



Consent Calendar 1.A)

DRAFT

SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION Meeting Minutes – January 15, 2009

The Bicycle and Pedestrian Advisory Commission met at 6:30 p.m. on January 15, 2009 with Commission 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
Ralph Durham
Andrea Stawitcke
James Manidakos
Richard Warner
Patrick Walz

Members Absent: None

Staff Present: Heba El-Guendy, Senior Transportation Planner

Visitors: Commissioner David Simons, VTA BPAC
Arthur Schwartz, Sunnyvale resident

There were no Commission members absent.

SCHEDULED PRESENTATION

VTA BPAC Commissioner David Simons – Provided the City's BPAC members with general information, a briefing on activities of the VTA BPAC and ongoing regional projects. Noted that there are six-week training classes on effective cycling currently being offered for only \$20, and that information on these classes are published on the "actc.org" web site. Indicated his general concern with regard to the long durations that it takes to get items on the VTA BPAC agenda and then to get these items resolved by BPAC. Indicated that there is a tendency not to schedule VTA BPAC meetings when no Board of Supervisors meetings are held. Also indicated that the Countywide Expressway Study finally came to a conclusion which should have taken place about

four months ago, and that the pending ordinance to require cycling events with 50 or more participants to obtain a license has been denied. In addition, expressed his positive opinions of the appointments of a new Chair, Commissioner Joseph Walton of the City of Cupertino, and a Vice Chair, Commissioner Jim Stallman of the City of Saratoga. Added that the Scoring Sub-Committee is currently working on the 2035 VTP and that the deadline for receiving projects has been extended to January 22, 2009. Noted that Sunnyvale has the support of Commissioner Stallman of Saratoga on projects such as the Bernardo underpass under the Caltrain railway tracks.

Commissioner Simons also requested from the City's BPAC to investigate bike sharing programs including initiative presently being pursued by the City of Palo Alto, and inquired about the installation schedule of the e-lockers planned at a number of Moffett Park businesses. Also requested from staff to refer to the MTC and state goals when applying for grants which may affect scoring of projects on the regional level. Referenced as an example, a CA Bicycle/Pedestrian Plan that was produced in 2002. Although this plan does not have a funding mandate, it could be used as a reference in grant applications.

Commissioner Walz – Inquired about the Palo Alto bike sharing program relative the Portland and Seattle programs that were cost prohibitive and diminished with the departure of volunteers.

Commissioner Manidakos – Noted that there are now very durable and cheap bicycles (each bicycle costs less than \$50) produced in Africa that could minimize the maintenance and theft issues associated with a bike sharing program.

Chair Jackson – Indicated that a successful bike share program needs to be a region-wide effort rather than initiatives by individual cities, and that smart technology can be utilized to reduce bicycle theft (such as the use of credit cards to have access to the bicycles). Also indicated that there are successful systems in place, and that it is important for the City of Sunnyvale to be involved in the initiatives pursued by the City of Palo Alto and other neighboring cities. Chair Jackson also noted that the provision of bike lanes along Mary Avenue is now ranked #15 on the regional program and inquired if it can be on the Bicycle Expenditure Plan (BEP).

Commissioner Simons – Referenced the state Blue Print for Walkable California (produced in 2002) which justifies the provision of wider sidewalks and wider bike lanes along streets that experience high vehicular traffic volumes and/or speeds. Also referenced associated research that concluded that on streets that serve more than 300 vehicles per lane, every additional car causes 0.2% increase in pedestrian accidents. Added that such documents and research can be used to justify funding changes and noted the walkable communities funding. Commissioner Simons also suggested setting conditions of approval on businesses in the Moffett Park area that require them to fund

the provision of bike lanes along Mary Avenue south of Evelyn Avenue. Added that Sunnyvale has the lowest vacancy rate of office space in the Silicon Valley, and has some advantage when negotiating with businesses.

Arthur Schwartz – Indicated that he attends all Planning Commission meetings and offered to pass on information to the Planning Commission.

Commissioner Simons – Requested from Mr. Schwartz to inform the BPAC members of key projects when scheduled for review by the Planning Commission.

Chair Jackson – Thanked Commissioner David Simons for his presentation and noted that minutes of the VTA BPAC meetings are not always included as part of the agenda packets.

PUBLIC ANNOUNCEMENTS

Chair Jackson – Announced the one year anniversary of staff liaison, Heba El-Guendy, since joining the BPAC members in the Commission meetings.

