DRAFT

SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
Special Meeting Minutes – December 17, 2012

The Sunnyvale Bicycle and Pedestrian Advisory Commission met at 1:45 p.m. on December 17, 2012 with Commission Chair James Manitakos presiding. The meeting was held in the Transportation and Traffic Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale with teleconference access for Commissioners and other interested parties.

ROLL CALL/CONSIDERATION OF ABSENCES

Members Present: None

Members Teleconferencing:
James Manitakos
Angela Rausch
Kevin Jackson
Richard Kolber
David Jones
Cathy Switzer
Kyle Welch

Members Absent: None

Council Liaison Present: None

Staff Present: Jack Witthaus, Transportation and Traffic Division Manager, Department of Public Works

Visitors: None

PUBLIC ANNOUNCEMENTS

(Speakers are limited to 3 minutes for announcements of related board/commission events, programs, resignations, recognitions, acknowledgments)

None.

PUBLIC COMMENTS

This category is limited to 15 minutes, with a maximum of three minutes per speaker. If you wish to address the board or commission, please complete a speaker card and give it to the Recording Secretary or you may orally make a request to speak. If your subject is not on the agenda, you will be recognized at this time; but the Brown Act (Open Meeting Law) does not allow action by board or commission members. If you wish to speak to a subject listed on the agenda, you will be recognized at the time the item is being considered by the board or commission.

None.

PUBLIC HEARINGS/GENERAL BUSINESS

1. ACTION – Breaking of Study Issue Tie Rankings

Chair Manitakos announced that the BPAC needed to break two ties that occurred during the ranking of study issues at the BPAC's November 15, 2012 meeting. Chair Manitakos directed that the first tie to be broken would be between a bike boulevard demonstration study issue and a study of expanded vision triangle regulations. Motion by Manitakos, second Kolber to rank the bike boulevard issue above the vision triangle issue on the basis that a bike boulevard demonstration could be implemented quicker and be of more benefit to more people in the near term. Commissioner Jackson stated that he believed that the vision triangle issue would provide more benefit, and a bike boulevard concept was not sufficiently defined.

By roll call vote, motion passes 4-3, Switzer, Jackson and Jones dissenting.

Chair Manitakos directed that the tie between a bikes allowed use of full lane issue and a pedestrian anti-harassment ordinance issue be broken. Motion by Jackson, second Kolber, to rank the bikes allowed use of full lane issue above the pedestrian anti-harassment issue on the basis that conflicts between pedestrians and motor vehicles were usually unintentional as opposed to harassment of bicyclists. Commissioner Jones noted that the City Council originated the pedestrian anti-harassment issue.

By roll call vote, motion passes, 7-0.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS

None.

- STAFF ORAL COMMENTS

None.

ADJOURNMENT
Meeting adjourned at 2:15 p.m.

Respectfully submitted by:

_____
Jack Witthaus
Transportation and Traffic Manager

DRAFT

SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
Meeting Minutes – December 20, 2012

The Sunnyvale Bicycle and Pedestrian Advisory Commission met at 6:34 p.m. on December 20, 2012 with Commission Chair James Manitakos presiding. The meeting was held in the West Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale.

ROLL CALL/CONSIDERATION OF ABSENCES

Members Present: James Manitakos
Angela Rausch
Kevin Jackson
Richard Kolber
David Jones
Cathy Switzer
Kyle Welch

Members Absent: None

Council Liaison Present: None.

Staff Present: Jack Witthaus, Transportation and Traffic Division Manager, Department of Public Works

Visitors: Ralph Durham
Art Schwartz

SPECIAL PRESENTATION

None.

PUBLIC ANNOUNCEMENTS

(Speakers are limited to 3 minutes for announcements of related board/commission events, programs, resignations, recognitions, acknowledgments)

Commissioner Jackson announced that the VTA BPAC had held a workshop including a presentation on adaptive traffic signal control on County expressways. He expressed concern about the reliability of detection and the impact on cyclist crossing times. He also noted recent meetings on the Stevens Creek Trail, and an upcoming public meeting the week of January 28.

CONSENT CALENDAR

1.A) Approval of the Draft Minutes of November 15, 2012 Meeting
1.B) Updated 2012 BPAC Calendar

The consent calendar was approved by consensus.

PUBLIC COMMENTS

This category is limited to 15 minutes, with a maximum of three minutes per speaker. If you wish to address the board or commission, please complete a speaker card and give it to the Recording Secretary or you may orally make a request to speak. If your subject is not on the agenda, you will be recognized at this time; but the Brown Act (Open Meeting Law) does not allow action by board or commission members. If you wish to speak to a subject listed on the agenda, you will be recognized at the time the item is being considered by the board or commission.

None.

PUBLIC HEARINGS/GENERAL BUSINESS

1. DISCUSSION – Sunnyvale Street Space Allocation Policies and Complete Streets

Chair Manitakos spoke in general about the complete streets information and City policy, and expressed interest in Americans with Disabilities Act policy. He noted that the City did not have navigable waterways policy.

Staff stated the intent of the item being to provide information on City policy and reference materials to the BPAC in developing future programs, projects or policy to build on the City's legacy of complete streets policy.

Commissioners asked questions about bikeway gap projects, availablility of presentation materians, and compliance with Metropolitan Transportation Commission Complete Streets requirements. Commissioner Jackson spoke on the challenges with applying complete streets policies to situations where providing for all users requires difficult decisions. He expressed his dislike of sharrows. He encouraged the Commission to provide leadership on complete streets in the future.

The public hearing was opened. Ralph Durham encouraged providing for the mobility challenged and disabled. He expressed support for narrowing lane widths, access to all land uses by alternative transportation, and wide sidewalks. He stated that the City should hold Caltrans responsible to complying with their own Directive on Complete Streets.

Art Schwartz complemented the new paving on Hollenbeck Road, and suggested not paving parking lanes in the future as a means to stretch paving dollars. He asked about a vote on bike lanes on Hollenbeck. The Commission discussed the paving of parking lanes and shoulders.

Commissioner Jones noted recent citizen support for road diets reflected in a Mr. Roadshow column.

Staff summarized recent actions to implement complete streets initiatives.

Commissioner Jackson discussed the decision not to implement bike lanes on Pastoria Avenue.

