

**Review of the 2009 Code of Ethics and Conduct
For Elected and Appointed Officials**

Attached is a copy of the 2009 Code of Ethics and Conduct for Elected and Appointed Officials for the annual review of the BPAC members.



City of Sunnyvale

2009 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

<u>Title</u>	<u>Page No.</u>
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.
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.

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.

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. 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.

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.

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

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.

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.

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

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.

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

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

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.

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.

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.

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.

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.

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.

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.

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

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.

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 never 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.

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.

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.

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.

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,

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.

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.

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

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 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

- o Will my decision/statement/action violate the trust, rights or good will of others?
- o What are my interior motives and the spirit behind my actions?
- o If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- o How would my conduct be evaluated by people whose integrity and character I respect?
- o 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?
- o Is my conduct fair? Just? Morally right?
- o If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- o Does my conduct give others reason to trust or distrust me?
- o 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?
- o Do I exhibit the same conduct in my private life as I do in my public life?
- o Can I take legitimate pride in the way I conduct myself and the example I set?
- o Do I listen and understand the views of others?
- o Do I question and confront different points of view in a constructive manner?
- o Do I work to resolve differences and come to mutual agreement?
- o Do I support others and show respect for their ideas?
- o 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 things 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

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.

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))

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.

BPAC E-mail Messages and/or Letters

All E-mail messages and/or letters received after circulation of the November 19th, 2009 agenda packet are enclosed. Staff update will be provided during the December 17th meeting and become part of the meeting minutes for public access.

Heba El-Guendy - Web BPAC Request - Street: Wolfe Road

From: emailer <emailer@ci.sunnyvale.ca.us>
To: "Web - Heba" <helguendy@ci.sunnyvale.ca.us>
Date: 1/11/2010 6:58 PM
Subject: Web BPAC Request - Street: Wolfe Road

Name

Email

Street Wolfe Road

Between Street El Camino Real

and Street Reed

Landmarks

Suggestion Eliminating 3rd south bound lane on Wolfe Rd. and creating bicycling lanes in both directions. To current method of riding on this section of the road can slow the flow of traffic if the rider uses the ride lane the way that is most safe.

41

Heba El-Guendy - Web BPAC Request - Street: Mary northbound

From: emailer <emailer@ci.sunnyvale.ca.us>
To: "Web - Heba" <helguendy@ci.sunnyvale.ca.us>
Date: 1/7/2010 8:38 AM
Subject: Web BPAC Request - Street: Mary northbound

Name**Email**

Street Mary northbound

Between Street Fremont

and Street Cascade

Landmarks bike loop marker

Suggestion After Mary was repaved a few months ago the bike loop markers in both northbound and southbound directions were moved from the center of the slow lane to the left side of the right turn lane. I am unable to get the bike loop in the northbound direction to function - even after waiting more than three minutes this morning (~4:35 AM). I don't remember seeing the bike loops moved. I am wondering if the loops are in the same location but someone repainted the marker in the wrong location (or the loops were supposed to be relocated but weren't). I've had many problems with this specific loop over the years. Please fix.

From: "Kevin Jackson" <kjbiker@netzero.net>
To: <helguendy@ci.sunnyvale.ca.us>
CC: <JWitthaus@ci.sunnyvale.ca.us>, [REDACTED]
Date: 12/6/2009 10:18 PM
Subject: Fwd: bike lanes on Kifer Road

Hi, Heba-

Can you take a look at the request below? According to several maps I've checked, Kifer lies on the border between Santa Clara (north side) and Sunnyvale (south side) from Uranium Dr (just west of Bowers) to a point about midway between Semiconductor Dr and Commercial St. So even if the jurisdiction isn't obvious, this could be a significant improvement to an important bike route.

From : [REDACTED]
To : Kevin Jackson <kjbiker@netzero.net>, David Simons <marengo@gmail.com>
Subject : bike lanes on Kifer Road
Date : Sat, Dec 05, 2009 09:08 AM

Hi. I'm sending you this email because I think the section of Kifer I want to inquire about is in Sunnyvale. Let me know if it is not.

Yesterday I was bicycling home (to Mountain View) from the Decathlon club. I got onto Kifer at Oakmead Village Court heading towards Lawrence Expressway. That section does not have bike lanes, and I did not expect bike lanes based on the Sunnyvale bike map. However when cycling on that section it seems as though it is wide enough for bike lanes although I did not stop and go into the road to measure. Once I crossed Lawrence and went a little way over a very rough short section of road there's a nice bike lane.

