



# City of Sunnyvale

## Notice and Agenda

### City Council

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Friday, January 30, 2015

8:30 AM

Council Chambers, City Hall, 456 W. Olive  
Ave., Sunnyvale, CA 94086

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#### Special Meeting - Study/Budget Issues Workshop

#### **CALL TO ORDER**

*Call to Order in the Council Chambers.*

#### **SALUTE TO THE FLAG**

#### **ROLL CALL**

#### **PUBLIC COMMENT**

*This category is limited to 15 minutes with a maximum of three minutes per speaker. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section. NOTE: The Public Hearing for the proposed 2015 Study and Budget Issues was held on January 6, 2015.*

#### **INTRODUCTION BY THE CITY MANAGER**

#### **FISCAL OUTLOOK PRESENTATION**

#### **OVERVIEW OF THE STUDY ISSUES/BUDGET ISSUES PROCESS**

#### **REVIEW, DISCUSSION AND PRIORITY SETTING: STUDY/BUDGET ISSUES**

**15-0018**

City Manager's Memo to Council: January 30, 2015  
Study Issues Full Packet 20150130

#### **CLOSING REMARKS**

#### **AVAILABILITY OF RANKING/NEXT STEPS**

#### **ADJOURNMENT**

**NOTICE TO THE PUBLIC**

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*Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.106 ADA Title II).*



**CITY OF SUNNYVALE  
OFFICE OF THE CITY MANAGER**

**January 30, 2015**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Deanna J. Santana, City Manager *djs*  
**SUBJECT:** Council Study/Budget Issues Workshop

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**Overview**

The purpose of the workshop is to identify study issue priorities for the 2015 calendar year and budget issues priorities for the coming fiscal year.

**Study Issues**

The study issues process lays the foundation upon which Council examines and establishes City policy each year. The process allows the City Council to consider and compare at one time all policy topics of interest or concern, as identified throughout the calendar year by members of the public, boards and commissions, City Council members or City staff. In this manner, the process provides a structured approach for addressing the large number of issues that are raised each year, allowing Council to rank the issues and set priorities within the limits of time and resources. Council may also drop a study issue from any further consideration, or defer the examination of a study issue to a future calendar year.

*Study Issues with a Fiscal Impact*

Any non-budgeted costs to complete a study will require funds to be reduced from an existing project or operating program, or will require the identification of a new revenue source. Staff recommends any Council-prioritized study issues that require funding be resubmitted as a budget supplement for consideration within the context of all new requests for funding in the fiscal year FY 2015/16 Recommended Budget. This is consistent with past practice.

**Ranking Process**

At this workshop Council will be asked to review potential study issues one department at a time following the steps suggested below:

- By Department, Council questions or clarification on any study issue submitted.
- Before ranking, issues may be combined, dropped or deferred from ranking consideration by a majority vote of Council.
- Council discussion and deliberation.

Council is encouraged to drop rather than defer proposed study issues when a strong interest does not exist, as it is possible that an item can find its way onto the calendar even though there is little interest in it. This is a poor use of Council and staff time that could be better directed to other priorities or a department's internal study program.

### *Staff Recommendation and Priority Ranking*

Please note that each study issue paper has a section for staff's recommendation which indicates whether or not staff thinks the issue should be considered by Council as a priority, deferred to the next year, dropped from further consideration at this time, or no recommendation. In addition, each department has submitted a priority rank for each issue that is recommended for study; the priority is listed on Council's ranking sheets and on each department's Summary Worksheet.

### **Context for Decision Making**

As Council previously heard at Day 1 of the Strategic Planning Workshop held on August 21, 2014, Sunnyvale is a City organization that is resourced or built for operations and is very lean on capacity to advance new initiatives. Over the last decade, the City has had 200 fewer FTE equivalents to achieve day-to-day operations and this has a direct impact on available capacity to deliver services and take on new initiatives. Attached is a summary of the operational priorities and challenges currently being addressed by departments, which were presented to Council at its Strategic Workshop, Day 1. To help guide your decision making today, the following is the list of strategic goals established by Council on Day 2, September 2, 2014, of the Council Strategic Workshop:

1. Civic Center Campus and Main Library Modernization Project
2. Ability of Infrastructure to Support Development and Traffic
3. Open Space Acquisition Planning: Future of Golf Courses
4. Downtown Sunnyvale

As previously noted, Council is encouraged to drop rather than defer proposed study issues when a strong interest does not exist; secondary consideration should also be given when considering if a proposed study issue will contribute to the successful implementation/completion of the established Council goals. During the City Council's deliberations of study issues, I respectfully request that the City Council consider its priorities within the context of approved Strategic Priorities, capacity needed to advance operational priorities, and strategic areas of study (via study issues) that best meet the needs of the City.

### **Budget Issues**

Budget issues are proposals to add a new service, eliminate a service or change the level of an existing City service. Budget issues can be proposed by the City Council or Boards and Commissions; any item proposed by a member of the public must be sponsored by one of these groups. New budget issues are due to the City Manager no later than three weeks in advance of the annual Study/Budget Issues Workshop. Council votes on each budget issue, deciding to either drop, defer, or refer each to the FY 2015/16 Recommended Budget. Budget issues that are referred to the Recommended Budget are considered as budget supplements. Service level changes proposed by staff will be identified and highlighted in the City Manager's Recommended Budget presented in May.