2. ACTION – Recommendation to Council on Eligibility Requirements for Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee Representatives

Chair Manitakos summarized the makeup and responsibilities of the VTA BPAC. He stated that important qualifications for a City representative in his opinion were City residency, experience in advocacy, experience in government, educational or professional qualifications, length of commitment to the appointment (so long as Council approves a longer than one year term), attendance, and BPAC experience. Commissioner Jones suggested an application process, or at minimum an application form. Commisioner Jackson advocated for qualifications rather than requirements, except for City residency. He suggested a six month "internship" at VTA BPAC meetings before an appointment is made. Commissioner Jones noted the dual role of the VTA BAC as the County of Santa Clara BPAC as well.

The public hearing was opened. Ralph Durham suggested familiarity with long range plans and projects.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS

Commissioner Jackson noted that the Cherry Orchard development only has two bike racks. He expressed concern with low lighting levels on Wright Avenue.

Commissioner Rausch inquired about regulations or laws regarding the piling of leaves in the public right of way.

- STAFF ORAL COMMENTS

Staff announced that the Mathilda Caltrain bridge was recently re-paved and re-striped to provide six foot wide bike space and bike lane-style striping. He also announced results of polling on Wildwood Avenue bike lane construction.

INFORMATION ONLY ITEMS

1. BPAC E-mail messages and/or letters since circulation of the agenda packet of the November 15 2012 meeting.
2. BPAC Active Items List.

Accepted as submitted.

ADJOURNMENT
Meeting adjourned at 7:44 p.m.

Respectfully submitted by:

_____
Jack Witthaus
Transportation and Traffic Manager

Bicycle and Pedestrian Advisory Commission Master Work Plan/Calendar

Calendar Year: 2013

List all regularly scheduled board/commission meetings, annual review of the Code of Ethics and Conduct for Elected and Appointed Officials, specific issues identified in the Tentative Council Meeting Agenda Calendar, and routine assignments specific to each board or commission.

Meeting Date	**Agenda Item/Issue**
January 17	Meeting Canceled
February 21	-2013 BPAC Calendar - Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials - Wildwood Avenue Street Space Allocation Study - Mathilda Avenue Street Space Allocation Study - Bike Boulevard Pilot Project Candidate Streets - Mary Avenue Street Space Study Community Meeting (Information Item) -Stevens Creek Trail Community Meeting (Information Item) - Council Ranking of Study Issues (Information item) - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item)

Meeting Date	Agenda Item/Issue
March 15	- Updated 2013 BPAC Calendar - Transportation Development Act (TDA) Funding Recommendation - 2013/14 Pavement Rehabilitation List(Information item) - Utility Bill Insert Concepts - VTA BPAC Appointment Criteria -Mary Avenue Street Space Allocation Study - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item)
April 19	- Updated 2013 BPAC Calendar - Utility Bill Insert Concepts - Study Issue Brainstorming - Bike to Work Day Planning - Duane Avenue Street Space Allocation Study - Review of Park Dedication Fund Project List - VTA BPAC Appointment - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item)
May 17	- Updated 2013 BPAC Calendar - Review of the Detailed Two-Year Budget - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item)
June 21	- Updated 2013 BPAC Calendar - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item)
July 19	- Updated 2013 BPAC Calendar - Utility Bill Stuffer Update - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item) - Election of Officers

Meeting Date	Agenda Item/Issue
August 30	- Updated 2013 BPAC Calendar - Consideration of Candidate Study Issues - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List Update (Information item)
September 20	- Updated 2013 BPAC Calendar - Study and Budget Issues Finalization - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List
October 18	- Updated 2013 BPAC Calendar - Annual reporting on collisions involving pedestrians and cyclists - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List (Information item)
November 15	- Updated 2013 BPAC Calendar - Ranking of Study Issues - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List (Information item)
December 20	-Updated 2013 BPAC Calendar - Stevens Creek Trail Draft Feasibility Study - BPAC E-mail Messages and/or Letters (Information item) - BPAC Active Items List (Information item

Staff Reports

Public Hearing/General Business 1

ACTION: Wildwood Avenue Street Space Allocation Study

Attached for the BPAC's review is a draft Report to Council on a Wildwood Avenue Street Space Allocation Study. The staff recommendation is to eliminate on-street parking on one side of Wildwood Avenue and re-configure the street to provide two motor vehicle travel lanes and bike lanes. Staff recommends that the BPAC develop a recommendation to the City Council on the Street Space Allocation Study and the configuration of Wildwood Avenue.

Public Hearing/General Business 2

2. ACTION: Mathilda Avenue Street Space Allocation Study

To be delivered under separate cover for the BPAC's review is a draft Report to Council on a Mathilda Avenue Street Space Allocation Study. The staff recommendation is to reconfigure an auxiliary lane in the southbound direction of Mathilda Avenue between Maude Avenue and California Avenue to provide right turn and acceleration lanes at intersections and a bike laneStaff recommends that the BPAC develop a recommendation to the City Council on the Street Space Allocation Study and the configuration of Mathilda Avenue.

3. DISCUSSION: Bike Boulevard Pilot Project Candidate Streets

At its Study Issues Workshop the City Council directed that a BPAC-sponsored study issue, North-South and East-West Bicycle Boulevards pilot project, be ranked 4th priority for the Department of Public Works, subject to Council budget action . The City Manager will be recommending that this study move forward conditional on securing grant funding for the project. At this time staff believes that identification of potential candidate streets that are supported for study by the BPAC is an early step in the pilot project that can move forward without funding for design and public outreach.

Staff has considered guidance on suitable streets for consideration of bicycle boulevards from the UC Berkeley Institute for Transportation Studies and the Institute for Bicycle and Pedestrian Innovation. Ideal candidate streets are two lane, low volume streets that serve the same origins and destinations as parallel arterial or collector streets, so in essence bike boulevards are a "substitute" route to bike facilities on busier streets. Parallel busy streets also can serve motor vehicle traffic which allows exclusion or discouragement of through motor vehicle traffic on the bicycle boulevard Motor vehicle volumes on a bicycle boulevard

should be <3000-4000 vehicles per day, with 1,500 VPD identified as an ideal. Speed limits should be 25 miles per hour. Bicycle boulevards should be utilitarian, providing access directly or within a small number of blocks to desirable major destinations or providing connectivity between distinct areas such as discontinuous neighborhoods or elements of a bikeway network. Key destinations may be schools, employment centers, commercial centers, recreational facilities, and transit hubs.