Has there been any discussion about putting in bike lanes on the section of Kifer that currently does not have bike lanes and which appears to be in Sunnyvale?

[REDACTED]

Weight Loss Program
Best Weight Loss Program - Click Here!
<http://thirdpartyoffers.netzero.net/TGL2231/c?cp=kwJ8XHNlgD8XKngXeEc-QwAAJz4k4X0Py5DQF7FH1TtmNkQAAYAAAAAAAAAAAAAAAAADNAAAAAAAAAAAAAAAAAEUgAAAAA=>

Heba El-Guendy - Fw: [PNFS] Downtown and Biking

From: [REDACTED]
To: Heba El-Guendy <helguendy@ci.sunnyvale.ca.us>, Jack Witthaus <jwitthaus@ci.sunnyvale.ca.us>, Gary Luebbbers <citymgr@ci.sunnyvale.ca.us>, <council@ci.sunnyvale.ca.us>, [REDACTED]
Date: 12/2/2009 11:33 AM
Subject: Fw: [PNFS] Downtown and Biking
CC: [REDACTED], Kevin Jackson <kjbiker@netzero.net>

Sunnyvale Staff,

This should have gone directly to you about the recent downtown Target opening. In any large project there is oversights or installation delays/refinements. I hope these can be quickly addressed in the coming weeks before bad behaviors or drivers expectations resulting from these errors become ingrained.

First it sounds as signal light activation for bikers is needed there.

Secondly, where there is no bike lanes and narrow lanes, a caution sign should be posted "Watch for Bikers in lane". Frankly the current only regulatory "share the road" sign is designed for where there is general space for a bike beside a car but no bike lane happens to be marked.

Third, the new open section of Taaffle is narrow and supposed to be slow enough for bikers to ride in line of traffic. To encourage that behaviour and acceptance of bikers type of speed for this short blocks, mark Taaffle as a bike boulevard for Bay area MTC standard example see <http://www.mtc.ca.gov/planning/bicyclespedestrians/tools/bicycleBlvd/index.htm>. This has the benefit of encouraging the casual bikers to ride the streets, not the sidewalk, and slows traffic from speeding appropriately making it safer for pedestrians.

Fourth, the mid-block pedestrian crosswalk on Taaffle just north of McKinley is misaligned considerably from the exit doors and the garage entrance for pedestrian. Already jaywalking, ignoring the crosswalk, is the standard there. Perhaps the crosswalk should be moved closer to the actual natural usage

Thank you for your attention

Regards
 [REDACTED]

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

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
 [REDACTED] Heba El-Guendy <helguendy@ci.sunnyvale.ca.us>; [REDACTED]

Sent: Wed, December 2, 2009 9:21:23 AM
Subject: Re: [PNFS] Downtown and Biking

Now that the street is completed at Target, there seems to have been little planning done that included bicycles.

The light at McKinley and Mathilda doesn't seem to have included cross traffic either (an accident waiting to happen).



Heba El-Guendy - Toward a more bikable Mary compromising options.**From:** [REDACTED]**To:** [REDACTED]**Date:** 12/1/2009 11:47 AM**Subject:** Toward a more bikable Mary compromising options.**CC:** [REDACTED]
[REDACTED]
[REDACTED] Heba El-

Guendy <helguendy@ci.sunnyvale.ca.us>, "[REDACTED]"

Hi,

I hope a few more options would be on the table for making Mary safe for bikers. Eliminate the death traps.

