



Consent Item 1.A)

DRAFT

SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION Meeting Minutes – June 19, 2008

The Bicycle and Pedestrian Advisory Commission met at 6:30 p.m. on June 19, 2008 with Committee Chair Kevin 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
Andrea Stawitcke
James Manidakos
Ralph Durham

Members Absent: Richard Warner
Michael Reece

Staff Present: Lieutenant Donald Discher
Heba El-Guendy, Senior Transportation Planner

Visitors: David Simons, VTA & Caltrans BPAC/City's Planning Commission
Patrick Walz, City's Board of Building Code Appeals
Jeannie Bruins, Stevens Creek Trail Task Force/Los Altos resident
Garth Williams, Stevens Creek Trail Task Force/Sunnyvale resident
Patrick Grant, resident/commuter
Chad Brower, resident/commuter
Arthur Schwartz, resident

There was no objection to the members' absence, and their absence was excused.

SCHEDULED PRESENTATION

There was no scheduled presentation. Lieutenant Discher of the Public Safety Department was available to address questions and concerns.

Commissioner Durham – Inquired if vehicular parking in a bike lane is considered a traffic violation that can be enforced. In some cases vehicular parking is allowed, for example, between 7:00 p.m. and 7:00 a.m. Also inquired if in such cases, cars can be ticketed if left parked after the allowable period.

Lieutenant Discher – Explained that cars parked in a bike lane most likely would encroach within a vehicular travel lane, and thus can be towed based on the Vehicle Code provisions. When vehicles block traffic movement, enforcement responds within 20 minutes. When there is sufficient width to allow vehicular parking during certain hours, cars can be towed if they exceed the permitted hours.

Chair Jackson – Commented that probably enforcement of such parking violations would not be a priority during the peak hours, and take place in response to reported concerns. Added that the City of Sunnyvale is always keen on installing “No Parking at Anytime” signs along bike lanes, which facilitates enforcement in case of violations. In other cities such as the City of Los Altos, cars parked in the bike lanes cannot be towed because there are no signs that clearly prohibit parking. Chair Jackson emphasized the need for protecting the safety of cyclists since they are more vulnerable to collisions and for sustaining serious injuries. Drivers distracted by cell phones and other means cause a safety hazard, and should at least be warned if not ticketed. Also inquired if the City’s Public Safety Department could enforce the parking violation of a motorcycle that often blocks access to the E-lockers at the Caltrain station. Suggested that Public Safety representative attends the “Town Hall Meeting on Our Bicycle Safety Crisis” scheduled to take place on Saturday, June 28th at the San Jose City Council Chambers. Cyclists’ safety within the County of Santa Clara is of particular concern, and representatives of VTA, Caltrans and the MTC are expected to attend.

Lieutenant Discher – Shared information on his community involvements such as efforts coordinated with the County’s Traffic Safe Communities Network (TSCN) to enhance safety in the vicinity of schools, thereby encouraging walking and cycling. Also shared some collision statistics provided at the statewide conference held in the City of Anaheim. For example, injury motorcycle collisions have been on the rise by 300 to 400%. Emphasized the need for a combination of engineering, education and enforcement initiatives and sought the BPAC’s assistance in this regard. Circulated and explained a list of questions and answers prepared by the Department of Public Safety covering information on the new wireless telephone laws such as their effect date, their applications for the different age groups, convictions and fines, and exceptions. Noted that officers will commence enforcement of the new laws on July 1st and planning stake locations. Also noted a stake planned for July 3rd for DUI, and clarified that DUI now is not only associated with the night hours. For example, over the past one and a half months 3 DUI of 0.2 and above were convicted during the morning peak period when people least expect it.

Commissioner Durham – Noted his support for the DUI enforcement including on July 3rd. Also noted an assumption that bicycle/car collisions are 50% due to the cyclists fault. However, in the case of involving impaired drivers, it is very difficult to avoid such collisions no matter how careful and experienced the cyclists can be.

Commissioner Stawitcke – Noted the experience with the “Click-it or Ticket” enforcement campaign and its achieved success.