Staff has done an initial cursory examination of potential candidate streets using primarily a criterion of streets that are parallel to arterials and collectors. Streets/corridors are as follows:

East/West

1. Dunholme/Dartshire
2. Connemara/Carlisle
3. Helena
4. Sheraton/Ticonderoga
5. Heatherstone/Hanover/Harvard/Rubis
6. Maria/Ponderosa
7. Mckinley/Ajax/Azalea/Aster
8. Dune, Fair Oaks to Fife
9. Amador/Alvarado/San Juan/Blythe/Caliente
10. Hiddenlake/Lakebird/Palamos
11. Olive, Bernardo to Mathilda

North/South

1. Innsbruk/Geneva
2. Fairwood
3. Pastoria, Almanor to Hermosa
4. Charles
5. Bayview/Cezanne/Brahms/Azure
6. Azalea/Sequoia/Ponderosa/Poplar/Bryant/Norman/Oriole/Nightingale
7. Heron/Grackle/Flicker/Ashbourne/Rembrandt

Staff recommends that the BPAC review the initial candidate streets list and attached sketch and provide staff with input and ideas for other possible routes. Staff will then utilize these suggestions to do a more in-depth analysis of compatibility with other criteria such as roadway speeds and volume, bikeway network connectivity, and utility to serving major destinations.

Information Item 1

Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials

Attached for review.

Information Item 2

Mary Avenue Street Space Study Community Meeting (Information Item)

The City will hold a community meeting on the Mary Avenue Street Space Allocation Study on Wednesday, February 27, 2013 at the Washington Park Building at 7 p.m. The purpose of the meeting is to present results of a traffic analysis of a road diet on the El Camino Real to Evelyn Avenue segment of Mary Avenue. Subsequent to the meeting, staff will complete the Study and present it to the BPAC and Council in March and April, respectively.

Information Item 3

Stevens Creek Trail Community Meeting (Information Item)

The City will hold a community meeting on Monday, February 25, 2013 at 7 p.m. at the Cupertino Senior Center, 21251 Stevens Creek Boulevard, on the Stevens Creek Trail Feasibility Study. Topics of the meeting will be Highway 280 crossings and Cupertino street alternatives.

Information Item 4

4. Council Ranking of Study Issues (Information item)

See attached.

Information Item 5

BPAC E-mail messages and/or letters since circulation of the agenda packet of the December 20, 2012 meeting.

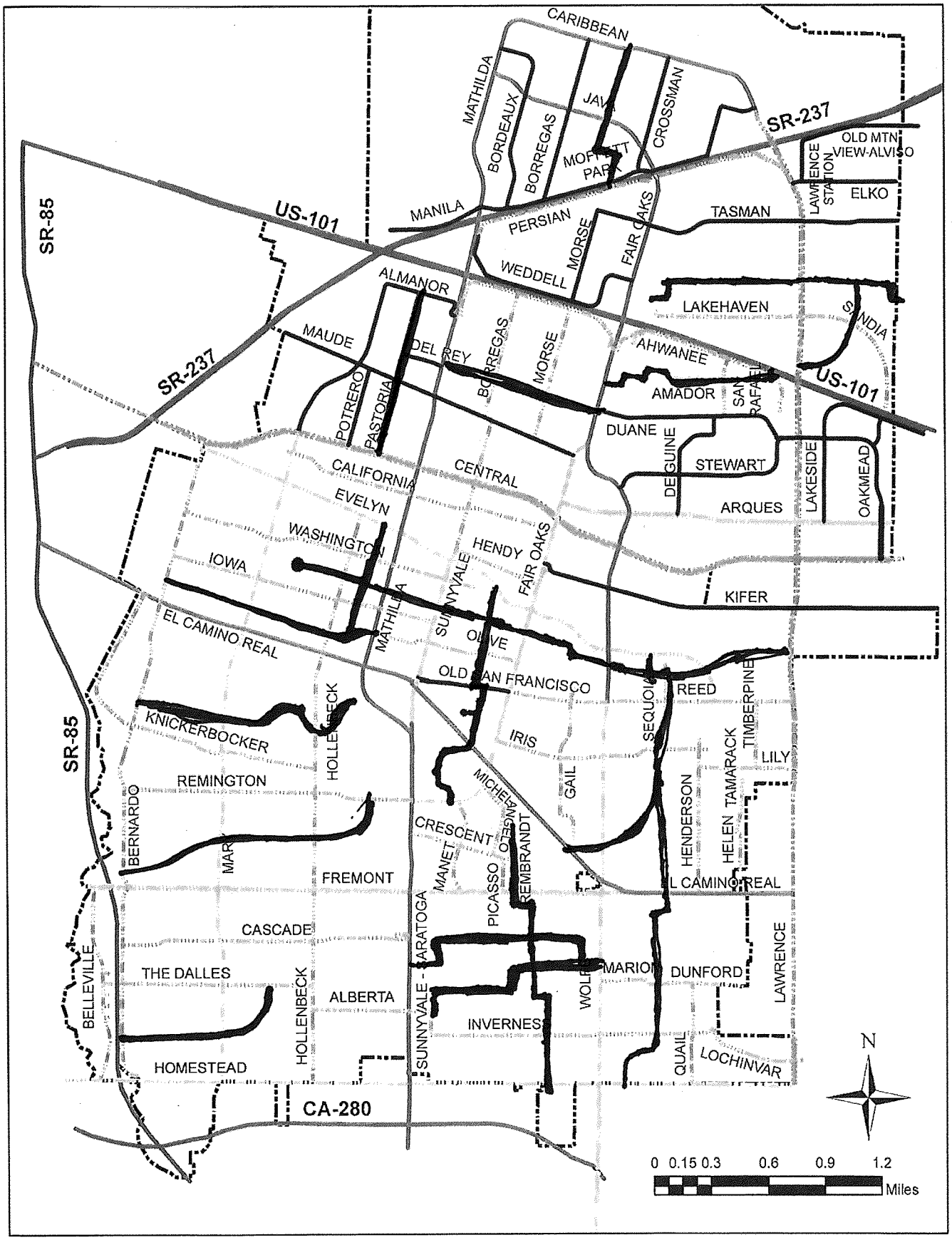
Information Item 6

7. BPAC Active Items List.

The Commission's active items list is attached for reference.

Bike Boulevard Concepts ?

