



*Consent Item 1.A)*

## **DRAFT**

### **SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION Meeting Minutes – March 20, 2008**

The Bicycle and Pedestrian Advisory Commission met at 6:30 p.m. on March 20, 2008 with Committee Chair Jackson presiding. The meeting was held in the West Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale.

#### **ROLL CALL/CONSIDERATION OF ABSENCES**

**Members Present:** Kevin Jackson  
Richard Warner  
James Manidakos  
Ralph Durham  
Andrea Stawitcke  
Michael Reece

**Members Absent:** All Commission members attended the meeting

**Staff Present:** Jack Witthaus, Transportation and Traffic Manager  
Heba El-Guendy, Senior Transportation Planner

**Visitors:** Arthur Schwartz  
Patrick Grant  
Chad Brower  
Cathy Switzer  
Garth Williams  
Shaun Storm  
D. Semer

#### **SCHEDULED PRESENTATION**

None.

#### **PUBLIC ANNOUNCEMENTS**

None.

## **CONSENT CALENDAR**

- 1.A) Approval of Draft Minutes of the February 21<sup>st</sup> BPAC Meeting
- 1.B) Approval of the March 20<sup>th</sup> Meeting Agenda
- 1.C) Approval of the 2008 BPAC Calendar Update

Consent Calendar items 1.B) and 1.C) were approved 6-0.

Chair Jackson – Requested removing the word duplication on the last line of Page 2 of the minutes. Also requested that the third paragraph on Page 3 be revised to reflect his belief that Ms. Gerri Caruso intended to explain that on large projects, there is a greater potential for the building inspector to miss plan items including bicycle parking. Requested revising the third paragraph on Page 5 to read “Requested to add a note at the beginning of the meeting minutes indicating that the minutes are not detailed as defined by Council on ~~January 8<sup>th</sup>~~, January 29<sup>th</sup>, 2008”. In addition, requested that the following revisions be made to Page 6 of the minutes: Third paragraph “Requested ~~marketing~~ promoting the Borregas bridge ...”; second phrase of the sixth paragraph “Also noted that the VTA Bicycle Expenditure Plan is how big projects such as the Borregas Bridge get done, and that Mr. David Simons is the Sunnyvale representative on the VTA BPAC”; first phrase of the seventh paragraph “Noted that he has been living in Sunnyvale for a year and he bike commutes to his work in Mountain View”; and, last paragraph to read “Noted that in between BPAC meetings, the public could report their comments on the web site by going to <http://www.Biking.inSunnyvale.com>”. Revised item (d) in the second paragraph on Page 7 to read “Emphasize ~~bike supply/demand~~ on- and off-street parking surveys”. Also revised the last phrase of the second paragraph on Page 9 to read “The BPAC staff liaison was directed to prepare sufficient distribution products such as copies of the Bicycle Plan ~~Map~~, pins, reflective strips, etc.”

Consent calendar item 1A was approved 6-0 as amended.

## **STAFF RESPONSE TO PRIOR PUBLIC COMMENTS**

- The City’s Parks and Recreation Department was contacted with regard to the requested installation of bicycle signage in the vicinity of the Sunnyvale entrance to the Baylands Park.
- The City’s building inspector in charge of overseeing the Moffett Towers construction project was contacted with regard to the requested sweeping of H Street. Representative of Lockheed Martin was also contacted in this regard. As a result, H Street was swept and cleared of all construction related debris.
- Vicinity of the Fair Oaks/Tasman intersection, including the southbound travel lanes, was checked. No roadway maintenance issues were identified during the site check. Consequently additional feedback is welcomed with regard to the requested filler at a storm drain.

## **PUBLIC COMMENTS**

None.

## **PUBLIC HEARINGS/GENERAL BUSINESS**

### 2. DISCUSS: Proposed Policy on the Allocation of Street Space

Commissioner Reece – Requested the following changes: Under the Modal Balance section “The City should consider ~~enhanced standards~~ enhancing the existing standards for pedestrian facilities”; under the Transport Versus Non-Transport Uses section: “Historical precedence for street space dedicated for parking shall be a lower priority than transport uses when determining the appropriate future use of street space ~~for transport~~”; under the Use of Engineering/Planning Criteria: “When decisions on the configuration of roadway space are made, staff shall present ~~alternatives~~ options, including at a minimum an ~~alternative~~ option that meets minimum safety-related design standards for motor vehicles, bicycles and pedestrians”; and, under the Design Standards/Safety section: “If street configurations do not meet minimum design and safety standards for all users, ~~then~~ then standardization for all users shall be priority. Safety considerations for all modes shall ~~take~~ be a priority over capacity considerations of any one mode”.

