 15, 2007 at 7PM.*

This meeting is for gathering the public comment on policy changes for replacing the on-street parking with the pedestrian and bicycle lanes on Major roads in Sunnyvale.

This will apply to Mary Ave also.

That means if we do not raise our voice in this meeting, we will loose on-street parking in front of our homes.

Let us all go in big numbers to the meeting and firmly raise our opinion against the on-street parking replacement.

I'm cutting and pasting the original text sent by the city here for your convenience:

bicycle and Pedestrian Advisory Commission public hearing

Sunnyvale 's Bicycle and Pedestrian Advisory Commission (BPAC) will hold a public hearing to examine the prioritization of bicycle and pedestrian traffic with other traffic and parking on major roads.* The hearing will be November 15, at 7 p.m. in the City Hall West Conference Room, 456 W. Olive Ave.* The purpose of the hearing is to gather public comment on a proposed policy change that would emphasize the use of major roads for the movement of vehicles, bicycles, pedestrians and transit versus on-street

parking.

Based on future Council action, this could potentially change the City's transportation planning to give priority to bike facilities, sidewalks and possibly even additional travel lanes over on-street parking.

Thank you for your help.

Gopal Patangay.

Sunnyvale West Neighborhood Association.

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Web<http://groups.yahoo.com/group/SunnyvaleWest/join;_ylc=X3oDMTJnNzdrcGthBF9TAzk3NDc2NTkwBGdycElkAzE5OTA5NDA5BGdycHNwSWQDMTcwNTA0NDAwNARzZWMDZnRyBHNsawNzdG5ncwRzdGltZQMxMTk0NTYyMzMzMy>(Yahoo! ID required)

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List information:

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Jack Witthaus - Fwd: Undelivered Mail Returned to Sender

From: Ralph Durham <[REDACTED]>
To: <jwitthaus@ci.sunnyvale.ca.us>
Date: 11/12/2007 5:10 PM
Subject: Fwd: Undelivered Mail Returned to Sender

Jack,

Lets try this again.....

Ralph

Jack, Kevin,

I will be out of town Flying to Phoenix for family matters that evening. Sorry I won't be able to attend.

I would like to add to the discussion that street parking is a privilege not a right. The city has taken the right of way for transportation reasons. If there is left over space then people can use some of the space to park. However parking is not the primary function of the traffic right of way.

I think from my trips up and down Mary Ave. most houses I noticed have a two car garage and space in the driveway for an additional pair. That and the number of cars, from the pedestrian report, shows that almost 78% of Sunnyvale residents have two or few cars. This means that very few people on Mary need any on street parking for daily needs.

Anyway, sorry I'm going to miss this one.

I'll see you all next month. Be safe with any travels. I may have some comments to share on the Pedestrian report.

Ralph

From: "Patrick Gallagher" <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
CC: "[REDACTED]", "pat grant" <[REDACTED]>
Date: 11/13/2007 7:29 AM
Subject: 11/15 meeting agenda

BPAC staff,

The agenda of this meeting, judged important by many biking and pedestrian enthusiasts, is not shown on the BPAC website. I'd like to have the info and a link to show on the Cool Cities website. Please fix.

Patrick Gallagher

From: Jeremy Hubble <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/13/2007 9:57 AM
Subject: Proposed transportation policy plan

Dear BPAC -

I have seen a press release for a proposed policy change regarding prioritization of safety over parking. However, the text of the policy is not yet publicly available. How is the public supposed to comment on a policy that they can not access? I encourage the BPAC to postpone the public hearing until said policy is available for public review so that a fair, impartial review can be obtained. As it stands, it appears that the hearing has been set up solely for vocal minorities to complain about on-street parking, rather than to obtain constructive comments about new policies.

Thank you,

Jeremy Hubble
869 Helena Dr
Sunnyvale, CA 94087

I support BPA's desire for bicycle lanes in Sunnyvale but I absolutely oppose any consideration to remove street parking on Mary Ave.

I believe there are alternatives available to satisfy a desire for bicycle lanes and homeowners needs for street parking in front of their homes.

Dependent on each situation the alternatives/possibilities are as follows:

- Reduce lanes to accommodate both bike lane and street parking
- Keep street parking by utilizing ~~an~~ inset parking design
- Create a network of bicycle lanes, not all streets need bicycle lanes.

Thank you for your consideration.

Charlene A. Tufts

[Redacted signature]

BPAC DPW - roads are for transportation

From: [REDACTED]
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/19/2007 10:41 AM
Subject: roads are for transportation
CC: [REDACTED]

Hi Sunnyvale BPAC--

Thanks to Sunnyvale for considering adopting the enlightened policy of giving moving vehicles priority over stored vehicles for public road space. It's especially important to provide space for cyclists, to encourage this most sustainable, least congesting, and non-polluting form of transportation.

Bike lanes on all arterials (not in the door zone of stored motor vehicles) would be the greatest incentive to get folks out of their cars and onto bikes, according to the ones with whom I've spoken at commute fairs offered by Sunnyvale employers.

Removing parking on one side of two lane collectors such as Hollenbeck can make room for bike lanes. For streets designed as four lane arterials with parking, four-to-three lane conversions such as you've done on Mary between Fremont and Homestead can improve traffic flow while providing bike lanes and preserving parking. I hope you'll continue that the full length of Mary. If you feel all four lanes are essential, then removing parking on one side can work, as you've done on Wolfe south of El Camino.

In the last few years, Sunnyvale has added a number of bike lanes, which I appreciate. I especially like the ones on Sunnyvale Avenue between El Camino and the tracks, another four-to-three lane conversion. I don't like the sharrows on Wolfe north of El Camino.

I frequently travel through Sunnyvale by bike instead of car, and understand the reluctance many have to doing likewise. It can be scary. "Taking the lane" when there's not space for motor vehicles to pass bikes is legal, but not fun.

Anne Ng
[REDACTED]
[REDACTED]

Jack Witthaus - Fw: Expansion of bike lanes

From: werner gans <[REDACTED]>
To: <JWitthaus@ci.sunnyvale.ca.us>
Date: 11/20/2007 1:39 PM
Subject: Fw: Expansion of bike lanes

----- Forwarded Message -----

From: werner gans <[REDACTED]>
To: jwhithaus@ci.sunnyvale.ca.us
Sent: Thursday, November 15, 2007 5:42:00 PM
Subject: Expansion of bike lanes

Jack: It would have been nice if our founding fathers had made our main thoroughfares wide enough to accommodate bike lanes, but they didn't, Before adding new ones it's important to consider all of the negatives. Using Wolfe Road as an example here are some of the big ones

- weaving the lanes right and left reduces automobile safety. It requires the drivers to be more than fully attentive.
- taking peoples parking spaces away from in front of their homes forces people to back out of their driveways creating a hazardous situation for the traffic on the street, the bicyclist, and the people backing out of their driveway because the visibility is so poor when your backing out of your driveway.
- taking away one lane of traffic further increases traffic congestion which is already bad, leading to a higher risk of an accident.
- How many people are helped by the change vs how many people are hurt by the change. So few people use SV's bicycle lanes therefore few are helped are many are put at a disadvantage.

Werner Gans

BPAC DPW - In favor of Safe biking in Sunnvale

From: "Bob Faulhaber" [REDACTED]
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/20/2007 1:03 PM
Subject: In favor of Safe biking in Sunnvale

I am a bicyclist, commuting, shopping, recreation, and the ability to move safely around Sunnyvale and the surrounding communities is critical to me. Please encourage policies that accomplish this goal.

Robert Faulhaber
[REDACTED]
[REDACTED]

From: [REDACTED]
To: <jwitthaus@ci.sunnyvale.ca.us>, "Kevin Jackson" [REDACTED]
Date: 11/24/2007 10:31 PM
Subject: Cool Cities Input to BPAC public hearing, Nov. 15, 2007

I apologize for the delay in giving you both a hard copy of my testimony at the subject meeting.

My printer scanner bit the dust so I can't scan or copy and I've been so busy this week that I had no time to get to a copy shop. So here's the statement from Cool Cities that I read at the meeting. Understand that this is our first draft and will be expanded upon and possibly revised over coming months.

Art Schwartz

=====
Last Fall Sunnyvale residents spoke in favor of a bikeable, walkable city. Early this year, Council adopted a goal of regional sustainability leadership. In September, Council adopted the Mayors Climate Protection Agreement, committing Sunnyvale to reducing greenhouse gas emissions within the city limits.

In order to achieve these goals, we need to develop a solution to auto congestion that emphasizes alternative transport. We believe it is time to stop trying to address car traffic congestion by adding more car lanes.

Therefore, Sunnyvale Cool Cities opposes the addition of traffic lanes to arterial, connector, and residential streets. More car lanes would result in more auto traffic on those streets. Added lanes for car traffic would encourage driving, increase greenhouse gas emissions, and work against a walkable, bikable city. And therefore Sunnyvale Cool Cities requests that on street parking never be removed to accommodate additional travel lanes.

Sunnyvale Cool Cities plans further study of these issues. We would appreciate being kept informed on the progress of this recommendation.

From: John Stutz <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/8/2007 10:41 AM
Subject: BPAC 15 Nov public input

Sirs

I see that you are seeking public input, regarding the proposed Model Balance criteria for deciding on proposals for bicycle lane retrofitting of streets. It appears that a principal conflict is with the tradition of using street sides for parking. I believe the following is relevant.

In my opinion, a prudent bicyclist will not ride within four feet of parked cars, without being absolutely certain that there are no persons in any of the cars. Given the prevalence of tinted car windows, this certainty is rarely possible. Thus, when parked cars line a street, the prudent bicyclist will usually ride in the middle of the adjacent traffic lane, despite the obvious aggravation to following motorists. So replacing parking lanes with bicycle lanes not only renders mixed traffic safer, but also speeds up motor vehicle traffic.

This opinion is based on personal experience. I once came within half a second of having my guts ripped open on the corner of an abruptly opening passenger car door. I was fortunate, in that there were no overtaking vehicles, so I was able to dodge that door without risking going under another vehicle. I am not willing to bet on being so lucky a second time.

—
John Stutz [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Bill Bushnell <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/11/2007 10:28 AM
Subject: Sunnyvale's proposed transportation plans

Dear Sunnyvale BPAC:

I fully support the proposed transportation plans for the city of Sunnyvale as summarized below.

Bill Bushnell
[REDACTED]
[REDACTED]

1. Modal Balance

City streets should be retrofitted with bicycle lanes to increase the use of bicycles for transportation and to enhance the safety and efficiency of the overall street network for bicyclists, pedestrians, and motor vehicles.

All modes of transportation shall have equal access to City streets.

2. Transport Versus Non-Transport Uses

City streets are public space dedicated to the movement of vehicles and pedestrians. Use of streets for purposes other than transport shall occur only if non-transportation needs cannot otherwise be met.