CONSENT CALENDAR

- 1.A) Approval of Draft Minutes of the November 20, 2008 BPAC Meeting
- 1.B) Approval of the January 15, 2009 Meeting Agenda
- 1.C) Approval of the 2009 BPAC Calendar Update

Consent Calendar item 1.B was approved 6-0.

Chair Jackson – Requested the following changes to the last paragraph on Page 2 of the Draft Minutes of the November 20th BPAC Meeting “..... Also Even minor residential streets have concentration of traffic in the peak hours which are the most critical times. Also, minor residential streets are perceived to be safe, thereby causing motorists and cyclists to be less careful.”. “..... Believes that whenever off-street parking is provided, it should be is up to the project sponsor to prove the need for street parking and not ~~the other way around~~ up to proponent to bicycle safety to prove the need for cycling space.”. In addition, requested revising the last paragraph on Page 7 of the Minutes as follows: “Chair Jackson – Requested that all trucks including City utility and commercial trucks avoid parking in the bike lanes when possible.”.

Commissioner Warner – Requested revising the first phrase of the second paragraph on Page 7 of the Minutes to clarify that “No vote was taken on the pending ordinance aiming to require cycling events with fifty or more participants to obtain an event license”.

Chair Jackson – With regard to the 2009 Work Plan, Chair Jackson noted that the May BPAC meeting tends to be on the same Thursday of the Bike to Work Day event which is very demanding for the Commission members. Consequently, requested consideration of moving the May 21st BPAC meeting to the following Thursday, May 28th, which could also benefit in providing a more informed feedback on this major cycling event.

Heba El-Guendy – Clarified that there will be no second review of the Code of Ethics and Conduct for Elected and Appointed Officials in July of 2009, and that from now on Annual Review of the Code will take place in January/February of each year following the appointment of Mayor and/or Vice Mayor on City Council.

Consent Calendar items 1.A and 1.C were approved 6-0 as amended.

STAFF RESPONSE TO PRIOR PUBLIC COMMENTS

None.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS/GENERAL BUSINESS

2. DISCUSSION: Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials (Draft RTC by the City Manager's Office)

As scheduled for this meeting, the BPAC members discussed the Draft RTC regarding the Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials and requested the following changes.

Commissioner Stawitcke – The heading at the top of Page 6 of the Code of Ethics and Conduct indicates “The Three Rs of Sunnyvale Government Leadership: Roles, Responsibilities and Respect”. Commissioner Stawitcke requested revising this heading since the Roles and Responsibilities sections have been removed.

Chair Jackson – Provided a general comment that the combined and simplified Code of Ethics and Conduct that applies to elected officials should also apply to City staff. Requested revising the end of the fourth paragraph on Page 2 of the staff report to read “Attachment B” rather than Attachment C. In addition, requested revising the second

phrase of the fourth paragraph on Page 3 of the Code as follows: “~~The City’s Code of Ethics~~ Ethics section of the City’s Code of Ethics and Conduct provides guidance on ethical issues and questions of right and wrong”. Similarly requested revising the first phrase of the second paragraph on Page 6 of the Code as follows: “~~This Code of Conduct~~ The Conduct section of the Code of Ethics and Conduct is designed to describe the manner in which Councilmembers and board and commission members should treat one another,”. With regard to limiting only the Chair or his/her appointee to speak during a Council public hearing on any item that has been addressed by the board or commission (Fourth paragraph on Page 10 of the Code), Chair Jackson requested that the Council reconsider such restriction on speech, and questioned the wisdom behind the constitution rights used to establish this speech restriction. The sixth paragraph on Page 13 is regarding the board/commission conduct with the public and starts with “Be fair and equitable in allocating public hearing time to individual speakers”. Chair Jackson noted that this conduct does not become less important when board and commission members address City Council. Added that board and commission members are selected due to their knowledge and believe in the board/commission goals and objectives. Also under the same section on Page 13, the last paragraph indicates “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.....”. Chair Jackson noted that the speech restriction never specifically addressed situations when the position of the board, commission or public members on projects and/or policies is different from the staff recommendation.

NON-AGENDA ITEMS AND COMMENTS

- **BPAC ORAL COMMENTS**

Commissioner Walz – Inquired if it is acceptable for a BPAC member to assist a person who will be running for Council, and to discuss this person’s qualifications and goals with other members of BPAC.

Chair Jackson – Clarified that this is not a BPAC matter to be discussed during the Commission meetings, and that no more than three Commission members could discuss it outside of the meetings. Added that the referenced person seeking a seat on City Council could still note the support of a BPAC member.

Commissioner Walz – Inquired about any updates regarding the Stevens Creek Trail extension and possible means to expedite the process of pursuing this project.