Jack Witthaus – In response to concerns raised by Commissioner Reece and Commissioner Durham, suggested making the following revision under the Transport Versus Non-Transport Uses: “~~Minimum safety standards for transport uses shall be considered before non-transport uses are considered.~~ Facilities that meet minimum safety standards shall be considered”.

Commissioner Manidakos – Requested that an Action Statement regarding pedestrians be added under the Design Standards/Safety section.

Chair Jackson – Requested a policy clarification that it is intended for collectors and arterials, and not for local residential streets. Also expressed that the policy should not take away the staff’s flexibility, and force all projects regardless of their size to go to Council for approval. Used Sunnyvale Avenue as an example, since staff was able to establish bike lanes along the corridor within a week notice.

Jack Witthaus – Clarified that there are no other situations similar to the Sunnyvale Avenue project, except may be for Duane Avenue. Also noted that he is not definite that the approach taken in addressing the Sunnyvale Avenue project was adequate.

Chair Jackson – Referred to the Chronicle article on the Bay Area’s 25 Deadliest Roads for Cyclists and noted that although the number of collisions decreased by 22% between the years of 1997 and 2006, the number of bicyclists killed in collisions with motor vehicles increased by 28%. Added that Santa Clara County was the deadliest

place for Bay Area bicyclists over the past decade according to the CHP data collected from local police and sheriff's departments. Concluded that this is a time for innovative policies and positive actions to improve safety conditions.

The public hearing was opened.

Cathy Switzer – Expressed her concern with regard to staff possibly losing their flexibility to take actions. Indicated that Council members may not always have the opportunity to review projects in detail. However staff, for example, attend the BPAC meetings and are aware of reported concerns.

Chair Jackson – Explained that Council rely heavily on the staff's recommendation and on BPAC's support to such recommendation.

Arthur Schwartz – Indicated that the policy should not pose a restriction on the staff's prerogative. Added that the policy should not make it mandatory for City Council to make the final decision on all projects.

Chair Jackson – Commented that staff should be allowed to decide on and implement projects administratively for matters that do not rise to the level of needing a Council decision.

Patrick Grant - Noted that the policy needs more substance, and that it needs to be tied with the City's 2006 Bicycle Plan. Asked BPAC members to refer to his e-mail messages of March 15<sup>th</sup> and 16<sup>th</sup> for ideas, and to the MTC guidelines. Indicated that based on the Chronicle article, Fair Oaks Avenue makes the top 20 corridors with the highest number of collisions, and makes the top eight (8) if the corridor length/mileage is taken into consideration. Added that the Fair Oaks corridor should be used to framework the policy.

Commissioner Durham – Commented that unfortunately the study referenced in the Chronicle article did not provide information on the number of cyclists that use the corridors.

Shaun Storm – Noted that the policy is too abstract, and that relevant standards need to be stated. Also requested that some attention be paid to establishing an interconnected grid of bicycle facilities that is usable.

The public hearing was closed.

4. DISCUSS: Tasman/Fair Oaks Area Parking Issues – Draft Report to Council (RTC)

Jack Witthaus – As part of describing the staff report, clarified that the issue rose mainly because the Home Owners Association (HOA) of the Danbury Place development has been enforcing guest parking and towing residents' vehicles. Given consideration that there would be additional housing in the area, staff investigated the possibility of increasing the on-street parking supply by reconfiguring lanes on Tasman Drive and Morse Avenue. However the lanes reconfiguration would result in adding only a limited number of parking spaces. This is one of the reasons that staff recommends to take no action. In addition, staff is not in favor of replacing the existing bicycle facilities with street parking. This is especially the case, since the painted shoulder on some area streets is only four feet. City staff attended community meetings as a participant and facilitator. However, no community agreement has been reached. Concerning the Hindu Temple festivals, allowing temporary parking in the bike lanes would adversely affect the operational and safety conditions, and could constitute a liability issue. Feedback of the BPAC members will be incorporated as part of the staff report to Council.