Parking is the storage of transportation vehicles and shall not be considered a transportation use.

Historical precedence for street space dedicated for parking is not a consideration when determining the appropriate future use of street space for transport.

On-street parking shall not be considered as a means to meet City parking requirements for private development.

Action statement: Incentives to offset impacts of roadway changes to non-transportation users shall be considered when retrofitting roadways.

3. Use of Engineering/Planning Criteria

Bike retrofit projects shall be evaluated based on the merits of each project in the context of engineering and planning criteria.

Action statement: The City shall maintain engineering and planning criteria with respect to roadway geometry, collisions, travel speed, motor vehicle traffic volume, and parking supply and demand (on and off street) to guide decisions on the provision of bike lanes.

4. Design Standards/Safety

If street configurations do not meet minimum design and safety standards for all users, then standardization for all users shall be priority.

Safety considerations of all modes shall take priority over capacity considerations of any one mode.

Action statement: For each bike retrofit project, a bike safety study shall be included in the staff report to evaluate the route in question.

BPAC DPW - Give Bicycles a fair shake

From: Parth Sethia <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/15/2007 1:01 PM
Subject: Give Bicycles a fair shake

Hi:

I am a 4 year Sunnyvale resident and frequently use my bicycle to go to work at Applied Materials in Sunnyvale and to ride around for errands. We should do everything we can to make the city more bicycle friendly, which I know would encourage my wife to start riding to work etc.

I writing to encourage BPAC adopt the following policy with regards to street space.

> 1. Modal Balance

>
> City streets should be retrofitted with bicycle lanes to increase the use of bicycles for transportation and to enhance the safety and efficiency of the overall street network for bicyclists, pedestrians, and motor vehicles.
>
> All modes of transportation shall have equal access to City streets.

> 2. Transport Versus Non-Transport Uses

>
> City streets are public space dedicated to the movement of vehicles and pedestrians. Use of streets for purposes other than transport shall occur only if non-transportation needs cannot otherwise be met.
>
> Parking is the storage of transportation vehicles and shall not be considered a transportation use.
>
> Historical precedence for street space dedicated for parking is not a consideration when determining the appropriate future use of street space for transport.
>
> On-street parking shall not be considered as a means to meet City parking requirements for private development.

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> 4. Design Standards/Safety

>
> If street configurations do not meet minimum design and safety standards for all users, then standardization for all users shall be priority.

>

BPAC DPW - Safe accomodation of cyclists: YES

From: Paul Metz <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/17/2007 8:09 AM
Subject: Safe accomodation of cyclists: YES

Thank you for pushing for safe accomodation of cyclists!

Paul Metz
San Jose

BPAC DPW - Please, please, please include the needs of bicyclists in your future transportation policies in Sunnyvale!

From: "Roberto Perelman" <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/17/2007 12:51 PM
Subject: Please, please, please include the needs of bicyclists in your future transportation policies in Sunnyvale!

I know there is a discussion going on right now about this topic. Please do make improvements for bicyclists, as these policies are drafted!

Thank you!

From: [REDACTED]
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/17/2007 3:35 PM
Subject: Safe bicycle space needed on major routes

This summer I started bicycle commuting again when I got a new job back in Sunnyvale.

My route is pleasant except for the short part I must use Mary Ave. to cross the railroad tracks.

Southbound before the tracks is so bad with the narrow lanes and heavy traffic that I decided

it just wasn't safe to ride at night, even though I've been a bicycle commuter on and off since

1980. So I won't be riding again until we go back on daylight savings time. Even then, this

road feels very dangerous, even though it is designated as a bicycle route! If an experienced,

bicyclist like me feels uncomfortable riding through Sunnyvale, how are we going to

encourage new bicycle commuters? There are several possible solutions, all cost money or

may inconvenience non-cyclists. It is easy to make excuses, effective people find a way.

Thank you,

Ginger Wolnik

[REDACTED]
Sunnyvale, CA USA

P.S.

Please delete the empty message that was accidentally sent previously.

Email and AIM finally together. You've gotta check out free AOL Mail! -
<http://mail.aol.com>

BPAC DPW - roads are for transportation

From: <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/19/2007 10:41 AM
Subject: roads are for transportation
CC: <bikes@svbcbikes.org>

Hi Sunnyvale BPAC--

Thanks to Sunnyvale for considering adopting the enlightened policy of giving moving vehicles priority over stored vehicles for public road space. It's especially important to provide space for cyclists, to encourage this most sustainable, least congesting, and non-polluting form of transportation.

Bike lanes on all arterials (not in the door zone of stored motor vehicles) would be the greatest incentive to get folks out of their cars and onto bikes, according the ones with whom I've spoken at commute fairs offered by Sunnyvale employers.

Removing parking on one side of two lane collectors such as Hollenbeck can make room for bike lanes. For streets designed as four lane arterials with parking, four-to-three lane conversions such as you've done on Mary between Fremont and Homestead can improve traffic flow while providing bike lanes and preserving parking. I hope you'll continue that the full length of Mary. If you feel all four lanes are essential, then removing parking on one side can work, as you've done on Wolfe south of El Camino.

In the last few years, Sunnyvale has added a number of bike lanes, which I appreciate. I especially like the ones on Sunnyvale Avenue between El Camino and the tracks, another four-to-three lane conversion. I don't like the sharrows on Wolfe north of El Camino.

I frequently travel through Sunnyvale by bike instead of car, and understand the reluctance many have to doing likewise. It can be scary. "Taking the lane" when there's not space for motor vehicles to pass bikes is legal, but not fun.

Anne Ng
[REDACTED]
[REDACTED]

From: "Alexis Grant" [REDACTED] <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 11/27/2007 10:51 AM
Subject: In favor of safe accommodation for all road users

I am a regular cyclist and pedestrian user of Sunnyvale streets in the course of traveling to and from work, and I am strongly in favor of the policy outlined for safe accommodation for all road users in Sunnyvale. I believe this policy is groundbreaking in the Bay Area and will result in a friendlier, safer, healthier, more sustainable Sunnyvale, where the streets belong to all and we can all use them effectively and harmoniously.

I am particularly happy to see that bike accommodation projects will focus on engineering and planning criteria to determine feasibility and design rather than involving such projects in drawn-out political battles. I am also pleased that street parking will not be considered a transportation use and therefore would not be a priority.

Thank you to the BPAC and all those who have contributed to this terrific policy.

Alexis Grant

--

Potinach and spato filling: evidence for new English syllable onsets

BPAC DPW - I Support Policies For Safe Cyclist Accommodation!

From: Andrew Trick <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 12/8/2007 12:00 AM
Subject: I Support Policies For Safe Cyclist Accommodation!

I Support Policies For Safe Cyclist Accommodation!

This is one of the primary issues I'm considering when looking for neighborhoods suitable to locate my family.

Andrew Trick

Looking for last minute shopping deals? [Find them fast with Yahoo! Search.](#)

From: Richard Withers <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 12/19/2007 5:20 PM
Subject: Street-space allocation policy

Dear BPAC Committee Members:

I firmly believe that our public rights of way should be dedicated first and foremost to the safe movement of vehicles, not the storage of vehicles.

One need look no further than El Camino to see an example of this in action. In Sunnyvale, where the speed limit is 40 mph and on-street parking is very limited, El Camino is safer for cyclists than in Palo Alto, where the speed limit is 35 mph but on-street parking is allowed almost everywhere. In the latter city, the rightmost traffic lane is not wide enough for the safe passage of cars and cyclists. This is because parked cars effectively require about 6 feet more street width than the vehicle width itself. Cyclists who ride within a door's width of a parked car are risking severe injury by a suddenly opened door.

I commute by bicycle from Sunnyvale to Palo Alto, so I see this striking difference almost every day.

Richard Withers
[REDACTED]
[REDACTED]

Be a better friend, newshound, and
know-it-all with Yahoo! Mobile. Try it now.
http://mobile.yahoo.com/;_ylt=Ahu06i62sR8HDtDypao8Wcj9tAcJ

From: [REDACTED]
To: <bpac@ci.sunnyvale.ca.us>
Date: 12/28/2007 8:40 AM
Subject: Safe Cyclist Accommodation

I Support Policies For Safe Cyclist Accommodation! Sunnyvale has too many streets, Mary! Fair Oaks!, that do not have enough width to accommodate 2 traffic lanes, a bike lane and street side parking. Sharrows don't work as my wing mirror clipped left elbow can attest to.

The Mary Ave. bridge over I280 will go along way to improving the situation.

Dave Erskine
Mountain View, CA

Looking for insurance? Click to compare and save big.

<http://thirdpartyoffers.juno.com/TGL2111/fc/loyw6iifSf0xM1cvKHQ0IZsusfgRampm11h8zcWI0sbi3bp7X3xfes/>

BPAC DPW – Bicycling and Street Space allocation Policies

From: <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 1/31/2008 1:58 PM
Subject: Bicycling and Street Space allocation Policies

\$)C

Hi:

I am writing to insist that the BPAC consider bicycling safety while more seriously in the Street space allocation policy. Accommodating cyclist safely need to come ahead of allowing developers and home owners to use streets that are meant for Transportation as parking garages. If one is allowed to park on the street, they should clearly demonstrate that no form of transportation including bicycles is being disrupted.

Please share my input with the city council and others as appropriate.

Regards,

Parth
Marketing Manager
Applied Global Services

[REDACTED]
[REDACTED]

The content of this message is Applied Materials Confidential. If you are not the intended recipient and have received this message in error, any use or distribution is prohibited. Please notify me immediately by reply e-mail and delete this message from your computer system.

Thank you.

From: [REDACTED]
To: <council@ci.sunnyvale.ca.us>
CC: <bpac@ci.sunnyvale.ca.us>
Date: 2/8/2008 4:39 PM
Subject: Safe Cycling Important Input

Hello Mayor and Council:

As you all know, I'm on my bike almost every day (I'm writing from Palm Springs and won't be back in time for the next Council Meeting).

It is critically important that the BPAC proposal on safe cycling be adopted and not put on the back burner. If sustainability is to be successful in Sunnyvale, bicycling is essential. The staff reports that this report is unnecessary and states the following:

"Staff believes that approaches used to date to evaluate potential bike lane projects and other roadway reconfiguration situations have been MOSTLY ADEQUATE" (capitalization mine for emphasis). This says it all. The present system is mostly rather than entirely adequate. And adequate may not be strong enough yet.

So lets pass the BPAC proposal and get on with the job.