1. Eliminate the couple of short constriction points on Mary, the worst 2 being just north of Central and the other just north of the Caltrain tracks, widen the street for about 25 to 50 feet where is necks down. Bikers are forced to swerve into traffic, or as I do, I have to ride the center of the lane, blocking cars for my own safety, all the way from Evelyn to about 100 yards north of Central. One of these would require raising the sidewalk to protect redwood tree roots like on McClellan road at McClellan Ranch Park, and the other would require tightening a large turning circle slightly. There is a couple other constriction points on Mary too, that should be also looked for improvement, or possibly consider merging the bike lane and sidewalk for a very short distance. (Though that may have code restrictions preventing)
2. Leave an option to recess parking into the curb grass space, leaving trees as is. (Kind of like recessed street parking was downtown on Murphy) For only those residents who must have street parking but there is just not space. This is a way to squeeze a little parking space out, make it look pleasant and pleasure to walk and avoid the amount of swerving lines on Wolfe. It seems best to do it as a cost sharing, just to make sure the residents really want it.. Its pricey vs paint, but doing it for a few critical spots might just make it possible to make a solution work all the way down Mary.
3. There is lots of confusion and weaving between slower moving bikes North bound on Mary and cars attempting to do a fast turn onto Central Expressway East bound. (I understand this is a site of a bad hit and run of a cyclist (Injured severely) a couple years ago) . Frankly neither party can really anticipate what the other will do. Proper designed bike lane and right turn as at Highway 85 Fremont eastbound might go a long way to improve the confusion. Also consider a blue lane approach, to give the striking visible road marking to both parties where the bike and cars should merge and cross, see <http://www.mtc.ca.gov/planning/bicyclespedestrians/tools/highVisibilityBikeLanes/index.htm#>.
4. There is lot of bikers that turn left onto central expressway from Mary north bound. Presently bikers have to cut across 3 lanes of of fast moving cars Motorist nor bikers like that. Add a bike box for the right most left turn lane. see <http://www.mtc.ca.gov/planning/bicyclespedestrians/tools/bicycleBox/index.htm>

Thanks
[REDACTED]

From: [REDACTED]@com>
 To: [REDACTED]
 Cc: [REDACTED]
 Sent: Tue, December 1, 2009 10:05:07 AM
 Subject: Re: [PNFS] Re: [SunnyvaleWest] Re: Meeting this Tuesday 1.E #3 is interesting

If Sunnyvale ~~is configured the way Wolfe is configured between Homestead and Fremont~~ I surely hope they do a better job of marking the lanes. On Wolfe the lane markings make several jogs of a foot or less for no reason other than the fact the workers painting the lanes could not draw a straight line. The chicanes are bad enough without the unintended minor deviations.

Also, it is not traffic calming (I know that is the name, but it is not), it is traffic slowing. If anything it is traffic enraging rather than calming. We should make it easier to use main streets. Every time a change is made to slow traffic on a main street cut through traffic is increased. I used to bicycle commute from about Wolfe and Homestead to Lockheed. I used main streets only from Eveleen to Fair Oaks park and under 237. The rest was back streets.

From: [REDACTED]
 To: [REDACTED]
 Cc: [REDACTED]
 Sent: Mon, November 30, 2009 10:06:58 AM
 Subject: [PNFS] Re: [SunnyvaleWest] Re: Meeting this Tuesday 1.E #3 is interesting

Thanks for the clear and succinct description of alternatives for reconfiguring Mary to include bike lanes. I just want to add a couple of other points from a bicyclist's point of view:

- 1) The current configuration of Mary makes it one of the most dangerous streets in the area for bicycle commuters. The main problem with Mary is that most parking spaces are NOT used frequently during the business day. When I bike on Mary, I try to avoid traveling in the parking areas even if there are no cars there because it requires merging into a travel lane with cars going 30+ mph to get by the occasional parked car. Yet taking a travel lane in an area where there are no parked cars provokes road rage in drivers especially if they have to move into the right lane to get by a car making a left turn lane. Their speed quickly reduces from 30+ mph to 15 mph behind the bike.

Unfortunately both Hollenbeck and Mathilda/Sunnyvale Saratoga are just as bad if not worse.

I agree with you that the Fair Oaks Sharrows configuration does not work for the reasons I stated above. Drivers could care less if there is a bicycle symbol painted on the street. Just "get out of my

48

way." Road rage is a serious problem for people who want to use our roadways for commuting with bikes and must be considered in any reconfiguration.

The Wolfe option would work on Mary with the exception that it doesn't solve the left turn into driveways problem. If the city adopted this configuration, they should outlaw left turns during busy times except where there is a turn lane. I know this is inconvenient for people who live on Mary and will often require extra driving to get to their driveways when needing to turn left. While this isn't a direct concern to bicyclists, indirectly it creates a safety problem. Frustrated drivers having to merge into the right lane to get around a left turning car, can easily over compensate and inadvertently move into the bike lane. A road that is hassle free for drivers is also safer for bikers because of the road rage factor.

So I continue to vote for the three lane configuration. Studies show that the total handling capability of the road is reduced around 20% if the roadway expands to four lanes near intersections like was done on Evelyn.