PUBLIC ANNOUNCEMENTS

Chair Jackson – Announced the re-appointment of Commissioner Andrea Stawitcke and Commissioner Ralph Durham effective July 1st. Also announced the appointment of Patrick Walz, present member of the City’s Board of Building Code Appeals, to become a BPAC member as of July 1st. Chair Jackson also noted success of the Bicycle Rodeo held at the Cumberland Elementary School which was organized by the County’s TSCN to help 4th and 5th grade students learn and practice cycling safety skills.

CONSENT CALENDAR

- 1.A) Approval of Draft Minutes of the May 15th BPAC Meeting
- 1.B) Approval of the June 19th Meeting Agenda
- 1.C) Approval of the 2008 BPAC Calendar Update

Consent Calendar items 1.B and 1.C were approved 4-0.

Chair Jackson – Requested revising the last phrase of the second paragraph on Page 3 of the May 15th meeting minutes to read “Added that it could be a double edged sword issue since the reduction of pollution allows for more sun energy and heat to filter through to the ground”. Also requested revising the third paragraph on Page 5 to read “Noted that the County Roads and Airports Department seems to have its own funding and less dependent on feedback of the County Supervisors and other agencies, which could be an oversight by the County Supervisors”

Consent calendar item 1A was approved 4-0 as amended.

STAFF RESPONSE TO PRIOR PUBLIC COMMENTS

None.

PUBLIC COMMENTS

David Simons – Noted that he was recently appointed to the Caltrans BPAC and offered assistance to the City whenever possible.

Chad Brower – Noted that shifting car miles to bicycle miles would benefit the environment. Also noted that 95% of cyclist deaths involve vehicles, and that the potential for fatalities increase with the increase of vehicular travel speeds. Cyclists are in need of fast and safe bicycle routes. Safety can be achieved by constructing trails which is a costly approach. As an alternative, suggested reducing the speed limit on the curb-side lanes along major corridors to 20 miles per hour, and possibly converting

them to shared bicycle/car lanes. Believes that this is a relatively cheap solution to enhance the safety of cyclists using bike lanes/shared traffic lanes, facilitate cars merging into high speed roads, and to increase the use of curb-side lanes by scooters and neighborhood electric vehicles. Cited Vehicle Code 22364 "Whenever the Department of Transportation determines, upon the basis of an engineering and traffic survey, that the safe and orderly movement of traffic upon any state highway will be facilitated by the establishment of different speed limits for the various lanes of traffic, the department may place signs upon the state highway, or any portion thereof. The signs shall designate the speed limits for each of the lanes of traffic".

Patrick Grant – Noted that he is aware of this concept discussed for consideration on El Camino Real (State Route 82).

Heba El-Guendy – Noted the potential difficulties of enforcing different speed limits along the various lanes. Also noted that vehicular traffic, in general, tends to travel at lower speeds along the curb-side lanes due to the right-turn movements at intersections and driveways. On the other hand, left-turn movements along major corridors tend to be served by a center two-way left-turn lane and designated left-turn lanes at intersections. Indicated that reducing the speed limit on the curb-side lanes may make them less attractive to drivers which could potentially reduce their use and impact the higher speed lanes, thereby minimizing the effectiveness of the reduced speed limit on curb-side lanes.

PUBLIC HEARINGS/GENERAL BUSINESS

3. Discussion: Policy Supporting Connections to Regional Bicycle Facilities – Study Issue

This item was of interest to most public members who attended the meeting, and therefore was discussed first to avoid delaying them.

Chair Jackson – Proposed to narrow the focus of the study issue on asking the Council to revise Policy 2.2.C.5 of the General Plan Open Space and Recreation Element as it pertains to the Stevens Creek trail connection. Noted that many developments and economic changes took place over the past 14 years which changed the transportation needs. Added that the preferred alternative now being considered varies from the 1994 understanding, and it is simply a gap closure at the southern end of the trail route just before Fremont Avenue. Encouraged City Council and staff to reexamine the current policy and its effect on a potential trail connection.

Jeannie Bruins - Co-chair of the Stevens Creek Trail Task Force and a member of the Friends of Stevens Creek. Attended the BPAC meeting as a Los Altos resident. Described the preliminary analysis conducted by the City of Los Altos and the five developed alternatives along with associated selection process. Indicated that the proposed section of the trail connection that would travel within the City of Sunnyvale is only one eighth of a mile which would not affect nearby residents. Also indicated that the Water District was contacted and is agreeable to the Class I bicycle facility proposed under State Route 85. Ms. Bruins noted that she has access to all sections of the proposed creek connection and offered to tour the area with interested members of the City of Sunnyvale Council, BPAC and staff. Indicated that the City of Los Altos does not wish to proceed with the Feasibility Study and detailed design, then be later faced with a Sunnyvale objection. Added that this initiative can only succeed if all involved jurisdictions work cooperatively.