Art Schwartz

From: Cor van de Water [REDACTED] >
To: <council@ci.sunnyvale.ca.us>, <bpac@ci.sunnyvale.ca.us>
Date: 2/8/2008 9:15 PM
Subject: Safe Cycling Policies

I support Safe Cycling Policies,
as on the agenda this Tuesday in City Hall.
Cor van de Water,
resident of Sunnyvale
and utilitarian bicyclist.
(My other car is a bicycle)

Connect and share in new ways with Windows Live.
http://www.windowslive.com/share.html?ocid=TXT_TAGHM_Wave2_sharelife_012008

From: Linda Eaton <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 2/9/2008 8:16 AM
Subject: Safe Bike and Pedestrian Facilities

Dear BPAC and staff,

I am writing to you because I support the newly proposed BPAC policy for safe accommodation for bicyclists and pedestrians. Listed below is a copy of the email I sent to council explaining my support for the BPAC policy.

Thank you,
Linda Eaton

Honorable Mayor, Vice Mayor and members of the council,

I am writing you to ask for your support of the BPAC policy for safe accommodation for bicyclists and pedestrians on all streets in Sunnyvale. (Report to Council #08 – 042.) The city should make it a priority that safe accommodations for bicyclists and pedestrians come before more car lanes and on street storage of cars. It is not the City's job to provide facilities, at the homeowners expense, that allow motorists many of whom do not live or shop in Sunnyvale, to go as fast as they want whenever they want. It is crucial that bicycle and pedestrian access be built into any new development. Right now, bicycle and pedestrian access is an afterthought in the city process and it shows. If you doubt this I would be more than willing to take you on a bicycle tour of some lovely examples. If a bicycle tour in Sunnyvale scares you then I offer that as proof that the current ad hoc retrofits do not work.

The price of gasoline will only go up and so will the prices of everything it touches. Most crude oil comes from countries that support terrorists who want to destroy our country. We deserve mobility that allows us to save money and does not put cash into the hands of those who wish to destroy us. We need and deserve to have safe working alternatives to the car. Safe bicycling and walking accommodations are working alternatives to the car. Please support the BPAC policy for safe accommodation for bicyclists and pedestrians on all streets in Sunnyvale. Thank you for your time.

Linda Eaton

From: Cathy Switzer <[REDACTED]>
To: "council@ci.sunnyvale.ca.us" <council@ci.sunnyvale.ca.us>
CC: "bpac@ci.sunnyvale.ca.us" <bpac@ci.sunnyvale.ca.us>
Date: 2/9/2008 8:44 AM
Subject: Safe cycling policies for our Community

Our family are 30+ year residents of Sunnyvale. As Sunnyvale grows, it is vital that the City provides SAFE alternatives for residents and visitors who choose alternative transportation.

Walking is challenging at times - sidewalks tend to be narrow and the driveway cuts make pushing a wheelchair a massive effort of strength. Wider sidewalks, yes wider than code at 5 feet, with improved driveway design, will result in more people walking.

Cycling is a great alternative to the car. The modifications made to Evelyn Avenue are welcome - wide, well marked bike lanes. THANK YOU.

As we commit to improving the quality of life in our town, please make SAFE WALKING AND CYCLING a priority. Adopt a forward-thinking plan that accomodates those many residents and visitors who have chosen, by reducing traffic polution, to give back to the community. To simply steal a slogan from Apple, Inc., I challenge our City Council to THINK DIFFERENT, and to move from suburbia planning of moving cars, to COMMUNITY planning of personal interaction and responsibility.

Sincerely,

Cathy B. Switzer
 408-720-0236, 408-242-6259

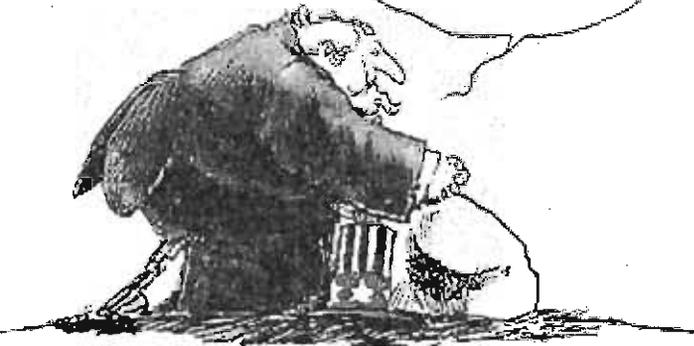
From: Cathy Switzer <[REDACTED]>
To: <council@ci.sunnyvale.ca.us>
CC: <bpac@ci.sunnyvale.ca.us>
Date: 2/12/2008 10:28 AM
Subject: I support safe pedestrian and cycling policies!
Attachments: Cartoon.jpg; Part.002

In preparation for tonight's City Council meeting, please review the attached.

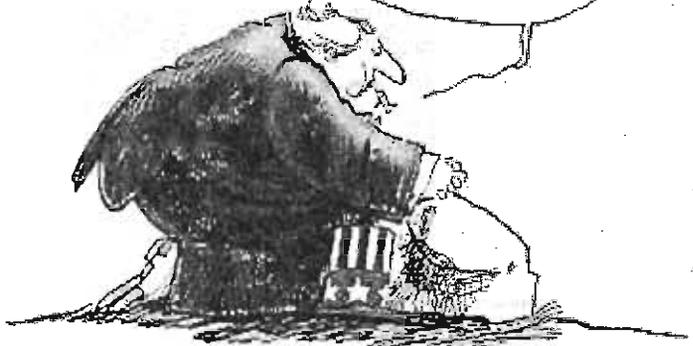
Best,
Cathy Switzer
48-720-0236

>

LORD, SAVE ME FROM THE TYRANNY OF BIG OIL, SPIRALING GAS PRICES, DEPENDENCE ON THE MIDEAST AND WAR.



RETURN ME TO A SIMPLER TIME OF CLEAN AIR, GOOD FOOD AND GOOD HEALTH... SHOW ME A SIGN!



Booooo.



SOMETHING WHERE I CAN KEEP MY V-12, 10.5 LITER SUV!



From: "Andrew Alder" <[REDACTED]>
To: <council@ci.sunnyvale.ca.us>, <bpac@ci.sunnyvale.ca.us>
Date: 2/21/2008 8:51 AM
Subject: Safe Cycling Policies

I was quite disheartened to hear that the council failed to adopt the policies that were proposed by BPAC. Being an avid cyclist myself, I understand the great need for safe routes to travel our areas. I have been hit (thankfully all were minor) on Mathilda, Wolfe, Bernardo and Mary, all of which are the streets I would take to get to work. I guess that leaves on Lawrence to try...and there's no way I'm doing that.

Increasing bicycle awareness is one step. Signs are a nice addition, but in reality, most people don't pay attention to the sign. If you posted a sign that said "free money" I imagine 5 out of 10 would never see it if it was the same size as the "Share The Road".

A more aggressive approach is needed. Better policies and regulations are needed. Better infrastructure is needed. We can't fix it all at once, but we can make the steps to creating a better, safer and friendlier setup for cyclists. It's not only better for the cyclists, it's better for the environment and our community.

It's sometimes hard to take the initial steps for a greater change. It requires us to change our thinking, change our priorities and change our perceptions of what is feasible and what can/should be done. But we must strive to make the right decisions for the future. That's very key. Our future is where we need to focus and I believe that the proposed policies were a fantastic step in that direction.

I realize there is hesitance and caution as far as understanding the breadth and impact of these changes.

Here are some questions:

1. Do these policies create a safer environment for cyclists?
2. Do these policies help the greater good of our community?
3. Are these policies designed to create a better future for all of Sunnyvale?

It is necessary to answer all the questions above. And if you choose not to go down this path, you'd better be ready to adopt some other policies that push our community in that direction.

It is critical that you at least address the safety needs of the cyclists. Having been almost killed because of drivers not paying attention, yapping on the cell phone or just "not seeing me" is an eye opening experience. Ask yourself what you would do in that situation. Also ask yourself, what would you say to the mother of a child who'd been hit on a road that was denied bicycle lanes and improvements. Would you say it was too expensive? Would you say that it wasn't beneficial for the cities plans? Would you say that it just didn't support the "future" of the community.

Yes, that is a drastic point to make, but not an unfair or unrealistic one.

Please make the appropriate choice for our future. Please adopt serious policies and practices that will create a better, safer and

more progressive community for all of us.

Thank you for your time,
Andrew Alder

From: <[REDACTED]>
To: <bpac@ci.sunnyvale.ca.us>
Date: 2/21/2008 9:33 AM
Subject: Street Space Allocation

I ride my bike in and through Sunnyvale on a regular basis and am a former resident of Sunnyvale.

I don't really care if Sunnyvale adds to their reams of Policy on Bicycle/Street matters but what I do want to call attention to is that Sunnyvale has demonstrated again and again that configuring roadways to provide Class II facilities for bikes on the collectors and arterials is doable along with being an improvement for the neighborhoods. There is a lot available in the tool kit to providing bicycle accommodation on roads in Sunnyvale. Some of the many means are:

1. Get out the tape measure and put lines in the right place
2. Institute road diets for streets which have more capacity than is warranted
3. Institute road diets (4 to 3 lane conversions) to increase road capacity plus provide Bike Lanes
4. Put in parking pockets to get car storage out of the street
5. Provide parking along one side of street or alternate sides favoring locations where it may be warranted
6. Don't dump freeway traffic into neighborhoods like with the case of the proposed Mary Road Bridge over 101/237
7. Only provide queuing extra lanes at intersections and not along the entire street
8. Use 3-Way sequencing at major intersections to reduce the number of queuing lanes needed for left turners
9. Use diverters to channel traffic towards streets which can handle it
10. Let the BPAC propose solutions instead of leaving streets substandard

.. and keep up the good work. Thank you, thank you, thank you.

- Jim Stallman 19740 Braemar Drive, Saratoga, CA 95070

From: Thomas Mayer <[REDACTED]>
To: Sunnyvale City Council <council@ci.sunnyvale.ca.us>
CC: Sunnyvale BPAC <bpac@ci.sunnyvale.ca.us>, Jack Witthaus <jwitthaus@ci.su...>
Date: 2/25/2008 3:08 AM
Subject: Some Thoughts on Parking Requirements for Residential and Commercial Developments

Free parking is expensive.

Require small windows in garage doors for inspection. They will also increase safety in a power failure.

Never assume that on street parking will always be available without a plan-line study showing sufficient street width to meet all foreseeable transportation needs. (automobiles, bicyclists, & pedestrians)

Allow the sale or rental of up to 50% of the parking at market rates at multi-family residential properties without on street parking.

Busy medium to large parking lots need a "Pedestrian Safety" plan. (I'm surprised that this didn't go to the BPAC)

Thom Mayer

"All Roads Are Bikeways"

From: Patrick Grant <[REDACTED]>
To: Jack Witthaus <jwitthaus@ci.sunnyvale.ca.us>, Heba El-Guendy <helguendy@...>
Date: 3/15/2008 3:47 PM
Subject: Toward an Equitable Solution on Allocation of Safe Street Accomodation
Attachments: plan_dual_panel.jpg; castro_inset_parking.jpg; P1020121.JPG

Jack and Helba,
Suggestion of another tact, Noting most of the engineering logic and basis for street allocation was already done in preparing the 2006 Bike plan. That should be the common basis for the policy to rest on.