Figure 1 - General Plan Roadway Classifications



Legend

- County Expressway
- State Freeway
- Class I Arterial
- Class II Arterial
- Commercial/Industrial Collector
- Residential Collector
- City Boundary

— Bike Boulevard

Draft For Bicycle and Pedestrian Advisory Commission Review on February 21, 2013

Council Meeting:

SUBJECT: Discussion and Possible Action Regarding Consideration of Wildwood Avenue Space Allocation Study

BACKGROUND

Wildwood Avenue is included in the City's Bicycle Capital Improvement Program as a candidate for the installation of bike lanes. The City has received a grant from the Bay Area Air Quality Management District to construct bike lanes. Bike lane construction in this area would connect bicycle shoulders on Lawrence Expressway to planned bike lanes in Santa Clara on the Mission College Boulevard extension of Wildwood Avenue. This section of Wildwood Avenue currently features one travel lane in each direction, and parking and sidewalks on one side of the street for the predominance of the length of the roadway. Adjacent land uses are commercial, apartments, and six side yards of single family residential homes. Consistent with the City's street space allocation policies, staff has conducted a technical analysis of options to meet minimum design standards for motor vehicles, bicycles and pedestrians. Staff is presenting this information to Council for consideration on whether to change the existing roadway configuration.

DISCUSSION

In 2009, the City of Sunnyvale adopted a Policy on the Allocation of Street Space. The Policy for Allocation of Street Space was initiated by the City's Bicycle and Pedestrian Advisory Commission (BPAC) and approved by the City Council on April 28, 2009 (RTC 09-085). The goal was to provide direction on how to consider all modes of transportation when allocating roadway space, particularly in situations that could require the removal of travel lanes, on-street parking, or other roadway reconfigurations, or because of right-of-way constraints. Consideration of bike lanes was a particular intent of the street space allocation policy.

Wildwood Avenue currently does not feature facilities for bicycles. A location map is provided as Attachment A. Staff has identified and studied three options for providing bicycle facilities. Providing bike lanes on Wildwood Avenue within the existing curb-to-curb width (see Attachment B) would require elimination of on-street parking. Widening the road for bike lanes was considered as an alternative. This would involve right of way acquisition, utility relocation, and significant capital cost. The cost would exceed the currently available level of funding. Installation of shared lane arrows was also considered as an alternative. Shared lane arrow (sharrow) installation is not

eligible for the currently available grant funding, and provides less protection to cyclists than bike lanes.

Staff evaluated roadway geometry, motor vehicle speeds, collision history, motor vehicle volumes, and roadway capacity. A summary of findings is included as Attachment B.

Speed surveys show that 85 percentile travel speeds are 41 miles per hour, which is significantly above the posted 35 mile per hour speed. Installation of bike lanes would narrow automobile travel lanes increasing drivers' perception of side friction, which can have a positive effect on reducing travel speeds. A review of the collision history for the roadway shows that two bicycle-involved collisions have occurred in the last five years. Bike lane installation will create marked space for bicycles on the roadway, which increases the comfort level of bicyclists from a safety standpoint and increases drivers' awareness of bicycles using the roadway. These should have a positive effect on safety.

On-street parking supply and demand were also examined. Parking demand is very low on the roadway. Weekday and weekend surveys taken in morning, afternoon, and evening time periods found no vehicles parked on the street. Excess off street supply was noted for all land uses in the proposed study area.

The Sunnyvale Bicycle and Pedestrian Advisory Commission considered this item at its February 21, 2013 meeting and...

EXISTING POLICY

Land Use and Transportation LT 5.5d. Maximize the provision of bicycle and pedestrian facilities.

Land Use and Transportation LT 5.9. 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.

Land Use and Transportation LT 5.10. All modes of transportation shall have safe access to City streets.

Land Use and Transportation LT 5.16. 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.

Land Use and Transportation LT 5.18. The City Council shall make the final decisions on roadway space reconfiguration when roadway reconfiguration will result in changes to existing accommodations. Land Use and Transportation

FISCAL IMPACT

There are sufficient funds from a Bay Area Air Quality Management District grant to install striping, signs and legends to re-stripe the road for bike lanes within the existing right of way. Widening the roadway to provide bike lanes while retaining on-street parking would constitute a major capital improvement project requiring utility relocation, acquisition of right-of-way, and construction of roadway pavement, curb, gutter, sidewalk, and drainage facilities. A widening project is roughly estimated to cost approximately $ 4 million. No funds are currently available to widen the roadway. Installation of sharrows would cost under $1,000. This expenditure could be covered under existing operating budgets.

PUBLIC CONTACT

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

A neighborhood survey was direct mailed to 422 residents and property owners in the project area. Staff received 41 responses, or 9.7% of the targeted audience. Twenty seven respondents or 65% of responses favored re-striping the roadway to provide bike lanes, eight respondents (20% of responses) favored shared lane arrows, and six respondents (15% of responses) favored no changes.

A community survey was also performed using Survey Monkey and advertising on the City's web site, various social media, and email notification to community groups. Fifty-nine responses were received. Of those responses, 55 respondents or 93% of responses favored re-striping the roadway to provide bike lanes, and two respondents each favored sharrows or no changes.

The Bicycle and Pedestrian Advisory Commission held a public hearing on a draft Report to Council at its February 21, 2013 meeting. Notification of the Council hearing was mailed to residents and property owners with Wildwood Avenue frontage or addresses, and other interested parties two weeks prior to the Council hearing.

ALTERNATIVES

1. Direct staff to allocate street space on Wildwood Avenue in order to provide one automobile lane and one bike lane in each direction with no on-street parking.

2. Direct staff to allocate street space on Wildwood Avenue in an alternative configuration as determined by Council.

3. Direct staff to make no changes from the existing configuration.

RECOMMENDATION

Staff recommends Alternative No. 1: Direct staff to allocate street space on Wildwood Avenue in order to provide one bike lane in each direction with no on-street parking.

Alternative 1 provides bike lanes and sufficient roadway capacity to meet motor vehicle travel demand. Exercising this alternative will result in a roadway cross section that accommodates all modes of travel. This alternative results in elimination of designated on-street parking, but demand surveys show very limited use of existing on-street parking. This action may also have a calming effect on travel speeds on the roadway, of which 85% of vehicles are currently in excess of the posted speed.

Neighborhood and community surveys showed strong support for the recommended alternative, with 65% of resident/property owner respondents and 93% of respondents to the community survey favoring Alternative 1.