Thanks

From: ;
To: ;
Cc: 1

Sent: Sun, November 29, 2009 10:10:03 PM

Subject: [SunnyvaleWest] Re: Meeting this Tuesday 1.E #3 is interesting

I doubt Sunnyvale has an hourly time limit. I've seen some cars on Hollenbeck that look like they are collecting cobwebs.

I'd assume the study would study all the current conditions on Mary. (Keeping my fingers crossed that they actually do get a quality job done.) I know the "Wolfe-style" and "4-3" conversions have been discussed. Both would preserve most street parking.

On Wolfe (between Homestead and Fremont), they created a 'winding' road by selectively eliminating a few parking spaces on alternate sides of the road. There is also still plenty of available, close street parking. (The parking removal seems very smartly done, for example, eliminating parking on a corner where the house faces the side street.) Mary could probably be similarly configured, adding a bike lane, while maintaining 90% of the currently used parking spaces (with the others being forced to move just a few feet.) From a traffic capacity perspective, this maintains the same road capacity. However, the "winding lanes" creates a traffic calming effect, slowing down traffic. Cyclists get a bike lane. The city maintain road capacity. Residents maintain their street parking. And high-speed through traffic gets slowed down. (bring an added benefit of reducing the desirability of the road as a shortcut.)

The 4-3 conversion simply continues the configuration of Mary as it exists south of Fremont. This eliminates a travel lane in each direction and adds two bike lanes and middle turn lane. This reduces the carrying capacity of a road. However on a street with a lot of left turn traffic (such as Mary) it can actually increase the total throughput capacity of the road. (Cars are no longer blocked by a left turning cars.) This gives cyclists a bike lane, residents their parking, and makes it much easier to make turns in and out of driveways on the road. Reducing a travel lane also makes the road easier for

pedestrians to cross.

I think either of the first two could work well for Mary.

Some additional possibilities that I don't think would work well on Mary:

1) Sharrows. This is done on Fair Oaks, north of El Camino. A "bike lane" is shared with the rightmost travel lane. Symbols are painted on the ground to indicate bikes should travel in the right half of the rightmost lane, sufficiently to the left of parked cars to avoid being 'doored'. One problem with this is, ironically, that there are not many cars parked on Mary. Drivers get annoyed at cyclists traveling in the lane when there is a big empty space to the right. (Cyclists also prefer the big empty space.) Also, with the left-turn traffic there tends to be a lot of lane movement, making this less desirable.

2) Parking removal bike lanes. This simply involves replacing a parking space with bike lanes. With the extra space, a middle turn lane could probably also be added. This could increase the capacity of the road and make it more bike friendly, at the expense of all parking space. However, the road would also feel "wider", thus increasing traffic speeds.

3) Part-time bike lanes. Homestead is an example. Parking is allowed overnight and on weekends in the bike lane. This preserves parking most common parking, while adding a bike lane during the day. Personally, I don't like this option. It makes it difficult for parkers who have to worry about time limits (and frequently violate them.) It makes things more difficult for cyclists - especially at night. (Bikes are obligated to travel in bike lanes, except when they are occupied, thus they are legally required to swerve in and out of traffic to avoid the parked cars.)

On Sun, Nov 29, 2009 at 8:19 PM

Does the discussion on the bike lane on MA mean eliminating parking on the street? There's no way in hell that must pass. We need parking on MA for homes that have more than 2 cars. Our home is one of those MANY homes that need parking. Would you know the answer? Any time of the day it is noticeable that lots of people need to park on the street. I doubt they do it for fun or to be ornery.

Incidentally, there's been a tall white van parking in front of my house all this week. I believe it was previously parked across the street from my house. I don't know what to do about it. Isn't there a law about leaving a car on the street without moving it for x number of hours. In San Jose, that law exists.

--- On Sun, 11/29/09,

From: J
 Subject: Re: [Sunnyvale West] meeting and roadway I.E #3 is interesting
 To:
 Cc:

Date: Sunday, November 29, 2009, 7:00 AM

Those items are on the consent calendar, so unless somebody takes them off, there isn't likely to be any discussions of the items. The RTC didn't seem to have any information on #3 other than "Council directed that staff consider bikeway planning for Mary Avenue as a top priority". Its nice to see that the city is finally studying the bike lane on Mary. It is a pity they could not have done this as part of the study for the original EIR for the Mary avenue bridge, and instead have to rely on VTA bicycle funds.