The street intimidation's issue revolves mainly around space for bikes, (pedestrian space generally is not contentious). That has to be tied with the solid engineering behind the 2006 Sunnyvale bike plan. Attached is a compilation of the 2006 bike plan street allocation. The left panel shows what has already been done, adding trails that are proposed, and a local street Wolfe bypass as in the 2006 bike plan. Hazardous gaps with lots of dangerous traffic are circled in red. The right panel shows what has to be done per the 2006 bike plan other than simple non controversial changes such as the street restriping. It really does not look that terrible when you get into the details. (Except for allocation of parking along East California Av, the changes as specified in the 2006 plan look easily achievable with much hardship) We just need to see that all of the departments do not allow changes, (ie planning change increasing vehicle traffic or street parking demand) that destroys safe accommodation needs as shown by the 2006 bike plan and as noted below. The proposed policy is to protect the street bike corridors allocated per the 2006 Bike plan with clarification as noted below.

On map issues, the only difference from the 2006 Bike plan from the city website I am aware of is I updated the parking to reflect current no parking zones already in effect. The figures were made by direct cut and past from 2006 Bike plan maps as stated in the email, so if the 2006 Bike plan maps have omissions that the BPAC and staff missed, this will have omissions too. I started to remove the streets not controlled by the city, I finished removing light traveled by bikes Lawrence. That is far as I got, Reminder some less controversial changes (ie. restriping) are not shown in either map and may appear as gaps. This is an attempt to make as simple of a picture as possible of the needs and the possible issues of contention from those who might lose parking or land.

Also attached is an example inset parking as used elsewhere in the south bay, note it really protects pedestrians from moving cars, a concern voiced by the vice mayor.

Also an excellent example of a bike lane showing stripping into the intersection heightening awareness to cross traffic of a bike cross traffic. Kind of the along the concept that cross walks provide for pedestrians.

Notes on street accomodation

1. Note El Camino, Central, and Lawrence are County and state controlled roads, and city cannot make policy on these, but negotiates with county and state and so are outside this policy.
2. Streets with 25MPH limits and low peak hourly traffic volume are generally safe for bikes and cars to coexist. This is the basis for no accommodation needed and vast majority of residential streets. Areas such as schools with low speeds and high peak traffic volumes need special accommodation as per Santa Clara county government Traffic Safe Communities Network (TSCN) and California "Safe Routes to School" especially in that youth riders with less than fully developed cognitive abilities are at risk. Dropping street speed to 25MPH or slower is prudent in active parking areas at parks such as Inverness bike corridor.
3. The design goal for streets in the plan is to be consistent with Bay Area Government MTC studies and guidelines that bike lanes are needed for designated bike routes as per 2006 Sunnyvale bike plan when

street speeds are 35MPH or greater, or AHV > 400 as per MTC recommendations
http://www.mtc.ca.gov/library/2001_rtp/downloads/bike/final_plan/toolbox-safety_index.doc

4. The goal is to provide access for all users to all facilities. Certainly that is to be for all public facilities (schools, civic centers, libraries) health facilities, retail and large apartments which typically are not located off of low speed residential streets. For corridors such as Fair Oaks, near 101, it will be difficult to accommodate bicyclists and traffic in separate lanes on Fair Oaks. Fortunately, the East Canal trail is being considered and can provide a suitable alternate for greater than an estimated 90% of bike transportation needs in this corridor without having bikers divert more than a 1/4 mile diversion. Stevens Creek Trail access, especially at Remington provides safe diversions around several difficult to correct corridor intersections around Hwy85 and El Camino. The Borregas Bridges provide a 0.3 mile diversion around the Matilda 101/237 interchanges. So if a corridor is not an sole destination approach, then up to an 1/3 mile diversion is

reasonable as long as typical trip distance is not increased by over 25%. This should apply to schools and other public facilities. That is if a safe bike path exists to an side of the school, or similar facility, and it does not increase travel for student by over 25% who live at least a mile from school then minimum safe accommodation for all users is considered complete for the other streets bounding that facility. That does not preclude further enhancement of street safety if it can be accommodated and desired at that facility.

5. Insert parking into selected areas of street garden strip (shown on attached photo) provides attractive traffic separation protection to pedestrians and provide more street space for safe street accommodation for cyclists. In fact with marked bike lanes, the space between active traffic and pedestrians is increased over unmarked, or intermittent street parking.

6. It is proposed that any development that affect the 2006 Sunnyvale bike plan along the bike corridors, needs a public documented review and a possible hearing if impact (or erosion of service trend) is significant to maintain the integrity of the 2006 Sunnyvale Bike plan, within the constraints of the rules provided above or in the 2006 Sunnyvale Bike plan.

Regards
Pat Grant

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ATTACHMENT E (See pages 14 - 21)

Council Meetings > 2008 > 2008February > Minutes > February 12, 2008

**APPROVED MINUTES
SUNNYVALE CITY COUNCIL MEETING
TUESDAY, FEBRUARY 12, 2008**

4:30 P.M. SPECIAL COUNCIL MEETING (Study Session) - Revised plans for Redwood Square (Town Center Redevelopment Project)

5 P.M. SPECIAL COUNCIL MEETING (Study Session) - Process to recruit and select the next city Manager

7 P.M. REGULAR MEETING

SALUTE TO THE FLAG

Mayor Spitaleri led the salute to the flag.

ROLL CALL

PRESENT:

Mayor Anthony Spitaleri
Vice Mayor Melinda Hamilton
Councilmember John Howe
Councilmember Otto Lee
Councilmember Ron Swegles
Councilmember Christopher Moylan
Councilmember David Whittum

ABSENT:

None

STAFF PRESENT:

City Manager Amy Chan
Assistant City Manager Robert Walker
City Attorney David Kahn
Director of Community Development Hanson Hom
Director of Parks and Recreation David Lewis
Director of Public Works Marvin Rose
Principal Programmer Analyst Helen Kwan
City Clerk Gail Borkowski

PUBLIC ANNOUNCEMENTS

Councilmember Howe announced that author Bo Caldwell will speak about her book, *The Distant Land of My Father*; at the Sunnyvale Public Library on Thursday, February 21, 2008, at 7 p.m. Caldwell's book is the recommended selection for Silicon Valley Reads 2008.

Josh Salans announced that the Full Circle Farm project will plant the first of their 105 orchard trees and members of the public are welcome to assist with the plantings.

CONSENT CALENDAR

Councilmember Whittum pulled Item 1.D. and 1.F.

Vice Mayor Hamilton moved, and Councilmember Howe seconded, approval of the consent calendar with the exception of Items 1.D. and 1.F.

Vote: 7-0

1.A. Approval of Information/Action Items – Council Directions to Staff**Fiscal Items****1.B. RTC 08-038 List of Claims and Bills Approved for Payment by the City Manager – List No. 386 & 387**

Staff Recommendation: Council reviews the attached list of bills.

Contract Items**1.C. RTC 08-039 Award of Contract for Miscellaneous Water Meters (F0712-55)**

Staff Recommendation:

- Council awards a one-year contract, in substantially the same form as the attached draft purchase order, to Elster AMCO Water Incorporated for the purchase of water meters, and
- Council delegates authority to the city manager to exercise an option to extend the contract for two additional one-year periods if in the City's best interest to do so.

1.D. RTC 08-037 Award of Bid No. F0710-40 for Tee Renovation at the Sunnyvale Golf Course and Approval of Budget Modification No. 31

Councilmember Whittum stated he pulled this item because he noticed that the tee renovation is a costly expense which is coming at a time that the City is making difficult financial choices. Councilmember Whittum inquired if the \$342,000 expense for this renovation could be deferred until Council has an opportunity to review the budget in May 2008.

Director of Parks and Recreation David Lewis stated this is a capital project and its implementation would not have any bearing on the current operating budget. Director Lewis stated this project was approved and funded by Council because the renovation is needed due to the condition of the tee complexes at Sunnyvale Golf Course. The current condition of the tee complexes at the course is affecting continued play by golfers, which ultimately affects this source of revenue for the City.

City Manager Amy Chan stated the financial situation is based on a 20-year budget. Should Council decide not to do the project, then there would be cost savings; however, deferring it from one year to the next could potentially cost more due to increases in construction and landscaping.

Vice Mayor Hamilton inquired how large each tee complex is and Director Lewis stated the total of all 18 tee complexes equals about seven acres.

Councilmember Swegles stated he is aware of golfers who do not want to use the course any longer due to its condition, which in turn is affecting the City's current revenue. Councilmember Swegles urged his colleagues to approve this project.

Public hearing opened at 7:09 p.m.

A member of the public stated \$342,000 for the golf course repair is an unnecessary expense, especially in times when cities and counties are searching for revenue and making cuts. The member of the public stated, however, he would support this project if the golf fees would offset this expense within a few years at which time the City would

then begin to receive revenue.

Public hearing closed at 7:16 p.m.

MOTION: Councilmember Howe moved, and Councilmember Swegles seconded, approval of staff recommendation:

- Council awards a contract, in substantially the same form as the attached draft and in an amount not to exceed \$342,000, to Colony Landscape and Maintenance Incorporated for tee renovation at the Sunnyvale Golf Course, and
- Council approves Budget Modification No. 31 in the amount of \$94,000 to provide additional funding for City staff to purchase turf and tee mix directly as required.

Councilmember Howe explained this project has already gone through the budget process and the money for this project will come from funds generated by the golf course and not out of the City's General Fund. The funding for this golf course renovation will come out of the Park Dedication Fund.

VOTE: 6-1 (Councilmember Whittum dissented)

1.E. RTC 08-034 Authorization to Modify an Existing Contract for Vehicle Fuel (F0712-58)

Staff Recommendation: Council authorizes a one-year extension of an existing purchase order with Petro-Diamond Incorporated, in substantially the same form as the attached draft change order, for the purchase of unleaded gasoline for City vehicles.

1.F. RTC 08-047 Award of Request for Proposals No. F0707-06 for Architectural Engineering and/or Landscape Architect Services for Plaza Del Sol – Phase II

Councilmember Whittum stated he lives within 500 feet of this project and therefore he will recuse himself. Councilmember Whittum stated his conflict with this project is financial; however, he would like to make a public comment. Councilmember Whittum inquired if he could make his public comment from the dais. City Attorney Kahn stated he previously sent an e-mail to Councilmember Whittum stating that he did not have to recuse himself from this matter.

Councilmember Whittum stated the project cost is high and he supports asking staff to downscale this project and return to Council with a new plan which includes serviceable restroom facilities. Councilmember Whittum stated given that the project is near his home, he will abstain on general grounds.

Public hearing opened at (time not recorded).

No speakers.

Public hearing closed at (time not recorded).