Reviewed by:

Kent Steffens, Director, Public Works
Prepared by: Jack Witthaus, Transportation and Traffic Manager

Approved by:

Gary M. Luebbers
City Manager

Attachments

A. Project Location Map
B. Street Space Allocation Study Summary
C. Draft Bicycle and Pedestrian Advisory Commission Meeting Minutes of February 21, 2013

U.S. 101
Wildwood Avenue
City of Sa
Lawrence Expressway
(with bike shoulders)
© 2012 Europa Technologies
© 2012 Google

ATTACHMENT B

STREET SPACE ALLOCATION STUDY SUMMARY

Operational Feature	**Minimum Standard or Criterion**	**Existing**	**Alternative 1 Wildwood On-Street Parking Removal**		**Alternative 2 – Sharrows**
Vehicle travel lane width (typical)	10' travel	12', 24' total	11', 22' total		12'
Parking lane width	8' parking	8' parking one side	0'		8'
Bike lane width	3' asphalt, 4' total	0'	5', 10' total		0'
AM Peak Hour Intersection level of service	LOS "D" or above	n/a	n/a		n/a
PM peak hour Intersection level of service	LOS "D" or above	n/a	n/a		n/a
Roadway capacity	10,000 vpd/per lane	3,000 vpd/lane	same		same
Sidewalks		Yes, north side	Yes, north side		Yes, north side
Crash reduction potential	High = incidence of bike collisions, pedestrian collisions	2 bike involved collisions in 5 years	Moderate		Low
Crosswalk installation potential	Low travel speeds, volumes	n/a, no land uses or sidewalk on the south side of the street	n/a		n/a
Speed compatibility and speed reduction potential		35 MPH posted speed, 41 MPH 85% speed	Increased side friction from narrowing of travel lanes likely to reduce speeds		Not likely to reduce speeds.

12

City of Sunnyvale

2012 Code of Ethics and Conduct for Elected and Appointed Officials

"Conduct is three-fourths of our life and its largest concern."

-- Matthew Arnold

Table of Contents

Title	Page No.
A. Ethics	3
B. Conduct	5
1. Elected and Appointed Officials' Conduct with One Another	5
2. Elected and Appointed Officials' Conduct with City Staff	7
3. Elected and Appointed Officials' Conduct with the Public	9
4. Council Conduct with Other Public Agencies	11
5. Council Conduct with Boards and Commissions	11
6. Conduct with the Media	12
C. Sanctions	12
D. Principles of Proper Conduct	14
E. Checklist for Monitoring Conduct	15
F. Glossary of Terms	15
G. Implementation	15

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Policy Purpose

The Sunnyvale City Council has adopted a Code of Ethics and Conduct for members of the City Council and the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

A. ETHICS

The citizens and businesses of Sunnyvale are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Sunnyvale Commitment to Excellence, the effective functioning of democratic government therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Sunnyvale City Council has adopted a Code of Ethics and Conduct for members of the City Council and of the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. The Ethics section of the City's Code of Ethics and Conduct provides guidance on ethical issues and questions of right and wrong.

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Sunnyvale and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Sunnyvale City Council, boards and commissions.

2. Comply with both the spirit and the letter of the Law and City Policy. Members shall comply with the laws of the nation, the State of California and the City of Sunnyvale in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Sunnyvale City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of Members. The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff or public.

4. Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by the City Council and board and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

5. Conduct of Public Meetings. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
6. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

10. Confidential Information. Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources. Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy. Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Councilmembers and board and commission members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, board/commission meetings, or other official City meetings.

14. Policy Role of Members. Members shall respect and adhere to the council-manager structure of Sunnyvale City government as outlined by the Sunnyvale City Charter. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except as provided by the City Charter, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.

15. Independence of boards and commissions. Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.

16. Positive Work Place Environment. Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

B. CONDUCT

The Conduct section of the City's Code of Ethics and Conduct is designed to describe the manner in which Councilmembers and board and commission members should treat one another, City staff, constituents, and others they come into contact with in representing the City of Sunnyvale. It reflects the work of a Council Policy and Protocol Subcommittee that was charged with defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. The Subcommittee also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected and appointed officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers and board and commission members to do the right thing in even the most difficult situations.

1. Elected and Appointed Officials' Conduct with One Another

"In life, courtesy and self-possession, and in the arts, style, are the sensible impressions of the free mind, for both arise out of a deliberate shaping of all things and from never being swept away, whatever the emotion, into confusion or dullness."
-- William Butler Yeats

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may "agree to disagree" on contentious issues.

1(a). In Public Meetings

Use formal titles
Elected and appointed officials should refer to one another formally during public meetings, such as Mayor, Vice Mayor, Chair, Commissioner or Councilmember followed by the individual's last name.

Practice civility and decorum in discussions and debate
Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

Honor the role of the chair in maintaining order
It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

Avoid personal comments that could offend other members
If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.

Demonstrate effective problem-solving approaches
Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Outside of official board or commission meetings, individual board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose. In private settings, board and commission members may communicate at any time and on any subject with individual members of the City Council, and may express to them individual viewpoints and opinions. In public, however, all members shall represent the official policies or positions of their board or commission, with the following exception. During a Council public hearing on any item addressed by the board or commission, any member may speak under standard time limits, but shall indicate whether their testimony represents an official position (majority opinion) or a minority opinion of the board/commission to which they belong. The chair shall represent the majority view of the

board or commission, but may report on any minority views as well, including his or her own. When an official board or commission position differs from staff's recommendation on a particular policy issue, then at the Mayor's discretion additional time may be provided to the chair of the board or commission (or his/her designee) to explain the position of the board/commission or to rebut statements made by staff or the public. If new information is brought to light during a public hearing which was not shared previously with the board or commission, the Mayor may allow the board or commission chair to respond. If the Council deems the new information sufficient to warrant additional study, then by majority vote Council may remand the issue back to the board or commission for further study prior to taking other action itself.

Individual opinions and positions may be expressed by board and commission members regarding items that have not come before the particular board/commission to which they belong. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do.

Although a board or commission may disagree with the final decision the Council makes, the board or commission shall not act in any manner contrary to the established policy adopted by the Council.