On Fri, Nov 27, 2009 at 7:14 PM,

I.E. MOTION Approval of Budget Modification No. 14 to
RTC 09-290 Recognize Grant Funding and Appropriate
Funds for Various Bicycle and Pedestrian
Projects

Staff Recommendation: Authorize the City Manager to execute the required agreements to secure grant funding and appropriate as follows:

- (1) \$52,000 from the Bay Area Air Quality Management District Transportation Fund for Clean Air to new project Borregas Avenue Bicycle and Pedestrian Improvements;
- (2) \$720,000 from the State of California Safe Routes to School program to existing project 828160, Residential and School Area Sidewalks;
- (3) \$160,000 from the VTA Bicycle Expenditure Program (with an additional \$40,000 local match from dedicated funds in the Capital Projects/Traffic Mitigation Subfund) to new project Mary Avenue Street Space Allocation Study.

Staff Contact: Jack Witthaus (408) 730-7330

Breathe Easy,

*To judge the content of a nation's character
look no further than its health care system.*

-----Original Message-----

From: David Whittum <whittum@gmail.com>

To: r

Sent: Thu, Nov 26, 2009 7:44 pm
Subject: [PNFS] City of Sunnyvale Council meeting agenda for December 1, 2009

<http://bit.ly/4q5MMu>

----- Forwarded message -----
From: City of Sunnyvale <emailer@ci.sunnyvale.ca.us>
Date: Thu, Nov 26, 2009 at 7:14 PM
Subject: City of Sunnyvale Council meeting agenda for December 1, 2009
To: Dave Whittum <whittum@gmail.com>

Dear Dave Whittum,

The agenda for the City of Sunnyvale Council meeting on December 1, 2009, can now be viewed at: Council Meeting Agenda - December 1, 2009.

In addition to Council meetings being available on KSUN-15, Sunnyvale's government access channel on Comcast, Council meetings are now being webcast live on the night of the meeting. Live and archived City council meetings can be viewed at the: Live and Archived Media page.

You are receiving this email because you have subscribed to automatic email notifications from the City of Sunnyvale. To update your subscriptions or unsubscribe, click here.

A DISCUSSION GROUP FOR LOCAL GOVERNMENT ISSUES IN SUNNYVALE

Your email settings: Individual Email | Traditional
[Change settings via the Web](#) (Yahoo! ID required)
[Change settings via email](#): [Switch delivery to Daily Digest](#) | [Switch to Fully Featured](#)
[Visit Your Group](#) | [Yahoo! Groups Terms of Use](#) | [Unsubscribe](#)

BPAC Active Items List Update

The Commission's active items list is attached for your reference. Concerns regarding operational matters such as signal operations and bicycle detection are not individually listed, but will be regularly addressed during the BPAC meetings.

Bicycle and Pedestrian Advisory Commission

Active Items List

Item #	Item	OPR	Due Date (Approx)	Status	Last Updated
1	Bernardo Caltrain Under-crossing	Witthaus	Preliminary engineering by 2005	Feasibility Study accepted by the City Council. Funds for 20% local matching funds must be identified before further project initiation. BEP Tier 1 update submitted. VTA will program 80% funds out to 2016 to allow for time to secure matching funds. Project update submitted for Valley Transportation Plan (VTP) 2035 consideration.	4/9/2009
2	Code of Ethics and Conduct	El-Guendy	Annual	The BPAC members provided their comments on the revised Code during the meeting of January 15, 2009.	2/13/2009
3	Utility Bill Stuffer	El-Guendy	Annual	The BPAC members discussed ideas on the Utility Bill Stuffer on February 19, 2009, a Draft was provided for BPAC review on April 16, 2009 and the final stuffer is now in circulation.	6/12/2009
4	Bike to Work Day	El-Guendy	Annual	The event took place on May 14, 2009. The Energizer Stations were set at the Wolfe/EI Camino Real intersection, Mary/Maude intersection, Baylands Park, Nasa light rail station, and Caltrain station.	6/12/2009
5	Earth Day	El-Guendy	Annual	A number of events took place during Earth Week with update provided to the BPAC members.	6/12/2009
6	Health and Safety Fair	El-Guendy	Annual	Event took place at the Columbia Middle School on May 30, 2009. Update was provided during the June 18 BPAC meeting.	6/12/2009
7	Overlay, Reconstruction, Slurry & Chip Schedule	T. Pineda	Annual	Information only item - Was provided to BPAC during the meeting of February 19, 2009.	3/13/2009
8	Signage request - Entrance of Baylands Park	El-Guendy	9/31/2009	A site meeting took place with staff of the City's Department of Parks and Recreation who are planning to install improved signage and pavement markings.	7/10/2009
9	Spare the Air Fair	El-Guendy	Annual	Event took place at the Sunnyvale City Center on August 18, 2009. Chair Jackson and Commissioner Walz attended on behalf of BPAC.	9/11/2009
10	State of the City	El-Guendy	Annual	Event will take place on September 26, 2009 at the Heritage Park Museum from 11:00 a.m. to 2:00 p.m. There will be a BPAC booth and bicycle parking. Chair Jackson and Commissioner Walz are planning to attend.	9/11/2009