MOTION: Councilmember Howe moved, and Vice Mayor Hamilton seconded, to approve the staff recommendation:

- Council awards a contract, in substantially the same form as the attached draft and in the amount of \$709,743, to Royston, Hanamoto, Alley and Abey (RHAA) for consultant service related to design of Plaza Del Sol – Phase II, and
- Council approves a design contingency in the amount of \$106,461.

VOTE: 6-1 (Councilmember Whittum dissented)

Councilmember Whittum stated he made an error as he wished to abstain from voting on this item, not dissent. City Attorney Kahn stated once a vote has been taken, it is a matter of record and the vote would need to be retaken by the entire Council in order for Councilmember Whittum to change his vote. City Attorney Kahn reminded Councilmember Whittum that he did not need to recuse himself.

Other Items

- 1.G. No. 2864-08 Adoption of Ordinance No. 2864-08 Amending the Precise Zoning Plan, Zoning Districts Map, to rezone 54 parcels in Subdivision Tract 1910 from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single Story Combining) Zoning District**

Staff Recommendation: Council approves second reading of Ordinance No. 2864-08.

- 1.H. No. 2865-08 Adoption of Ordinance No. 2865-08 Amending the Precise Zoning Plan, Zoning Districts Map, to rezone certain property located at 1202-1204 Cortez Drive and 189-191 South Bernardo Avenue from R-3 (Medium Density Residential) to R-3/PD (Medium Density Residential/Planned Development) Zoning District**

Staff Recommendation: Council approves second reading of Ordinance No. 2865-08.

- 1.I. No. 2866-08 Adoption of Ordinance No. 2866-08 Amending the Precise Zoning Plan, Zoning Districts Map, to rezone certain property located at 185 South Bernardo Avenue from R-3 (Medium Density Residential) to R-3/PD (Medium Density Residential/Planned Development) Zoning District**

Staff Recommendation: Council approves second reading of Ordinance No. 2866-08.

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

None.

PUBLIC COMMENTS

Bonnie Lloyd stated her neighbor painted his house orange and she is upset with how the home color is affecting the neighborhood. Lloyd inquired if the City has an ordinance against painting a home this color. Director of Community Development Hanson Hom stated the zoning code does not regulate house paint colors for residential homes. Lloyd inquired if the City should have an ordinance against painting homes colors that do not blend in with the neighborhood. Councilmember Lee stated he previously inquired if residential design guidelines could be instituted and staff explained to him that such guidelines could cause first amendment issues. City Attorney Kahn stated the color a person paints their house is an owner's property right and is not something cities regulate. City Attorney Kahn stated the City of Sunnyvale does not have such an ordinance and neither do most cities.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2. RTC 08-046 Request by staff for Continuance of 2007-0754 – Study Issue: Parking Requirements for Residential and Commercial Developments. A Review of the City's current parking**

requirements on commercial and multi-family (townhomes, condominiums, apartments) housing projects, and parking requirements needed for future developments.

Mayor Spitaleri stated staff has required a continuance on this item.

Public hearing opened at 7:20 p.m.

No speakers.

Public hearing closed at 7:20 p.m.

MOTION: Councilmember Swegles moved, and Vice Mayor Hamilton seconded, to approve the staff recommendation: Council continues this item to February 26, 2008.

VOTE: 7-0

Vice Mayor Hamilton suggested that the agenda be changed to hear Item 6 next due to the time-sensitive nature of the item. Vice Mayor Hamilton explained that a meeting will be held tomorrow regarding this item.

Councilmember Whittum objected to moving this item because there are many members of the public who are waiting to hear Item 3.

MOTION: Vice Mayor Hamilton moved and Councilmember Howe seconded to adjust the Council agenda in order that Item 6 will be the next item heard by Council.

Vice Mayor Hamilton stated she is aware there is a large amount of public members waiting to speak on Item 3; however, Item 6 should not take very long and she is concerned that this item might be continued due to the length of tonight's meeting. Vice Mayor Hamilton further explained that a meeting will be held tomorrow morning regarding this item and it is important that Council hear the item tonight.

VOTE: 5-2 (Councilmembers Moylan and Whittum dissented)

6. RTC 08-040 Consider Selection for a Developer for the Development of Affordable Senior Housing at 660 S. Fair Oaks

Director of Community Development Hanson Hom presented the staff report.

Councilmember Whittum inquired as to the financial impact of this project to the City and Director Hom stated he is unable to determine the actual financial impact as this project is under negotiations with the county. Councilmember Whittum confirmed that the actual financial question will come back to Council for action at a later date. City Attorney Kahn stated due to the City currently being involved in negotiations with the county, the financial terms are subject to closed session and when the terms are finalized, they will come back to the Council in open session for final Council action.

Councilmember Whittum inquired if it was accurate that if someone is not making \$22,000 a year, they would not be able to get into one of the units. Director Hom stated the \$22,000 or 30 percent is the maximum income for the units that are set aside for that program.

Public hearing opened at 7:28 p.m.

No speakers.

Public hearing closed at 7:28 p.m.

MOTION: Councilmember Howe moved, and Councilmember Lee seconded, to approve Alternative 1: Council selects Mid-Peninsula Housing Coalition as the developer and authorizes the city manager to prepare a memorandum of understanding for City Council approval for development of an affordable senior housing project at the county clinic site at 600 S. Fair Oaks Ave.

Councilmember Howe stated this program assists with a tremendous need within the community for housing that can serve extremely low-income seniors and is a good partnership between the county, City and a nonprofit.

Councilmember Lee commended staff on working with the county to identify a location and creative solution in working with the county to make this project happen for seniors. Councilmember Lee urged his colleagues to vote in favor of this project.

VOTE: 7-0

3. RTC 08-048 Mary Avenue Extension Project – Consideration of Alternatives for Completing the Environmental Review Process and Approval of Budget Modification No. 33

Transportation and Traffic Manager Jack Witthaus presented the staff report. Manager Witthaus stated there was a labeling mistake on the staff report in that Attachment A should be labeled as "AM peak hour," not "PM Peak hour."

Councilmember Whittum inquired what "recirculation of Draft Environmental Impact Report (DEIR)" meant, and Manager Witthaus explained that it would be the recirculation of a revised DEIR. Manager Witthaus stated the revision would be largely based on the comments received to date on the initial Environmental Impact Report (EIR).

Councilmember Whittum asked since Manager Witthaus does not believe there will be substantial new information, then who determines whether evidence is substantial. Manager Witthaus stated from a technical standpoint, it is determined by staff in the context of what the California Environmental Quality Act (CEQA) defines as substantial new information.

Councilmember Whittum asked the city attorney under the substantial evidence standard, whose finding makes the evidence substantial in an EIR. City Attorney Kahn stated that Council's role is to review the staff recommendation for the certification of the final EIR. At that point, Council would either certify the final EIR which would imply that there was substantial evidence to support it or, if Council did not certify it, they would make the finding that there was not substantial evidence.

Councilmember Whittum inquired if Council is able to not accept the results of a traffic study and City Attorney Kahn explained that the action would not be to reject a certain portion; rather, it would be whether or not to certify the final EIR.

Councilmember Whittum inquired if Council would be able to make the finding, after weighing the evidence, that a bridge at the end of Mary Avenue would increase traffic. City Manager Chan stated Council may request additional information after receiving the EIR. City Manager Chan stated after Council reviews all the information presented for consideration, Council may then decide whether or not to certify the final EIR.

Councilmember Swegles confirmed with Manager Witthaus that utilizing highway 85 off Ellis Street was not looked at in the DEIR because Ellis Street is in Mountain View and is not a project that the City could pursue.

Councilmember Swegles confirmed that staff did not look at the possibility of widening the frontage road (Moffett Park Drive) because there are right-of-way constraints due to the freeway and the west channel. Manager Witthaus stated it would be physically impossible to widen that roadway. Director of Public Works Marvin Rose stated the EIR is not before Council this evening and therefore it is difficult to discuss the details without the document. Director Rose stated staff is looking for Council's direction on the EIR process.

Vice Mayor Hamilton inquired what level of detail the enhanced response would contain compared to the analysis that has been done on the other alternatives in the draft. Manager Witthaus stated the enhanced response would include a 100 percent detailed analysis of the alternatives received from the public comments received. Vice Mayor Hamilton confirmed that the analysis would be the same but would be on a different set of items.

Public hearing opened at 7:49 p.m.

David Cohen stated he opposes the Mary Avenue Extension Project and cited his reasons. Cohen stated he also opposes any change in parking restrictions or resident parking.

Glenn Hendricks, member of the Personnel Board, but speaking on his own behalf, stated he supports the staff recommendation but would like to see clarification between the definitions of what is a comprehensive versus a technical response. Manager Witthaus explained that some letters received are not relevant to the project being analyzed and per the CEQA guidelines those letters would not need a response. However, staff is proposing an enhanced analysis which would attempt to give responses to every question or issue posed from the comments received. Hendricks requested the motion include the broader aspect of the enhanced analysis because the technical nature of the EIR does not address the majority of the issues that are being raised.

Debbie Staats stated the DEIR did not address most of the Sunnyvale West resident concerns. Staats stated she supports expanding the DEIR to include all of the public comments and as many alternatives as possible.

Councilmember Whittum questioned if Staats was in favor of a revised DEIR which would focus on a different preferred alternative than a vehicle bridge. Staats stated she supports an enhanced EIR revised to address all comments supplied by the residents.

Josh Salans stated he supports dropping the bridge entirely (Alternative 9).

Staats went to the podium and stated she was not aware dropping the project was an option and would like Council to know she supports that option.

Councilmember Whittum inquired if an alternative would be acceptable and Salans stated that she supports dropping this project and then revisiting the existing issues.

Mary Olmstead stated she is against the entire project and would like to see the project dropped.

Gopal Patangay stated he is a member of Sunnyvale West Neighborhood Association and

found overwhelming support in the neighborhood for dropping this project. Patangay questions why the City is spending money on a project that is not acceptable to the residents or good for the City. Patangay stated he supports Alternative 9 and does not want the City to spend any more money on this project.

Geeta Patangay stated she supports building a green Sunnyvale and urged Council to drop the proposed bridge project on Mary Avenue.

Patrick Grant proposed Council direct staff to limit the EIR and throw out some options.

Peter Cirigliano stated the bridge project is inevitable and the alternative of not doing anything will put the area in a worse situation. Cirigliano stated the alternatives offered in the staff report each offer a time delay; however, each delay is associated with an increasing cost. Cirigliano stated he supports moving forward with the cheapest and quickest option and not delaying any further.

Jeannette Hayden stated concerns over increased traffic on Mary Avenue resulting from this project.

Dan Hafeman urged Council to consider Alternative 10 and direct staff to return with another design. Hafeman stated this project will discourage use of the areas freeways and encourage the use of the surface streets which in turn will increase traffic. Hafeman urged Council to make policy decisions based on the reasonableness of the project and the engineering alternatives that might exist.