### **Study Issues Proposed for Initiation in 2015**

On February 24, staff will present a Report to Council identifying the study issues that can be initiated in 2015, consistent with Council's priority order and within departmental resource constraints. Once approved by Council, the study issue presentation dates will be added to the Tentative Council Meeting Agenda Calendar.

### **ATTACHMENT**

1. Operational Priorities/Challenges List, Day 1, Council Strategic Workshop

**OPERATIONAL PRIORITIES/CHALLENGES LIST  
DAY 1 - COUNCIL STRATEGIC WORKSHOP**

**ADMINISTRATIVE SERVICES**

**GAPS**

- HRD 1. Lack of Technology and Poor HRIS Functionality and Staff Resources to Enhance Service Delivery
- HRD 2. Inadequate Succession Planning Tools Responsive to Employee Turnover
- HRD 3. Need for Robust Training Program
- HRD 4. Lack of Funding and Staff Resources for Employee Wellness Program
- FIN 1. Technology is behind
- FIN 2. Staffing levels are not keeping pace with increasing demands
- FIN 3. Succession planning
- ITD 1. Project Management Skills and Standards
- ITD 2. Lean Staffing on Projects
- ITD 3. Weak GIS Program
- ITD 4. Weak Records Management Practices
- ITD 5. Large Inventory of Old Systems
- ITD 6. Historically Poor Strategic Vision to Acquisitions
- ITD 7. Staff Capacity for New Community Engagement Tools

**Opportunities:**

1. Stronger administrative infrastructure can strategically improve external service departments with direct services.
2. We have a strong framework for long term financial planning and making strategic investments in this context; we can continue to build on this foundation.
3. Increased resources are needed in the areas of technology, training, and staff numbers to improve efficient and effective service delivery and keep up with increased demands for service.
4. Financial systems replacement provides opportunity to review and improve how we operate and support the City.
5. New online tools can help us enhance and modernize our existing communications tactics making community engagement more effective.

**Challenges:**

1. Service delivery commitments minimize the ability of line departments for special projects, sometimes critically so.
2. Legacy of “doing more with less” is not sustainable for some administrative services.
3. Technology enhancements have not kept pace, yet could make us more effective and efficient, as well as provide the type of service that the community desires.
4. Additional and increasingly complex regulations require constant vigilance and communication to ensure compliance.
5. Staff levels can’t keep up with the demand for services requested by customer departments.

## **LIBRARY & COMMUNITY SERVICES AND PUBLIC FACILITIES**

### **GAPS**

- LCS 1. Main Library
- LCS 2. Parks and Recreation facilities
- LCS 3. Competing priorities for revenue generation and services.
- LCS 4. Fewer staff/Increasing expectations
- PGT 1. Golf program restaurants
- PGT 2. Park land acquisition strategy

### **Opportunities:**

1. Economy is improving. Window of opportunity for funding a new library. Other cities—Campbell, Cupertino, Mountain View planning new projects.
2. Robust development means increased Park Dedication Funds to ensure future improvements.

### **Challenges:**

1. Providing funding for a new library building.
2. Pressure to balance fiscal sustainability with the needs and desires of the community.

## **TRANSPORTATION, STREETS AND INFRASTRUCTURE**

### **GAPS**

- TSI 1. Sidewalk repair program – lengthy response time
- TSI 2. Neighborhood traffic calming program
- TSI 3. Website maintenance
- TSI 4. GIS data maintenance
- TSI 5. Traffic operations proactive oversight
- TSI 6. Long-range transportation planning
- TSI 7. Municipal Code updates
- TSI 8. Development review

### **Opportunities:**

1. Regional transportation funding availability
2. Expanding trails and open space
3. Extensive capital improvement program

### **Challenges:**

1. Traffic congestion
2. Aging City facilities
3. Increase use of technology

**PUBLIC SAFETY SERVICES****GAPS**

- DPS 1. Front line services
- DPS 2. Recruitment and Hiring

**Opportunities:**

- 1. Use of savings from FY13/14 for recruitment project in FY14/15
- 2. Implementation of new County-wide Radio System
- 3. Addition of new Fire Station and Public Safety Training Center

**Challenges:**

- 1. Recruitment of highly qualified candidates in competition with other public safety agencies
- 2. Overtime requirements related to current staffing and regional events
- 3. Preparation and response to increased development
- 4. Short-Term need to fill vacancies and resolve staffing levels

**ENVIRONMENT AND SUSTAINABILITY****GAPS**

- ESD 1. Separate organics collection (especially food)
- ESD 2. Update processing equipment (2021 rebuild)
- ESD 3. Funding for infrastructure
- ESD 4. Reliability and quality of recycled water
- ESD 5. Sewer lateral policy
- ESD 6. Funding and resources for stormwater system
- ESD 7. Resources needed to rebuild while operating
- ESD 8. Need for additional technology resources
- ESD 9. Need to keep up with rapidly expanding regulatory environment
- ESD 10. Funding for implementation of CAP
- ESD 11. Funding for analysis/possible implementation of CCA
- ESD 12. Existing fragile infrastructure may not support higher density growth