Commissioner Reece – Supports the staff recommendation to do nothing. The HOA is a local government that enforces rules established by the developer. Residents within the Danbury Place development were informed from day one of the number of parking spaces available for residents and guests. The HOA meets every month, and could change conditions if they so wish. Noted his rejection to any changes in lane configuration in order to accommodate additional on-street parking. Believes that undertaking such an action would adversely affect safety conditions and sense of security especially among cyclists and pedestrians. Added that although it may take time, the community would likely reach a resolution on their own.

Commissioner Durham – Noted that residents abutting to a few area streets, such as Montego Terrace, virtually have no parking. Questioned the parking survey results contained in the Draft RTC. Based on his observation at 9:30 on Tuesday March 18th, all on-street parking was used up-to Tasman Drive. It was interesting to see an open garage that is empty while there is excessive demand for street parking. Noted that the trailer park off of Tasman Drive is difficult to access by cyclists and pedestrians. When the area is fully built, there will be more traffic heading towards Fair Oaks Avenue. Consequently, multi-modal, including transit, opportunities along Fair Oaks Avenue must be a priority over accommodating additional on-street parking in the area. Indicated his preference that speed humps be installed on streets with design speed of 25 mph. Installing this physical traffic calming device on streets with higher speeds adversely affect safety conditions including cyclists movements. Supports the "Do Nothing" approach except for the needed provision of pedestrian sidewalks and bike lanes. With regard to the Hindu Temple festivals, these events have been exceeding capacity of the temple and surrounding area. Their event permits are regularly violated and the Sunnyvale Fire Marshal should take the necessary corrective measures.

Commissioner Warner – Noted his observation of motorists traveling at excessive speeds, while some of the area streets do not have sidewalks. Recommends against the provision of on-street parking since it would mainly be on the expense of cyclists and pedestrians.

Chair Jackson – Noted that bike lanes are not intended for overflow parking, and we cannot keep on trying to make more room for cars in order to solve the problems generated by cars. Non-motorized modes of transportation should be a higher priority than street parking. Believes that the vehicular parking requirements are generous, but they will never be generous enough relative to car ownership. Area residents owning too many cars and the Hindu Temple neglecting to implement corrective measures, are the main causes of the problem. Providing more street parking would simply add to the problem rather than solve it. Other alternatives should be considered, such as car sharing practiced in San Francisco and other areas. Also noted that the potential addition of on-street parking would result in safety and liability issues along with associated significant fiscal impacts to the City. Encouraged BPAC's review as this study issue proceeds.

The public hearing was opened.

Shaun Storm – Indicated that the City should prevent such problematic residential developments from being built. Event attendees could park their vehicles at a satellite location and be shuttled to the event.

Chad Brower – Believes that the City should not be subsidizing commercial activities. The City is simply being asked to provide additional street parking for free.

Patrick Grant – Noted that there is a storage lot located on the east side of the East Canal. Also noted that when the City completes the East Canal bike path, there will be more opportunities for cycling and using public transit. Requested that the speed bumps be replaced with speed humps.

The public hearing was closed.

3. DISCUSS: Code of Ethics and Conduct for Elected and Appointed Officials

Chair Jackson – Noted that the reasons for combining the Code of Ethics and Code of Conduct are not persuasive. A better approach is to retain two separate documents, and add notations, when needed, that reference one another. Believes that the Code of Conduct is mostly applicable to City Council, and not necessarily to members of the different Boards and Commissions. In addition, most public members have questions about the Code of Ethics rather than the Code of Conduct. Consequently, turning a three-page Code of Ethics into a nineteen-page document only makes it difficult to the

users even if the resulting document is well indexed. Also noted that the first paragraph on Page 3 of the staff report states "It should be noted that staff are held to similar high standards of ethical conduct, as detailed in the City's Administrative Manual.....". Thus, one could argue that the City's rules set for staff be incorporated into the overall Code of Ethics and Conduct. In addition, would like to encourage City Council to refer to Pages 13 and 14 of the Code of Conduct which address the Council Conduct with the Public. Indicated that he never observed speakers being allocated five minutes each, as noted in the third paragraph on Page 13 of the Code of Conduct. Added that the new speech research poses restrictions on public speaking and discourages participation. In general, believes that the Code of Ethics and Code of Conduct are two separate documents that do not qualify for consolidation, even their tone is very different. Persons would intuitively know the Code of Conduct, but not necessarily the Code of Ethics. Added that Boards and Commissions just got through the revisions made to the Council Policy Manual which also resulted from combining information.