1(b). In Private Encounters

Continue respectful behavior in private
The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

Be aware of the insecurity of written notes, voicemail messages, and E-mail
Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message were played on a speaker phone in a full office? What would happen if this E-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

Even private conversations can have a public presence
Elected and appointed officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

In private, board and commission members may communicate at any time and on any subject with the City Council, and may express to Council individual viewpoints and opinions.

2. Elected and Appointed Officials' Conduct with City Staff

"Never let a problem become an excuse."
-- Robert Schuller

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Governance of a City relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and City staff who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals
Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Member questions/inquiries to City staff

1. General. Council and board/commission communications with City staff should be limited to normal City business hours unless the circumstances warrant otherwise. Responses to Council questions posed outside of normal business hours should be expected no earlier than the next business day.

2. Routine Requests for Information and Inquiries. Members may contact staff directly for information made readily available to the general public on a regular basis (e.g., "What are the library's hours of operation?" or "How does one reserve a tee time at the golf course?"). Under these circumstances staff shall treat the member no differently than they would the general public, and the member shall not use their elected status to secure preferential treatment. The city manager does not need to be advised of such contacts.

3. Non-Routine Requests for Readily Available Information. Members may also contact staff directly for easily retrievable information not routinely requested by the general public so long as it does not require staff to discuss the issue or express an opinion (e.g., "How many traffic lights are there in the City?" or "Under what circumstances does the City lower its flags to half mast?")

4. Non-Routine Requests Requiring Special Effort. Any member request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise) must be directed to the city manager, or to the city attorney, as appropriate (e.g., "How many Study Issues completed over the past five years have required 500 or more hours of staff time?", or "What is the logic behind the City's sign ordinances affecting businesses along El Camino Real?"). The city manager (or city attorney as appropriate) shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Councilmembers (if originating from a Councilmember), relevant board or commission members (if originating from a board or commission member), the city manager, the city attorney as appropriate and affected department directors.

5. Meeting Requests. Any member request for a meeting with staff must be directed to the city manager or city attorney, as appropriate.

6. Public Safety Restrictions. Under certain circumstances, requests for information regarding operations or personnel of the Department of Public Safety may be legally restricted. Applicable statutes include: The Peace Officers' Procedural Bill of Rights (California Government Code

Section 3300, et seq.), Confidentiality of Peace Officer Records (California Penal Code Section 832.5-7), and a number of exceptions to the California Public Records Act, defined in Government Code Section 6254. Providing information in response to such requests could violate the law, and might also violate due process rights that have been defined for peace officers in the State of California. Accordingly, it shall be the policy of the City of Sunnyvale to strictly comply with all applicable legal authorities governing the release of Department of Public Safety information and records.

Do not disrupt City staff from their jobs
Elected and appointed officials should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend City staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

Never publicly criticize an individual employee
Elected and appointed officials should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the city manager through private correspondence or conversation. Comments about staff in the office of the city attorney should be made directly to the city attorney. Appointed officials should make their comments regarding staff to the city manager or the Mayor.

Do not get involved in administrative functions
Elected and appointed officials must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. [See Code of Ethics] The Sunnyvale City Charter, Section 807, also contains information about the prohibition of Council interference in administrative functions.

Check with City staff on correspondence before taking action
Before sending correspondence, Councilmembers should check with City staff to see if an official City response has already been sent or is in progress. Board and commission members shall not send correspondence except as authorized under the City's policies governing volunteers. (Council Policy 7.2.19, Boards and Commissions.)

Limit requests for staff support
Routine secretarial support will be provided to all Councilmembers. The Council Executive Assistant opens all mail for Councilmembers, unless a Councilmember requests other arrangements. Mail addressed to the Mayor is reviewed first by the city manager who notes suggested action and/or follow-up items.

Requests for additional staff support – even in high priority or emergency situations – should be made to the city manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

Do not solicit political support from staff
Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

3. Elected and Appointed Officials' Conduct with the Public

"If a man be gracious and courteous to strangers, it shows he is a citizen of the world, and that his heart is no island cut off from other lands, but a continent that joins to them."
-- Francis Bacon

3(a). In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness. While questions of clarification may be asked, the official's primary role during public testimony is to listen.
"I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family's daily life and my home. I was feeling a lot of emotion. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity."

Be fair and equitable in allocating public hearing time to individual speakers.
"The first thing the Mayor said to me was to be brief because the meeting was running late and the Council was eager to go home. That shouldn't be my problem. I'm sorry my item was at the end of the agenda and that there were a lot of speakers, but it is critically important to me and I should be allowed to say what I have to say and believe that the Council is listening to me."

The chair will determine and announce limits on speakers at the start of the public hearing process. Questions should not be asked for the express purpose of allowing one speaker to evade the time limit imposed on all others (e.g., "Was there something else you wanted to say?"). Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed ten. If many speakers are anticipated, the chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the chair requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the chair reopens the public hearing for a limited and specific purpose.

Give the appearance of active listening
It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

Maintain an open mind
Members of the public deserve an opportunity to influence the thinking of elected and appointed officials. To express an opinion or pass judgment prior to the close of a public hearing casts doubt on a member's ability to conduct a fair review of the issue. This is particularly important when officials are serving in a quasi-judicial capacity.

Ask for clarification, but avoid debate and argument with the public
Only the chair – not individual members – can interrupt a speaker during a presentation. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

If speakers become flustered or defensive by questions, it is the responsibility of the chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by members to the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

No personal attacks of any kind, under any circumstance
Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

Follow parliamentary procedure in conducting public meetings
The city attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. The chair, subject to the appeal of the full Council or board/commission makes final rulings on parliamentary procedure.

3(b). In Unofficial Settings

Make no promises on behalf of the Council, board/commission or City
Members will frequently be asked to explain a Council or board/commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council or board/commission action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

Make no personal comments about other members
It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other members, their opinions and actions.

Remember that despite its impressive population figures, Sunnyvale is a small town at heart
Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Sunnyvale. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

4. Council Conduct with Other Public Agencies

"Always do right. This will gratify some people and astonish the rest."
-- Mark Twain

Be clear about representing the City or personal interests
When representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint. Outside of official board or commission meetings, board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose.

When representing another organization whose position is different from the City, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Correspondence also should be equally clear about representation
City letterhead may be used when the Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the Council Executive Assistant to be filed in the Council Office as part of the permanent public record.

City letterhead should not be used for non-City business nor for correspondence representing a dissenting point of view from an official Council position.