Councilmember Whittum questioned Hafeman whether he would be in favor of a revised DEIR if it were to focus on a different alternative other than a vehicle bridge. Hafeman stated he is in favor of bicycle and electrical vehicle access to the towers. Hafeman stated single passenger cars should be channeled onto the freeways.

Kerry Haywood, Executive Director of Moffett Park Business and Transportation Association, expressed the association's support for the Mary Avenue extension project.

Eleanor Hansen stated the DEIR and public comments should be looked at prior to any decision being made. Hansen stated she supports Alternative 9 and should it not be approved, she would then support Alternative 1.

Julie Norton stated she is appealing to Council to consider Alternative 9 or 10. Norton stated she would like Council to look from a global perspective as to what is happening in and around the Sunnyvale area.

Jeanne Yeager stated she supports Alternative 9. Yeager stated she also supports Council directing staff to plan in association with regional, state and federal traffic planning authorities so as to direct an efficient, modern, traffic management plan that will answer the needs of the Moffett Park Builders and additionally be responsible to the Sunnyvale residents.

Gary Vercellino stated he is against the Mary Avenue extension and spoke about safety issues for pedestrians and school children. Vercellino stated he is in favor of Alternative 9 but if the bridge has to move forward, he would then like to see that the overpass is accessible only from highway 237.

Public hearing closed at 8:26 p.m.

Vice Mayor Hamilton confirmed with Manager Witthaus that the CEQA purpose of looking at alternatives for completing the EIR is to see whether alternatives exist that could

meet the purpose and needs of the project and better reduce the significant negative environmental consequences. Manager Witthaus stated staff heard about a lot of other alternatives through citizen comments and staff is proposing to go beyond the CEQA requirements and develop more information regarding the alternatives in order to assist with the decision making process.

Vice Mayor Hamilton confirmed with Manager Witthaus that it was possible that the City could have gone into the EIR with Mary Avenue as the preferred project, but during the process staff could have found that one of the alternatives was environmentally superior to the Mary Avenue project.

Councilmember Swegles stated he has traveled Mary Avenue at different parts of the day and each time he found that the traffic lights on Mary Avenue were not timed as well as on Mathilda Avenue. Councilmember Swegles inquired if that situation would be corrected with the overpass. Manager Witthaus stated at the current time, the City does not coordinate the traffic signals along Mary Avenue; however, the City is currently installing interconnection equipment along Mary Avenue (from El Camino to Evelyn).

Councilmember Whittum inquired if Council is able to direct staff to consider a preferred alternative to do something other than an over crossing. Manager Witthaus stated the project currently being considered is a roadway connection project within the City's General Plan. Manager Witthaus stated for the City to study something that is not a roadway connection project requires new planning rather than environmental impact reporting. Manager Witthaus stated however, the City is looking developing information on alternatives to the roadway connection project and staff is proposing to look at alternative transportation facilities in the alternatives discussion.

Councilmember Whittum stated the staff report includes the ability for Council to request that staff reconsider the General Plan. Councilmember Whittum stated it is his understanding that Alternative 9 includes the possibility of Council directing staff to revise the General Plan to eliminate the overpass. Councilmember Whittum stated he is suggesting that within the EIR process, Council could direct staff to give consideration to a different alternative. Staff could then return to Council with a recommendation based on having evaluated the alternative with respect to the original. Councilmember Whittum confirmed with Manager Witthaus that it is possible for Council to direct staff to consider alternatives to a vehicle bridge.

Vice Mayor Hamilton inquired if Council were to choose another alternative, would the current EIR suffice or would another EIR be needed? Manager Witthaus explained that a new EIR process would be required and staff would need to review the Land Use Plan, Transportation Plan, and the environmental documentation supporting those documents, because the Mary Avenue project is integral to the City's Land Use Plan.

Councilmember Whittum asked if Council would be able to direct staff to return to Council with a plan to revise the General Plan to remove the Mary Avenue bridge; to consider a bike bridge along with the environmental impacts together with other features of the plan. Councilmember Whittum stated it is commonplace in the EIR process to find that an alternative is better and that the EIR document, when certified, is adequate for the alternative and no additional EIR needs to be done. City Attorney Kahn confirmed that the final EIR can consider different alternatives and Council could find an alternative to be preferable. City attorney explained that should the alternative be selected over the preferred project, it would require a new EIR directed at that particular project. Councilmember Whittum stated that a revised EIR could be accepted as a final EIR.

Councilmember Whittum asked the city attorney if Council could direct staff to pursue a

bike bridge as a preferred alternative and that the alternative should include other features as determined by staff to meet purpose and need. City Attorney Kahn stated Council could not change the EIR so that the new preferred project is the bike bridge as the new alternative. City Attorney Kahn stated Council can request that the item come back as one of the alternatives being studied in the environmental impact report. At that point, Council could direct staff to look at the new project as the focus of a new EIR.

City Manager Chan stated this evening, Council has nine alternatives to choose from; however, if Council is interested in providing staff with another direction, then the time to do that is when the final EIR comes back to Council. City Manager Chan stated if Council's alternative is substantially different than the preferred alternative then a different process will be needed including a new EIR. City Manager Chan stated the focus this evening is when Council would like to have the report to come back to them.

MOTION: Vice Mayor Hamilton moved, and Councilmember Moylan seconded, to approve Alternative 4: Council directs staff to provide "enhanced" responses to comments on the Mary Avenue Extension DEIR that comprehensively address comments, provide a 10-day public review period prior to Council consideration of document certification, include a peer review and execute Budget Modification No. 33 in the amount of \$85,000.

Vice Mayor Hamilton stated she is trying to solve the problem of getting traffic in and out of the area and includes the additional alternatives brought about by public comments. Vice Mayor Hamilton stated currently she does not have enough information on this project and the additional analysis will assist her decision.

Councilmember Moylan stated Council has several options and spoke in favor of Alternative 4. Councilmember Moylan stated some of the other alternatives add on a 45 day public review period which seems unnecessary due the extended comment period and the thorough engagement from the community.

Councilmember Moylan explained that he is not presently in favor of Alternative 9 because all the data has not been reviewed yet including all the ideas from the public. Councilmember Moylan stated once the data is received, then Council can make an informed decision.

Councilmember Whittum stated he will vote against the motion and objects to not being asked questions without the ability to view the resident comments.

Councilmember Whittum stated where several alternatives are available, it is appropriate for the community to request that Council consider one or two of the alternatives. Councilmember Whittum stated he does not see the City considering the alternatives, rather he sees the City moving toward an overcrossing. Councilmember Whittum stated the City does not apply its own standards to its own neighborhoods. Mary Avenue currently does not meet the standards in the General Plan for residential development due to noise levels. Councilmember Whittum stated he will be voting against this motion and further explained there are alternatives that he would endorse; however, they are not listed in the report.

Councilmember Swegles stated he will not support the motion due to the cost factor and would prefer to look at Alternative 2 which would allow a peer review and is less expensive.

Councilmember Swegles responded to a member of the public's earlier comment about Council all wearing black this evening and explained that it was not meant to be a statement about any decisions made, rather it was in honor of his father who recently

passed away.

Councilmember Lee stated he is not able to support the motion due to not allowing the 45 day public review period. Councilmember Lee noted that the longer review did not affect the cost and he does not feel this is an issue that Council should move too quickly on given the amount of public interest in this project. Councilmember Lee stated another concern of his is regarding traffic mitigation and feels a bike option is an important aspect to look at for this bridge.

VOTE: 4-3 (Councilmembers Whittum, Swegles and Lee dissented)

Mayor Spitaleri called for a short recess at 8:55 p.m.

Mayor Spitaleri reconvened the Council meeting at 9 p.m.

4. RTC 08-049 Jay Paul Company Request for Release of "H Street Reservation" and Removal of H Street Alignment as an Alternative for Mary Avenue Extension

Vice Mayor Hamilton disclosed she met with the developer in January 2008.

Councilmember Swegles disclosed he met with the applicant.

Councilmember Whittum disclosed he met with the developer.

Councilmember Lee disclosed he spoke with the developer a month ago by phone.

Councilmember Howe disclosed he met with the developer and other members of the public regarding this item.

Councilmember Moylan disclosed he spoke with the developer over the phone.

Mayor Spitaleri disclosed he had a phone conversation with the applicant.

Transportation and Traffic Manager Witthaus presented the staff report.

Public hearing opened at 9:06 p.m.

Councilmember Lee confirmed that Lockheed still owns land down to 11th Avenue, but they have sold one of the parcels north of 11th Avenue.

Councilmember Lee confirmed that in the context of the draft EIR on the Mary Avenue Extension project, staff has not received any comments against removing the "H Street Reservation".

Jay Paul, applicant, stated he has previously made his position clear and emphasized again the importance of this project. Paul explained that Lockheed has no objections. Paul stated the analysis pointed out that the H Street is not a preferred solution regardless of what occurs on Mary Avenue.

Councilmember Swegles inquired if Paul agreed with the staff recommendation. Paul stated he did not know what was entailed in the staff recommendation; however, the indemnification that staff is requesting is an unfair burden to place on the Jay Paul Company. Paul stated he would approve of a limit on what his company might have to pay, but he does not agree with an open indemnification as that is not reasonable. Paul

explained that this project was done with the full understanding that the Mary Avenue overpass may never be built.

Councilmember Moylan explained that the staff recommendation is for Jay Paul Company to indemnify the City from any additional costs or impacts to the City arising from the release of the H Street Reservation prior to the certification of the final EIR. Councilmember Moylan explained this would not allow any challenge to the EIR, rather only to any piece of the EIR that was due to granting Jay Paul Company's request. Paul stated he would accept that proposal; however, he thinks it would be more reasonable to some type of cap on the cost. Paul explained that Jay Paul Company has paid the City \$20 million in fees so far for this project. Paul stated he supports making a contribution toward some potential cost, but it should be a nominal allocation. Paul explained the basis of whatever contention there might be this would be the least reasonable thing to try and argue.

Councilmember Moylan explained that it is important that City is made whole if Council grants this unusual request. The city attorney worked very closely on this report and he may have another alternative he would accept which Council could consider.

Paul stated he still prefers a cap is put on his financial responsibilities should any litigation arise. Paul stated it would be difficult to decipher what portion of any litigation would be his responsibility.

Vice Mayor Hamilton explained that it does not cost the City anything to hold on to the H Street Reservation. Vice Mayor Hamilton stated if the City winds up in litigation for any reason, the City would have no idea of the cost involved. Vice Mayor Hamilton stated Paul is not making a persuasive argument as to why Council should approve a cap on his financial responsibility. Vice Mayor Hamilton asked Paul why the City should assume any risk.