Chair Jackson – Indicated that each of the four cities (Mountain View, Cupertino, Los Altos and Sunnyvale) selected one of their Council and staff members to represent the respective cities on a committee that started meeting in January and aims to reach a

conclusion in April 2009. Added that the project can move forward in a timely manner if Sunnyvale City Council votes to eliminate the 1994 policy that currently restricts the trail extension along the creek within Sunnyvale, or if the matter is reviewed in a streamlined study issue process.

Commissioner Manidakos – Indicated that eastbound motorists on Maude Avenue turning onto northbound Borregas Avenue now face very short left-turn signal time, thereby causing vehicles' delay and queuing that lasts for a number of signal cycles. This reduces the motorists' tolerance to cyclists making the same turning movement.

Commissioner Durham – Inquired about the possibility of reinstating the old BPAC e-mail address and instead addressing the issue of spam messages that reach the web address. Believes that this action will facilitate the public access to BPAC especially that the old BPAC e-mail address is mentioned on many publications that cannot all be revised.

Commissioner Manidakos – Noted that a large company that produced spam messages closed its doors in December 2008, which generally reduced the amount of spam messages being circulated.

Chair Jackson – Added that if the City of Sunnyvale is experiencing a major issue with spam messages, the City could approach the FBI for use of their expertise in this regard. Added that the BPAC agenda packets are now listed on the City web site based on alphabetic order which is not user friendly.

Also noted that there have been several reports in the cycling community about drivers that stop in the bike lanes to use their cell phones. Added that if these drivers were concerned about safety, they would not have waited for a law to change their behavior. Believes that this emphasizes the importance of legislation (such as by the County Board of Supervisors), and enforcement (by the Public Safety Department within Sunnyvale). It also emphasizes the need for educational measures and asked the BPAC members to consider this idea when discussing the utility bill stuffer in the February meeting. Also asked the BPAC members and staff liaison to check web sites, such as "AAA.com/traffic safety", for educational materials, and to share information and ideas during the upcoming BPAC meetings.

In addition, Chair Jackson briefed the Commission members on an article published in the Palo Alto Daily regarding the approval of Palo Alto City Council to install license plate scanners in the police patrol vehicles which will cost approximately \$40,000 per unit including the software. Requested that this information be passed along to the Public Safety Department since the device could assist in enforcement of parking violations, tracking of stolen vehicles and other enforcement issues.

Chair Jackson also noted that the County's Traffic Safe Communities Network (TSCN) is planning a Safe Route to School event at the Dahl Elementary School in San Jose on January 28th from 8:00 a.m. to 2:15 p.m., and is seeking volunteers to assist with the teaching of bicycle safety to the school students.

- **STAFF ORAL COMMENTS**

Staff liaison, Heba El-Guendy, noted the following:

1. The Transportation and Traffic Division submitted an application for 2009 Community Design and Transportation (CDT) grant funds in order to develop the El Camino Real Multi-Modal Design Guidelines in light of the City's plan to improve bicycle and pedestrian facilities along the corridor including the provision of bike lanes.
2. The Transportation and Traffic Division also submitted a grant application for TFCA grant funds for establishing cycling facilities along the road which connects between the two Borregas Bridges over-crossing US 101 and SR 237. With regard to the establishment of Class II bike lanes along Mary Avenue south of Evelyn Avenue, it was decided that this project is more applicable for seeking Caltrans Planning Grant funds.
3. Due to limited resources, BPAC staff liaison's participation in special events will be reduced to providing contact information of event organizers and materials to be offered at the events. This is with the exception of the Bike to Work Day event, which will continue to involve participation of all Transportation and Traffic Division staff members. Noted that the City's Health and Safety Fair has been postponed to May 30th, 2009. The Earth Week events may include a workshop on April 22nd/23rd to be held at the Council Chamber and possibly a City display at the Farmers Market on April 18th. So far, only the City Manager's Office would be able to staff a booth at the Farmers Market. BPAC indicated their desire to continue to participate in all referenced events.

INFORMATION ONLY ITEMS

3. Brochure on "Distractions in Everyday Driving" published by the AAA Foundation for Traffic Safety

A photocopy of the brochure was included as part of the Agenda Packet. Original copies of the brochure were made available during the BPAC meeting.

4. BPAC E-mail Messages

No messages were received to discuss during the meeting.

5. Active Items List

The updated Active Items List was provided as part of the Agenda Packet. No comments were raised with regard to the updated items.

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Respectfully submitted by:

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