5. Council Conduct with Boards and Commissions

"We rarely find that people have good sense unless they agree with us."
--Francois, Duc de La Rochefoucauld

The City has established several boards and commissions as a means of gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

If attending a board or commission meeting, be careful to only express personal opinions
Councilmembers may attend any board or commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a board or commission meeting should be

clearly made as individual opinion and not a representation of the feelings of the entire City Council.

Limit contact with board and commission members to questions of clarification
It is inappropriate for a Councilmember to contact a board or commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact board or commission members in order to clarify a position taken by the board or commission.

Remember that boards and commissions serve the community, not individual Councilmembers
The City Council appoints individuals to serve on boards and commissions, and it is the responsibility of boards and commissions to follow policy established by the Council. But board and commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten board and commission members with removal if they disagree about an issue. Appointment and re-appointment to a board or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A board or commission appointment should not be used as a political "reward."

Be respectful of diverse opinions
A primary role of boards and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on boards and commissions, but must be fair and respectful of all citizens serving on boards and commissions.

Keep political support away from public forums
Board and commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support board and commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

6. Conduct with the Media

"Keep them well fed and never let them know that all you've got is a chair and a whip."
-- Lion Tamer School

Board and commission members are not authorized to represent the City outside of official board/commission meetings unless specifically authorized to do so.

Councilmembers are frequently contacted by the media for background and quotes.

The best advice for dealing with the media is to <u>never</u> go "off the record"
Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the City on City positions.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

Choose words carefully and cautiously
Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

C. SANCTIONS

"You cannot have a proud and chivalrous spirit if your conduct is mean and paltry; for whatever a man's actions are, such must be his spirit."
-- Demosthenes

Public Disruption
Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

Inappropriate Staff Behavior
Councilmembers should refer to the city manager any City staff or to the city attorney any City Attorney's staff who do not follow proper conduct in their dealings with Councilmembers, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

Councilmembers Behavior and Conduct
Compliance and Enforcement. The Sunnyvale Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Sunnyvale City Council, boards and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Mayor and Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

City Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Sunnyvale or with inter-government agencies) or have official travel restricted. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

Councilmembers should point out to the offending Councilmember infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Vice Mayor.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

Board and Commission Members Behavior and Conduct
Counseling, verbal reprimands and written warnings may be administered by the Mayor to board and commission members failing to comply with City policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective board or commission, the city clerk, the city attorney, the city manager, and the City Council. Written reprimands administered by the Mayor shall not be included in packets for public meetings and shall not be publicized except as required under the Public Records Act.

The City Council may impose sanctions on board and commission members whose conduct does not comply with the City's policies, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation. The Report to Council shall be distributed in accordance with normal procedures, including hard copies to numerous public facilities and posting online. Any Report to Council addressing alleged misconduct by a board or commission member shall be routed through the Office of the city attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

When deemed warranted, the Mayor or majority of Council may call for an investigation of board or commission member conduct. Should the city manager or city attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the city manager and/or the city attorney to investigate the allegation and report the findings.

The results of any such investigation shall be provided to the full Council in the form of a Report to Council, and shall be placed on the agenda of a noticed public meeting as "Information Only". Any such report shall be made public and distributed in accordance with normal procedures (i.e., hard copies to numerous public locations and posted online). Any report to Council addressing the investigation of board and commission members shall be routed through the Office of the City Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

It shall be the Mayor and/or the Council's responsibility to determine the next appropriate action. Any such action taken by Council (with the exception of "take no further action") shall be conducted at a noticed public hearing. These actions include, but are not limited to: discussing and counseling the individual on the violations; placing the matter on a future public hearing agenda to consider sanctions; forming a Council ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Council consideration.

Under the City Charter, the City Council also may remove members of boards and commissions from office. A violation of this Code of Ethics and Conduct shall not be considered a basis for challenging the validity of a Council, board or commission decision.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

D. PRINCIPLES OF PROPER CONDUCT

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals ... respect for the validity of different opinions ... respect for the democratic process ... respect for the community that we serve.

E. CHECKLIST FOR MONITORING CONDUCT

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

F. GLOSSARY OF TERMS

attitude	The manner in which one shows one's dispositions, opinions, and feelings
behavior	External appearance or action; manner of behaving; carriage of oneself
civility	Politeness, consideration, courtesy
conduct	The way one acts; personal behavior
courtesy	Politeness connected with kindness
decorum	Suitable; proper; good taste in behavior
manners	A way of acting; a style, method, or form; the way in which thing are done
point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
point of personal privilege	A challenge to a speaker to defend or apologize for comments that a fellow member considers offensive
propriety	Conforming to acceptable standards of behavior
protocol	The courtesies that are established as proper and correct
respect	The act of noticing with attention; holding in esteem; courteous regard

G. IMPLEMENTATION

As an expression of the standards of conduct for members expected by the City, the Sunnyvale Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this document shall be included in the regular orientations for candidates for City Council, applicants to board and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City of Sunnyvale Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be annually reviewed by the City Council, boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.

(Adopted: RTC 08-113 (4/8/08), Update: RTC 09-036 (2/3/09); Updated: RTC 09-047 (2/24/09); Approved with no changes: RTC 10-078 (3/23/10); Approved with no changes: RTC 11-058 (3/29/11); Approved with no changes: RTC 12-067 (3/20/2012))