Paul stated it will be difficult to allocate any litigation and he is just suggesting a fair way to handle possible future litigation. Paul stated he is asking for consideration from the City and pointed out that his company has made a substantial contribution to the City. Vice Mayor Hamilton stated the City's consideration would be the release of the reservation and that Paul would assume the risk of releasing the consideration. Paul stated he is prepared to assume that risk if that is Council's decision.

Mayor Spitaleri confirmed with City Attorney Kahn that if the reservation is released and then the Mary Avenue Extension is challenged, it is possible that this project may not be part of the challenge to the final EIR. Mayor Spitaleri questioned if Paul would be named as part of a lawsuit against Mary Avenue and City Attorney Kahn stated the City would be named as the defendant in the lawsuit and the release of the H Street Reservation would be part of that litigation. City Attorney Kahn further explained that the City would have to defend that reservation as part of any litigation. The risk of the H Street Reservation becoming part of any litigation would be less if Council elected to wait until the EIR is certified. Should Council elect to release the reservation at this time, City Attorney Kahn stated it would be appropriate for Paul to share in the risk that H Street would be involved in any future litigation.

Paul inquired if City Attorney Kahn is including Paul in sharing the legal fees only. City Attorney Kahn stated there is another part of the risk sharing equation, as noted in the staff report. City Attorney Kahn explained that the original design agreement in 1985 contained a commitment from Lockheed to pay \$1.1 million in costs toward the Mary Avenue extension if and when it was eventually built and if the reservation was accepted. City Attorney Kahn stated staff has been having ongoing discussions with Lockheed and it is the City's position that if the H street reservation is released and

another alternative is used for the Mary Avenue extension, then Lockheed still might be responsible to pay the \$1.1 million (minus what they have already paid toward the EIR) per the design agreement. City Attorney Kahn stated Lockheed is continuing to contest this and it is not resolved. City Attorney Kahn stated if the only reason Lockheed was able to get out of their commitment was due to the early release of the H Street Reservation, then that would be something the City would consider as covered by the indemnification clause with Jay Paul Company. However, should Lockheed be successful in not having to honor their obligation because of reasons other than the H Street Reservation, then it would not be the responsibility of the Jay Paul Company.

Paul stated he has no problem paying the legal fees but it would be unfair if he is required to make Lockheed's payment, should they do not stand by their obligation.

Vice Mayor Hamilton inquired as to why the reservation agreement did not transfer to Paul when he bought the property from Lockheed. A member of the Jay Paul Company stated that when they bought the property, the agreement with the City was a completely separate obligation to the City.

Councilmember Moylan stated the issue appears to be that if the Council approves the early release of the reservation and Lockheed prevails in litigation, then the cost of the project to the City would increase; however, the City could possibly have saved this potential expense by not releasing the reservation early. City Attorney Kahn clarified that Lockheed would likely use the same argument that they are not obligated to pay regardless of an early release of the H Street Reservation. City Attorney Kahn further explained that his concern is that the City would be taking a risk should Lockheed be successful in contesting their obligation to pay based on the current release of the reservation as opposed to after the conclusion of the FEIR.

Councilmember Moylan stated he understands that there is risk whether or not the reservation is released now or after the conclusion of the FEIR. Councilmember Moylan confirmed with City Attorney Kahn that in exchange for early release of this reservation, the City is asking Paul for indemnification against any loss due to releasing the reservation early.

Paul stated he would rather not pay the fee and it is his opinion that they have paid their share of fees to the City.

Glenn Hendricks, member of the Personnel Board, speaking on his own behalf, stated he recommends Council approve Alternative 3, which would not release the reservation. Hendricks does not understand why the release of this reservation would make it easier for Paul to conduct his tenant transactions. Hendricks questioned why this would be a benefit for Paul or the City.

Vice Mayor Hamilton stated page two of the staff report identifies what Paul explained as his reason for a need to have the reservation released. The request from Paul alleges that his prospective tenants will not conclude lease negotiations until the H Street Reservation is released or selected. A member of the Jay Paul Company further explained that the City will not release an occupancy permit for the building unless the reservation is released.

Mark Kaminsky stated if Lockheed prevails and does not have to pay, what mechanism would be in place so the City would know that Lockheed prevailed because of the early reservation release. Kaminsky stated there does not seem to be an obvious answer.

Public hearing closed at 9:31 p.m.

MOTION: Councilmember Swegles moved, and Councilmember Lee seconded, approval of Alternative 2: Council releases and rejects the H Street Reservation, based on a finding that the H Street Reservation alignment alternative cannot achieve project objectives at a reduced environmental cost, but conditioned on the Jay Paul Company agreeing to hold harmless and indemnify the City from any additional costs or financial impacts to the City arising from the release of the H Street Reservation prior to the certification of the Final EIR.

Councilmember Lee stated he wanted to make it clear that this vote has nothing to do with whether the Mary Avenue overpass will be built or not.

VOTE: 7-0

5. RTC 08-042 Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes (Originally Titled Policy for Allocation of Street Space) – Study Issue

Transportation and Traffic Manager Witthaus presented the staff report.

Vice Mayor Hamilton confirmed with Manager Witthaus that Evelyn Avenue (east of Fair Oaks) is a street that would meet the minimum requirements.

Vice Mayor Hamilton confirmed that staff would be looking at providing bike facilities on all major arterial and collector streets.

Public hearing opened at 9:47 p.m.

Kevin Jackson, Chair of the Bicycle and Pedestrian Advisory Commission, gave a visual presentation on roadways and bikes. Jackson talked about the changes that would be needed to increase non-motorized transit.

Councilmember Whittum stated he understood that the chair of a board or commission could speak for 10 minutes. Mayor Spitaleri stated the chair could speak for 10 minutes if they disagree with the staff recommendation which did not occur. Mayor Spitaleri stated Jackson has the right to come back if new information is presented. Kevin Jackson was stopped at three minutes.

Councilmember Whittum stated he thought the chair would receive 10 minutes. Councilmember Moylan stated 10 minutes was never mentioned in the policy that Council approved at the January 29, 2008, Council meeting. Councilmember Moylan explained that the policy states that the mayor may grant additional time if the chair disagrees with staff's recommendation, but there was not a fixed allowance of time. Councilmember Moylan identified that the mayor did not approve additional time for the chair.

Councilmember Whittum stated a concern that on-street parking would be removed if this policy were adopted. Jackson stated nothing in the policy is a strict rule; rather it guides the staff recommendations to putting safety for roadway users first. Jackson stated the policy would make everyone justify their needs including the need for on-street parking. The decisions would be made by Council rather than at a staff level. Jackson explained there is nothing coercive about the policy; rather it is making more information available to the Council.

Councilmember Whittum stated he is aware there are areas where on-street parking could be removed and other areas where it is needed. Councilmember Whittum asked Jackson how the case-by-case basis would be observed under this policy. Jackson stated

it would involve conducting surveys of the on- and off-street supply and demand along with public hearings. Jackson stated all that information would then go to Council.

Vice Mayor Hamilton confirmed with Jackson that a wide curb lane is sufficient where a bike lane is not feasible, such as a residential street. Jackson stated the width of a wide curb lane is 14 feet as opposed to 16 feet. Jackson explained that the commission is attempting to change the policies for collector and arterial streets because the current policies have been supporting putting in bike accommodations where it is easy to do so and not where it is needed.

Vice Mayor Hamilton inquired how this would be different than what Council does currently and Jackson stated currently staff obtains negative public feedback and makes changes from that without obtaining any analysis or justifications for the change.

Vice Mayor Hamilton inquired what Jackson would consider to be ample off-street parking. Jackson stated that would depend on the survey that was done for that area.

Councilmember Lee inquired what Jackson thought could be softened in the policy so as to obtain staff's approval. Jackson stated staff seems to be concerned with prejudging situations and he finds that safe car access is always a prejudged outcome of every road project. Jackson stated this really does not make sense as Council makes the final decision.

Councilmember Lee asked staff where the biggest issue is in the policy for staff. Director Rose stated the biggest issue is on page 1 of Attachment B, "Historical precedence for street space dedicated for parking is not a consideration when determining the appropriate future use of street space for transport." Director Rose stated this statement is the primary factor under which staff recommended not approving this policy. It removes an important option for staff to consider and evaluate. Director Rose stated staff is recommending that all alternatives are evaluated and that a recommendation is provide to Council. Director Rose explained that staff does perform the analysis methods that Jackson mentioned when conflicts between transportation modes exist.

Witthaus stated the policy statement on page 2 of Attachment B, "Safety considerations of all modes shall take priority over capacity considerations of any one mode" causes concern from staff. Witthaus stated there are streets in which the only way to improve accommodations would be to eliminate a travel lane or a turn lane on a major street which would cause significant traffic congestion. Witthaus stated roadway congestion has to be taken into consideration when looking at retrofitting existing streets.

Councilmember Lee inquired if Jackson would accept the removal of the two items mentioned by staff from the policy. Jackson stated whatever the Council feels comfortable with is acceptable to the commission. Jackson stated the commission's concern is to have a bike route network that citizens can rely on safely and which meets their transportation needs.

Glenn Hendricks, member of the Personnel Board, speaking on his own behalf, stated he recommends Council approve staff recommendation to approve Alternatives 2 and 3. Hendricks stated his concern is over Attachment B, the statement that "parking is the storage of transportation vehicles and shall not be considered a transport use" because it can be applied to any street to stop street parking.

Patrick Grant, member of the Bicycle and Pedestrian Advisory Commission, stated he had an overhead to share with Council. Councilmember Moylan stated he is aware everyone is attempting to get used to the new policy; however, the revisions Council

made do not allow multiple members of the board or commission (other than the chair or chair's designee) to take up public hearing time unless Council does not have detailed minutes of their meeting. Councilmember Moylan explained that Council does not currently have extremely detailed minutes and the chair had extended time to speak. Grant asked if he would be allowed to speak and Councilmember Moylan stated he will leave that up to the mayor. Grant stated he wanted to speak and would resign from his position as commissioner if that was what it would take to speak. Mayor Spitaleri questioned if Grant was formally resigning and Grant stated if in order to speak he must resign, then he will resign in order to obtain a right to speak. Grant stated that is the only way he will be able to speak to Council about information that the chair could not present. Grant stated he resigned and made his presentation as a member of the community.

Grant stated reasons for instituting the BPAC policy and cited the City's need to reduce vehicle traffic and encourage alternate transportation.

Linda Eaton stated she would like Council to support the BPAC policy for safe accommodations for bicycles and pedestrians on all streets in Sunnyvale. Eaton stated access for all modes of transportation should be a part of all new developments.

Mark Kaminsky stated, as a bicyclist, riding in a bike lane is unsafe. Kaminsky stated the City has not kept up with maintenance of the bike lanes. All the road debris is pushed into the bike lane causing bikes to have to ride outside of the bike lanes in several locations. Kaminsky stated bike lanes are not the answer to bicyclist safety as the bike lanes are not maintained. Kaminsky stated wider lanes are a better solution for bicyclists and motorist consideration.