Item #	Item	OPR	Due Date (Approx)	Status	Last Updated
11	VTA Bicycle Expenditure Program (BEP)	Witthaus	Annual	Prepared application is for conducting the design study associated with the establishment of bike lanes on Mary Avenue south of Evelyn Avenue.	4/9/2009
12	Bicycle Capital Improvement Program	EI-Guendy	Ongoing		7/12/2007
13	TFCA grants	EI-Guendy	Annual	Application to establish bicycle facility between the two Borregas bridges was submitted on January 16, 2009. Application for the BFP funds will be submitted on September 14, 2009 for completing the design and constructing the East Channel Trail.	9/11/2009
14	Bike Parking Incentive Program	EI-Guendy	Ongoing		5/11/2007
15	Construction Zone Safety Complaints received	EI-Guendy	Ongoing	Responses are provided via phone or e-mail communications. In some cases, the responses are provided verbally during the BPAC meetings and documented as part of the meetings minutes.	2/19/2008
16	Policy on Street Space Allocation	Witthaus	Ongoing	Request to coordinate between the approved policy on street space allocation and relevant roadway resurfacing/construction projects. CEQA clearance and General Plan amendment have been carried out.	9/11/2009
17	Bicycle Detection Complaints received	EI-Guendy	Ongoing	Responses are provided via phone or e-mail communications. In some cases, the responses are provided verbally during the BPAC meetings and documented as part of the meetings minutes.	9/11/2008
18	2009/2010 Bicycle Transportation Account (BTA)	EI-Guendy	Annual	The East Channel Trail Project is eligible for this fund, and a grant application was submitted to complete the design and implement the pedestrian/bike trail.	1/8/2009
19	2009 Community Design and Transportation (CDT) - Planning Grant Program	EI-Guendy	Annual	Camino Real Multi-Modal Design Guidelines with City request to consider providing bike lanes, and to redevelop the Lawrence Station Area with improvements to bicycle and pedestrian connections within one half mile radius of the Station - Both applications succeeded for funding.	9/11/2009
20	2009/10 Caltrans Planning Grants	Bose	Annual	A grant application was submitted by April 1, 2009 to seek additional funds needed for the redevelopment of the Lawrence Station area.	4/9/2009
21	2009 State Safe Routes to Schools	EI-Guendy	Annual	A grant application was submitted by April 15, 2009 to add safety and operational improvements in school areas Citywide. The City's application for \$720k succeeded for Cycle 8, FY 2009/10.	8/14/2009

Item #	Item	OPR	Due Date (Approx)	Status	Last Updated
22	State Transportation Enhancements (TE) funds	Witthaus	Ongoing	Application submitted for establishment of the Murphy Avenue streetscape project.	4/9/2009
23	Stimulus Package	Witthaus	Ongoing	Application for the Green Infrastructure Funding Grant was submitted to complete the design and implement the East Channel Trail.	4/9/2009
24	2009 Community Design and Transportation (CDT) - Capital Grant Program	El-Guendy	Annual	A grant application was submitted by October 8, 2009 for streetscape improvements in downtown Sunnyvale. The City's application for \$1.5 million was ranked first and recommended for funding in FY 2010/11.	11/12/2009
25	Establishment of Bike Lanes on Mary Avenue	Witthaus	Ongoing	The City recently reconfigured the segment of Mary Avenue between Cascade Drive and Fremont Avenue to provide Class II bike lanes as part of a pavement maintenance project. The BPAC requested adding this item on the list for the establishment of bike lanes on Mary Avenue between Fremont and Evelyn Avenues following the required review in accordance with the street space allocation policy.	12/11/2009