Commissioner Reece - The two documents were very well consolidated. The combined document is still sectioned into "Ethics" and "Conduct" to facilitate the users' reference. Also noted that combining such policy documents eliminates the possibility of having conflicted information in the individual documents. The City could further attempt to make divisions/sub-divisions of the amalgamated document very clear not to intimidate users.

Commissioner Stawitcke - Believes that combining the two documents into one makes sense since the subjects are related and relevant to one another. Is used to reviewing large reports, and whether the overall document is three or nineteen pages would not discourage her from using the document. It is more important to make all relevant information available in one source rather than being concerned about the document's length. The drafted Code of Ethics and Conduct is well delineated and user friendly.

Commissioner Durham - Indicated that consolidating the City's Codes of Ethics and Conduct was largely a good effort.

The public hearing was opened.

No public comments were made on the matter.

5. DISCUSS: Santa Clara Countywide Bicycle Plan

Chair Jackson – Provided a preliminary and general comment that the Countywide Bicycle Plan is detailed, and that the BPAC members participated in its development.

The BPAC members indicated that they will attempt to forward their comments on the Plan to the staff liaison on, or before the 26<sup>th</sup> of March in order to meet VTA's deadline of April 1, 2008.

## **NON-AGENDA ITEMS AND COMMENTS**

- BPAC ORAL COMMENTS

Commissioner Durham – Indicated that Maude Avenue west of Mathilda Avenue has no space for bicycle lanes unless a vehicular travel lane is eliminated. Noted that the Memorial Ride for the bicyclists killed in Cupertino was attended by three BPAC members. Although sad for the cyclists who were involved in the accident, expressed consideration of the effect of multiple 12-hour shifts on the physical and mental conditions of police officers.

Commissioner Warner – Noted that the Tour of California established a web site “<http://www.yieldtolife.org>” to provide educational information for motorists and cyclists. Also indicated that there is only 100 days remaining before requiring the use of a phone ear set while driving, and for denying the use of a phone by motorists who are under the age of 18 years. However, 50% of drivers are still using hand sets. Consequently, inquired about the possible enforcement measures by the City's Public Safety Department.

Chair Jackson – Inquired about the resurfacing schedule of Wolfe Road. As he recalls, it was planned to be resurfaced within five years. Noted that the planned 11 feet resurfacing should be extended to 13 feet. In addition, noted that motorists regularly park within the transition area south of El Camino Real, which is dangerous.

- STAFF ORAL COMMENTS

None.

## **INFORMATION ONLY ITEMS**

6. Earth Day Event Update
7. BPAC E-mail Messages
8. Active Items List Update

Garth Williams – Is a Sunnyvale resident and board member on the Stevens Creek Trail Extension project. Inquired about the BPAC and staff's position on the matter.

Chair Jackson – Explained that Alternative 3 seems to be the preferred alternative by the project consultant and the public. Also noted that the Water District was involved in the project's consultation process and had no objection on the preferred alternative.

Heba El-Guendy – Noted the policy decision made by Sunnyvale City Council in 1994, which prevent the provision of a trail extension within the Creek corridor. Also referred to other relevant information described in the Sunnyvale staff response to the City of Los Altos. A copy of the staff response letter will be forwarded to all BPAC members and to Mr. Williams.

Chair Jackson – Announced that the Uba Drive ceremony is on April, 12<sup>th</sup>, 2008, and that the Cupertino Bridge is expected to be opened for use by December 31<sup>st</sup>, 2008.

### **ADJOURNMENT**

The meeting was adjourned at 9:30 p.m.

---

Respectfully submitted by:

---

Heba El-Guendy  
Senior Transportation Planner  
Division of Transportation and Traffic