Commissioner Stawitcke – Noted that in the spirit of cooperation with neighboring cities, the subject policy needs to be revisited by staff and Council. Allowing the opportunity to having a connected Stevens Creek trail would benefit Sunnyvale residents including cyclists and pedestrians.

Garth Williams – Is a member of the Stevens Creek Trail Task Force and attended the BPAC meeting as a Sunnyvale resident. Indicated that all presently accessible open space is near the Bay; and that Sunnyvale residents now have a significant opportunity to have a convenient access to 22 acres of open space along the trail. Noted that access locations are needed at both Remington Drive and Fremont Avenue.

Patrick Grant – Noted that State Route 85 acts as a barrier. Also indicated that the proposed trail connection is approximately 5 feet from the creek bed level, while the nearby community is located on a higher elevation and would not be impacted. Would like people to be given the opportunity to interact with the creek and surrounding open space. In addition, requested that BPAC members consider changing the formula dictating the prioritization of bicycle projects as referenced in the Sunnyvale Bicycle CIP Study.

Chair Jackson – Clarified that the referenced formula is not a policy, and the word priority was probably misused. Added that El Camino Real would rate higher than Mary Avenue, yet no bike lanes are currently provided on El Camino Real. Also the Borregas Bridge is being built despite of the high cost. Parking, for example, is one of the factors considered in the formula, but never dictated the projects priority. Explained that selection of bicycle projects is significantly affected by funding opportunities, especially grants. Believes that the City needs to focus on establishing safe north-south bike/pedestrian connections to meet the present shortage.

David Simons – Encouraged communication with the VTA BPAC to address funding issues. In concurrence with the I-280 bridge, it was assumed that it would serve access to 400 students from Mountain View and 80 students from Los Altos. Believes that the provision of a connection in the vicinity of Remington Drive would probably serve more students than originally estimated.

Arthur Schwartz – Believes that the 1994 policy would still be met since no properties would be impacted by the proposed route. Added that most concerns raised by the 1994 studies would not be relevant to the proposed/revised route.

2. Motion: Appointment of the VTA BPAC – Draft Report to Council

Heba El-Guendy – Summarized the draft RTC indicating that the VTA requested that the City renew its appointment to the VTA BPAC with an appointee who is not a Council or a staff member, and who is preferably a member of the City BPAC. The appointee will serve a two-year term starting in July 2008 and ending in June 2010. Mr. David Simons has served as Sunnyvale's representative to the VTA BPAC since its inception in October 1998 and is a member in good standing. Decision of the BPAC will be added to the RTC currently scheduled to go before Council on July 15, 2008.

Commissioner Manidakos – Inquired if any recruitment or competition took place.

Chair Jackson – Indicated that there was no need for recruitment. VTA prefers a BPAC member, and David Simons has been well representing the City's interests over the years.

David Simons – Noted that his new appointment to the Caltrans BPAC could further support the City's interests since he will have a better access to the MTC Committee and Caltrans staff. He also noted that only the Sunnyvale and Cupertino representatives have been on the VTA BPAC since its inception in 1998. This provided Mr. Simons with the opportunity to understand and secure fund for capital City projects, and to monitor their progress over the years. As a City Planning Commissioner for a number of years, he was also able to bring bicycle related projects into the planning process. Other Cities, such as San Jose that regularly rotates its VTA BPAC representation lacks a complete understanding of the different funding sources and mechanisms, which could adversely affect the fund that they receive for projects.

Re-appointment of David Simons to the VTA BPAC was approved 4-0.

4. Discussion: Preparation of BPAC Meeting Minutes – Means of preparation and level of details

This discussion item was initiated during the May 15, 2008 BPAC meeting due to concerns raised regarding the exceeded BPAC Support budget. Suggestions were made to prepare less detailed meeting minutes, or to tape record the meetings in order to facilitate preparation of the minutes by administrative staff rather than the Commission liaison. To fully consider this subject, Commissioner Ralph Durham requested that it would be added as a discussion item on the agenda of the June 19, 2008 BPAC meeting.