Lead Department: Office of the City Manager

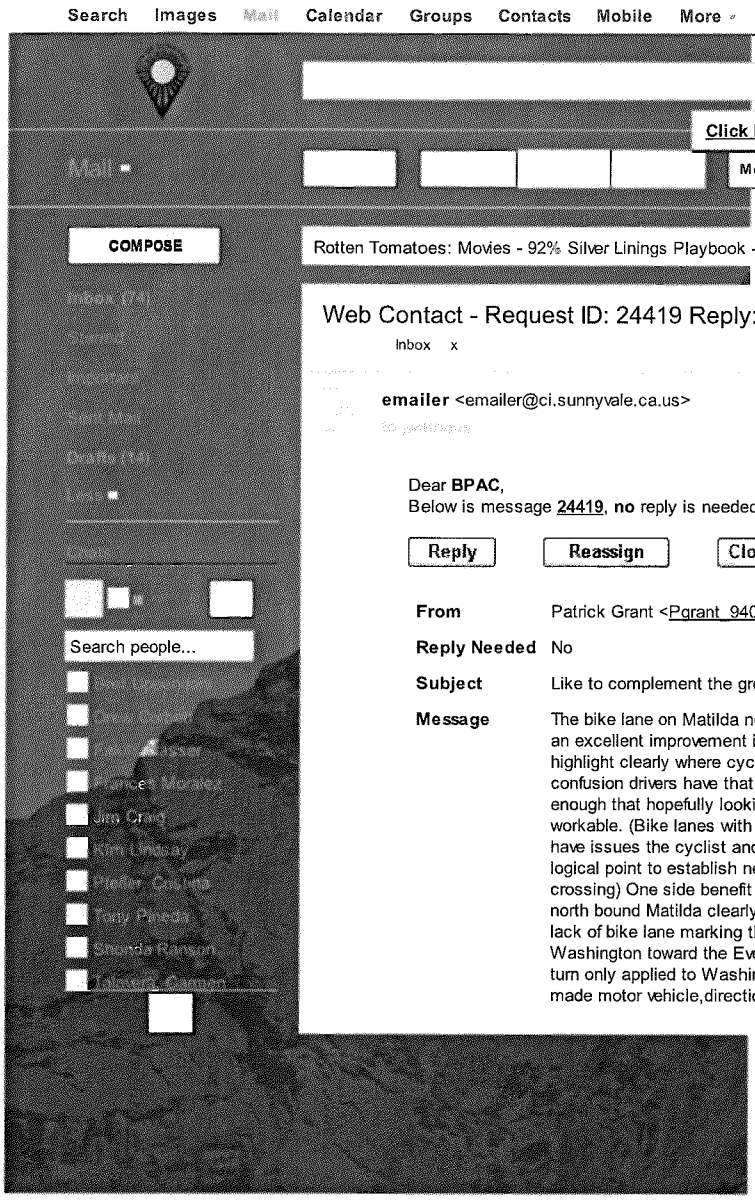
For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

2013 Study Issues Workshop - Preliminary Study Issue Ranking Results Sheet by Department

Public Works

Rank	Rank Avg	Number	Name	Meyering	Whittum	Griffith	Spitaleri	Moylan	Martin-Milius	Davis
1	2.00	DPW 13-15	Protecting Burrowing Owl Habitat on City Facilities	1	1	2	2	2	3	3
2	2.29	DPW 13-11	Community Solar Array System	2	5	1	3	1	2	2
3	3.29	DPW 13-14	Feasibility of Establishing Additional Dog Parks and Alternatives in Sunnyvale's Park System	3	3	3	1	5	4	4
4	3.71*	DPW 13-10	Pilot Bicycle Boulevard Project on East-West and North-South Routes	4	4	4	5	3	1	5
5	3.71*	DPW 13-13	Feasibility of Establishing a Community Animal Farm for Children at the Sunnyvale Landfill	5	2	5	4	4	5	1
Defer		DPW 13-12	Acquisition of Approximately 18 Acres of Land Bounded by Highway 85 and Stevens Creek							
Drop		DPW 09-07	Sunnyvale Cyclovia Event							
Drop		DPW 10-09	Reliable Electrical Power Options							
Drop		DPW 13-01	Pedestrian Anti-Harassment Ordinance							
Drop		DPW 13-04	Extending Vision Triangle Restrictions at Private Driveways and Alleyways							
Drop		DPW 13-06	Review of On-Street Parking at Private Residences in Order to Emphasize Bicyclists Needs							
Drop		DPW 13-08	Implementation of Bikes Use of Full Lane Signs							

*Rankings resulting in a tie were decided by Council vote.



Web Contact - Request ID: 24419 Reply: No, Subject: Like to complement the great new bike lane on Matilda

Inbox x

emailer <emailer@ci.sunnyvale.ca.us>

Dear **BPAC**,
Below is message 24419, **no** reply is needed.

Reply | Reassign | Close with no reply

From	Patrick Grant <Pgrant_94087@yahoo.com>
Reply Needed	No
Subject	Like to complement the great new bike lane on Matilda
Message	The bike lane on Matilda north bound between Washington and the bridge is an excellent improvement in design with great visibility . Great job. It highlight clearly where cyclists have the right away and greatly lessens confusion drivers have that may want to exit on to Evelyn. It seems short enough that hopefully looking over shoulder eye contact issue will be workable. (Bike lanes with very shallow departure angle and crossing traffic have issues the cyclist and successive approaching motorist do not have a logical point to establish needed eye to eye contact needed for safe crossing) One side benefit is it make the right turn lane for Washington on north bound Matilda clearly to turn right on Washington. Before with the lack of bike lane marking there was so much open space just beyond Washington toward the Evelyn exit, to a driver it was confusing if the right turn only applied to Washington or the Evelyn exit. this bike marking has made motor vehicle,direction much clearer too.

Jack Witthaus <jwitthaus@sunnyvale.ca.gov>

CalBike Report: new alignment of state and local coalitions to lead to more funding for bike infrastructure

1 message

California Bicycle Coalition <dave@calbike.org> Fri, Dec 21, 2012 at 3:37 PM
Reply-To: dave@calbike.org
To: jwitthaus@ci.sunnyvale.ca.us

Having trouble viewing this email? Click here

dedicated to Ellen Fletcher

"I've spent more time thinking and talking about bicycles in the last three months than I have in the last decade,"
- Brian Annis, Deputy Director of the Bureau of Housing & Transportation, the agency in charge of drafting the Governor's transportation budget proposal.

Unprecedented statewide alignment behind new strategic plan

The CalBike Board and representatives from the eleven largest bicycle coalitions around the state gathered in Sacramento for two days in November to forge a new vision for bicycle advocacy in California. They hammered out a new mission, vision and goal, and approved a set of strategies to implement that goal. **It's the first time that the community of local bicycle coalitions has aligned itself behind a single statewide agenda, and it gives us unprecedented power in Sacramento.**

Donate now

In the next few weeks the Governor will release his transportation budget. Your donation right now supports our work to make sure bicycling gets its fair share!

DECEMBER 2012

Don't cut bike funding

San Diego cycle tracks

Upcoming summits

The intense weekend retreat in November followed months of outreach: a survey of more than 225 advocates and interviews with about two dozen leaders. Six drafts later, the final 2013-2017 CalBike Strategic Plan is released today.

Our goal is to **double the amount of bicycling in the Golden State by 2017 and triple it by 2020**. We have laid out four key strategies for accomplishing