Cathy Switzer explained that she is an active bicyclist and has concerns over the area of Fair Oaks and Highway 101. Switzer stated she rides through Mountain View because it is safer for her to ride there than Sunnyvale. Switzer urged Council to make Sunnyvale safer by approving the BPAC policy.

Jackson noted that no public opposition was received. Jackson stated the commission supports Alternatives 1 and 3. Jackson stated if Council wishes to make compromises, he would like the opportunity to have a discussion with Council.

Councilmember Whittum stated he has concerns with the BPAC policy and questioned if Jackson would find value in Council returning the policy to BPAC and asking the commission to work with staff on revising the policy. Jackson stated that was a possibility as this is a long-term solution to a long-term problem and it is important to get it right.

Public hearing closed at 10:37 p.m.

MOTION: Councilmember Moylan moved, and Councilmember Lee seconded, to approve Alternative 1 with modifications: Council approves the policy on allocation of street space and directs staff to prepare a General Plan amendment to incorporate the proposed street allocation policies into the Land Use and Transportation Element of the General Plan

with modification to paragraph 5 on the first page of Attachment B to read as: Historical precedence for street space dedicated for parking **shall be a lower priority** when determining the appropriate future use of street space for transport.

with modification to paragraph 4 on the second page of Attachment B to read as: **All else being equal**, safety considerations of all modes shall take priority over capacity considerations of any one mode.

Councilmember Moylan explained that staff would not be expected to make a 1 percent

improvement in safety for an 80 percent decrease in capacity.

Councilmember Moylan stated there is no reason to remove the statement that parking is not a transport use because that is entirely true. Councilmember Moylan explained that the policy does not state that all parking would be illegal or that all street parking would vanish. The policy instead represents that using the road should be a higher priority than storing vehicles on it, which is the heart of what BPAC is representing to Council.

Councilmember Whittum stated he will vote against the motion because he does not agree with the statement in the policy regarding transport uses being met before non-transport uses are considered. That statement alone will eliminate parking on many streets without staff to have any discretion in the matter. Councilmember Whittum stated he recommends Council suggest revisions and that those revisions go back with the policy to staff and BPAC for further consideration.

Vice Mayor Hamilton stated she will not support the motion because there is no place to leave a car other than a street. Over the years, citizens have come to expect to have street parking. Vice Mayor Hamilton stated she resents the comments from BPAC that the City is not taking safety into account when roadways are originally designed. Vice Mayor Hamilton stated she does not see how this policy would add anything to the City's process but after hearing the comments, she is in support of sending this back to BPAC for modifications. Vice Mayor Hamilton stated she would recommend removing the parking items and also including more provisions about pedestrians.

Councilmember Lee offered a friendly amendment to change paragraph 6 on the first page to read as: On-street parking shall not be considered as a **primary** means to meet City parking requirement for private development.

Councilmember Moylan accepted the friendly amendment.

Councilmember Moylan stated he wished to clarify his motion. Councilmember Moylan referred to page 4 of the staff report in which staff identified that the BPAC policy would place safe accommodation of transport modes essentially as a primary priority and walking is included as a transportation mode. Councilmember Moylan stated pedestrians are also included in the first paragraph of Attachment B. Councilmember Moylan stated he wanted to make clear that the intent of the motion is that all transportation modes should be given priority over storage modes or landscaping. The use of streets for mobility should be given a higher priority than the use of the streets for things that block them. Councilmember Moylan stated that his motion also is not meant to remove all street parking.

Councilmember Swegles stated he agrees with Councilmember Whittum in that there are items in the policy that need to be ironed out and that it would be best to return this policy to both BPAC and staff so that they may work on finding a compromise for everyone.

Restated MOTION: Councilmember Moylan moved, and Councilmember Lee seconded, to approve Alternative 1 with modifications: Council approves the policy on allocation of street space and directs staff to prepare a General Plan Amendment to incorporate the proposed street allocation policies into the Land Use and Transportation Element of the General Plan

with modification to paragraph 5 on the first page of Attachment B to read as: Historical precedence for street space dedicated for parking **shall be a lower priority** when determining the appropriate future use of street space for transport.

with modification to paragraph 4 on the second page of Attachment B to read as: **All**

else being equal, safety considerations of all modes shall take priority over capacity considerations of any one mode

with modification to paragraph 6 on the first page of Attachment B to read as: On-street parking shall not be considered as **a primary** means to meet City parking requirement for private development

VOTE: 3-4 (Councilmember Howe, Vice Mayor Hamilton, Councilmembers Swegles and Whittum dissented)

MOTION: Councilmember Whittum moved and Councilmember Swegles seconded to refer this policy back to the BPAC and staff to work out wording changes based on Council's discussion this evening.

VOTE : 7-0

7. RTC 08-044 Webcasting City Meetings and Approval of Budget Modification No. 32

Principal Programmer Analyst Helen Kwan presented the staff report.

Councilmember Whittum confirmed that staff costs (for 2.5 of staff time) for software implementation is included in the cost listed in Alternative 2.

Public hearing opened at 10:52 p.m.

Jim Griffith, chair of the Library Board of Trustees, speaking on his own behalf, stated he is concerned over how Webcasting would affect the current dialogue between commission members as the commission is quite blunt and that frankness might not exist if the meetings were Webcast. Griffith questioned whether all board and commissions need to be Webcast. Griffith stated the demand is clearly in place for Council and the Planning Commission, but he is not sure it would be the same for the other commissions. Griffith stated he supports Alternative 1 and spoke of scheduling conflicts if all boards and commissions were webcast.

Public hearing closed at 10:55 p.m.

Councilmember Whittum confirmed with Kwan that it would be possible to monitor the amount of board and commission meeting viewers for a year, at which time staff could evaluate the data to see if Webcasting should continue.

MOTION: Vice Mayor Hamilton moved, and Councilmember Lee seconded, to approve Alternative 1: Council directs staff to proceed with the implementation of Webcasting City Council and Planning Commission meetings and approves Budget Modification No. 32 to accept \$25,000 in revenue from the Comcast Technology Grant. Staff will then initiate a contract with Granicus, inc. in the amount of \$31,035 under the city manager's contract award authority of \$50,000.

Vice Mayor Hamilton stated her support of Webcasting as it will allow more citizens to view the Council meetings in addition to those who live outside Sunnyvale will also be able to watch the meetings. Vice Mayor Hamilton stated she did not select webcasting for all board and commission meetings because the cost was more than double. Vice Mayor Hamilton stated the two meetings that are currently broadcast is a good starting point for webcasting and the boards and commissions can always be added at a later date.

Councilmember Lee stated this is something that should have happened years ago and

is very important for open government. Councilmember Lee stated easily accessing meetings at a later date is an important component of Webcasting and it also enhances the public's ability to view Council meetings.

VOTE: 7-0

8. RTC 08-041 Appointment of Council Sub-Committee-Public Campaign Financing

City Attorney Kahn presented the staff report.

Public hearing opened at 11:01 p.m.

No speakers.

Public hearing closed at 11:01 p.m.

Vice Mayor Hamilton stated she had a suggestion for appointment to this sub-committee. Vice Mayor Hamilton explained that there are four Councilmembers who are term-limited and will not be doing anymore campaign fundraising in the City. One of the four Councilmembers is currently running for another office so that leaves three Councilmembers who would not have a conflict of interest.

Councilmember Lee suggested that individual Councilmembers express whether they are interested in a position on this sub-committee.

Councilmember Moylan stated he agrees with Councilmember Lee and proceeded to express his interest in serving on this sub-committee.

Councilmember Lee expressed interest in serving on this sub-committee.

Councilmember Whittum expressed his interest in serving on this sub-committee.

Councilmember Moylan stated it is important to have the Councilmembers who are interested in studying public financing serve on this sub-committee.

Councilmember Swegles and Howe expressed an interest in serving on the sub-committee.

Councilmember Lee suggested that the random way to select the members would be to throw names in a hat and then select three Councilmembers who will serve on the sub-committee.

Councilmember Moylan suggested rather than toss names in a hat, those interested should state why they are interested in serving.

Councilmember Whittum explained his interest in serving included that he believes it is possible to mount a viable campaign without spending too much, and it is important to educate residents so they understand the process.

Councilmember Swegles stated he is knowledgeable of the senior perspective on this issue which can help give a balance to discussion on this topic. Councilmember Swegles stated he has also talked extensively with the representatives from the *Clean Money* organization.

Councilmember Lee stated he has a strong interest in public campaign financing in

various ways. Councilmember Lee stated this is an issue that should not be rushed. Councilmember Lee stated since he is a candidate for another office, he is able to offer the challenges he is facing trying to meet the cap given by the county.

Councilmember Howe stated he changed his mind and is not interested in serving on this sub-committee. Councilmember Howe stated he would like to point out that no cost is listed for staff time (or any other items) in the staff alternatives.

Councilmember Moylan stated he put a lot of time in on this project last year and he feels a sense of unfinished business. Councilmember Moylan stated he would prefer that the mayor select three Councilmembers as opposed to throwing names in a hat.

City Attorney Kahn stated that previously Council approved a motion to have Council select the sub-committee members. In order to have the mayor select the members, another motion would need to be made this evening that would allow the mayor to make the selection. City Attorney Kahn stated the other option would be for the mayor to recommend the members and have Council vote on that recommendation.

Mayor Spitaleri stated that he would make recommendations.

Councilmember Howe stated he wished to move these items along and he moved to have the mayor select the three members of the sub-committee.

MOTION: Councilmember Howe moved, and Councilmember Moylan seconded, to have the mayor appoint the three members of the Council Sub-committee on Public Campaign Financing.

VOTE: 7-0

Mayor Spitaleri appointed Councilmembers Swegles, Lee and Moylan to the Council Sub-Committee on Public Campaign Financing.

NON-AGENDA ITEMS & COMMENTS

Council Councilmember Swegles thanked his colleagues, the mayor and vice mayor and staff for their support in the recent loss of his father.

Mayor Spitaleri announced he recently awarded a certificate on behalf of the City of Sunnyvale to a young resident who achieved the rank of Eagle Scout. Mayor Spitaleri applauded the dedication it takes to receive this ranking. Mayor Spitaleri stated it was great to have a Homestead High student achieve this award and represent the City of Sunnyvale.

Staff None.

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- 08-043 Revisions to Council Policy 7.2.19 Boards and Commissions
- 08-045 Opportunity for Council to Appeal Decisions of the Planning Commission Meeting of January 28, 2008, and the Administrative Hearing of January 30, 2008

ADJOURNMENT

Mayor Spitaleri adjourned the Council meeting at 11:15 p.m. to the Onizuka Local Redevelopment Authority.

Gail T. Borkowski
City Clerk

Date

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