Heba El-Guendy - Noted during the June 19th meeting that this is an operational and resource issue to be decided by the Public Works Department. However, the BPAC members should feel free to discuss and make suggestions to staff. She also noted that the BPAC support budget has been adjusted for FY 08/09 to reflect the higher than anticipated costs for BPAC support.

Commissioner Durham – Noted the correlation between having detailed minutes relative to being permitted to speak to Council at public hearings. He also noted his realization that it is up to the City Council to decide if the minutes are detailed regardless of whether or not they capture all comments/opinions mentioned in a meeting.

Chair Jackson – Raised his concerns that preparation of the minutes by a person who does not attend the meetings may not accurately reflect reactions and thoughts of the BPAC and public members, and that emphasis on strong points may be lost.

Heba El-Guendy – Clarified that she would review minutes prepared by administrative staff to ensure their accurate reflection of opinions and thoughts.

Commissioner Stawitcke – Indicated that she is satisfied with the meeting minutes and considers them as good reflection of the meetings. She also noted that between the time that would be spent by administrative staff to prepare the minutes in addition to the review time by the BPAC liaison; there may not be cost savings.

Chair Jackson and Commissioner Durham also noted their satisfaction with the minutes and recommended that they would continue to be prepared by the Commission liaison.

NON-AGENDA ITEMS AND COMMENTS

- BPAC ORAL COMMENTS

Commissioner Manidakos – Noted that although the use of an E-locker costs 5 cents per hour, he was informed that the cheapest card that can be purchased costs \$20. Believes that the expensive cards deter cyclists from using the E-lockers, and that the

cards could also be lost or damaged before fully used. Requested that this matter be checked, and if possible reduce the value of cards that can be purchased.

Chair Jackson – Indicated that he noticed the new sign posted at the E-lockers explaining their use steps, and requested that means be investigated to prevent the motorcycle from parking in front the E-lockers (possibly through posting of a no-parking sign, Samtrans enforcement, and/or City enforcement). Requested enforcing the use of the free lockers also provided at the Caltrain station in order to encourage cycling and transit use. Also requested that the approved street allocation policy be coordinated with future street resurfacing. In addition, requested that the double yellow lines and raised markers be maintain at Lynn Way/Mulberry Lane. Inquired about when the event parking is supposed to be reviewed by BPAC.

Heba El-Guendy – Shared Information/Action Items as directed by City Council which indicates that BPAC review of Ordinance 2871-08 of the Sunnyvale Municipal Code Amending Section 10.16.030 of Chapter 16 (Parking Regulations) of Title 10 (Vehicle and Traffic), as a part of their work plan, for future revisions. In other words, in January of 2009.

- STAFF ORAL COMMENTS

Heba El-Guendy – Noted that the Community Resources Department mostly received culture related applications (such as food, art, etc.) for the Global Sunnyvale – A Celebration of Cultures event planned for June 21st. Consequently, they had to determine that setting-up a booth for BPAC would not be a good fit, and instead encouraged the BPAC members to participate as volunteers. BPAC staff liaison, Heba El-Guendy, noted that she will provide the event's general information booth with copies of the City and County bicycle maps, as well as relevant bus and train schedules and maps. With regard to the request initiated by Commissioner Durham to add the East Channel trail as a 2009 study issue, she indicated that this project is already on the work program of the Transportation and Traffic Division and that a number of grant applications have been considered in this regard. Concerning the request raised by Chair Jackson to expand the mailing list used for circulating the agenda packet of the BPAC meetings, she explained that the packet is currently circulated to all BPAC members, seven City staff members, and all public members that request it. She also noted that Senate Bill 343 which will become in effect on July 1st, 2008 requires posting of all agenda materials on the web site, as well as provide a complete binder at the City's one-stop desk. This in turn, would probably eliminate the need for expanding the mailing list.

INFORMATION ONLY ITEMS

5. FY 2008-09 Budget, Response to questions raised during the May 15th BPAC meeting
6. BPAC E-mail Messages
7. Active Items List Update

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

Respectfully submitted by:

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