**Opportunities:**

- 1. Making a Zero Waste Leap in 2021
- 2. Repurposing the WPCP as a Resource Recovery Center
- 3. New Process Technologies/Bay Area leads in Environmental Initiatives

**Challenges:**

- 1. Funding (Especially for Infrastructure, Stormwater, and Climate Adaptation)
- 2. Rebuilding the WPCP While Maintaining Operations
- 3. Keeping up with New Regulations
- 4. Increasing Concerns about Water Supply

**COMMUNITY, ECONOMIC & WORKFORCE DEVELOPMENT****GAPS**

- CDD 1. Staff resources to meet service expectations
- CDD 2. Policy plans to define community vision and goals
- CDD 3. Resources and funding to meet housing needs
- CDD 4. Better social media/website tools for community engagement
- CDD 5. One Stop Permit Center needs modernizing
- CDD 6. More robust business and community engagement and consensus building
- CDD 7. More accessible business information (web, GIS)
- CDD 8. Community mobility and infrastructure improvements
- NOVA 1. Technology Solutions
- NOVA 2. Services for Special Populations
- NOVA 3. Labor Market Information (LMI) and reports

**Opportunities:**

1. Community diversity a strong asset
2. Regional economic growth/local revenue benefits
3. Sustainable community and developments
4. Skilled labor force/job growth

**Challenges:**

1. Tension between balanced growth/jobs and housing
2. Improvements needed in transportation, infrastructure and community facilities
3. Fiscal constraints/volatile market conditions
4. Community consensus building
5. Permit Processing Software

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
OCA 15-01	Consider Possible Legal Actions in Connection with Downtown Specific Plan Block 18	Uncertain	Uncertain	Unknown	Drop	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation. See Study Issue Paper for detail.

**Study Issues Status Report  
Office of the City Attorney**

**Continuing Study Issues**

<b>Number</b>	<b>Name</b> <b><i>Continuing Status</i></b>
OCA 14-03C (b)	<p data-bbox="550 457 1528 573">(a) <del>Clarify Inclusion of Electronic Cigarettes in Smoking Regulations;</del> (b) Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses</p> <p data-bbox="550 611 1463 716"><i>Status Report on Council Study Issue OCA 14-03 (b) Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses:</i></p> <p data-bbox="550 751 1528 972"><i>This study was amended by Council on March 18, 2014 to provide more direction to staff about expanding the current smoking regulations to prohibit smoking within a specified distance of windows and doorways of retail and commercial businesses. At that time, Council directed staff to include within the existing study the prohibition of smoking in outdoor dining areas.</i></p> <p data-bbox="550 1010 1528 1423"><i>Due to the expanded scope, a lack of existing funding, and staff vacancies in DPS, this study was continued to 2015. The study has significant public outreach and research components because it would affect all businesses within the City and many members of the public. The study is expected to cost \$50,000 and staff has, since March 2014, been working with Santa Clara County Public Health to secure grant funding. No grant funding was made available in 2014; however, Santa Clara County Public Health just notified the City (December 2014) that it is likely that grant funding will be available in mid-2015. This funding is necessary to begin the study; should grant funding not materialize, Council could choose to allocate general fund dollars to complete this study as part of the FY 2015/16 Budget process.</i></p> <p data-bbox="550 1461 1528 1724"><i>Council recently proposed a 2015 study issue to prohibit smoking inside all units and in common areas of multi-family residences. If Council ranks this issue in January 2015, it is recommended that it be combined with OCA 14-03 (b). Combining the two studies would not result in a delay of either study; however, the completion of both studies is dependent upon funding. Should funding be secured by July 1, either/both studies could be completed in 2015.</i></p> <p data-bbox="550 1759 1430 1829"><i>(OCA 14-03 (a) Clarify Inclusion of Electronic Cigarettes in Smoking Regulations was completed on March 18, 2014.)</i></p>

## **Completed Study Issues**

<b>Number</b>	<b>Name</b>	<b>Status</b>
OCA 14-03 (a)	Clarify Inclusion of Electronic Cigarettes in Smoking Regulations	Completed 3/18/14



# City of Sunnyvale

## Agenda Item

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15-0095

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

OCA 15-01

**TITLE** Consider Possible Legal Actions in Connection with Downtown Specific Plan Block 18

#### **BACKGROUND**

**Lead Department:** Office of the City Attorney  
Support Department(s): N/A

#### **Sponsor(s):**

Councilmembers: Meyering, Whittum

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The Town Center project in Block 18 has been stalled as a result of litigation between private parties; this study issue was proposed to consider possible legal actions, specifically condemnation or nuisance abatement, in an effort to move the project along.

##### **What precipitated this study?**

Councilmember Meyering, when sponsoring the issue, stated his intent to have the study “consider use of condemnation to get control of all or a portion of the downtown center downtown project and to examine nuisance code enforcement to resolve the inappropriate conditions of Block 18.”

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Uncertain, depends on actions taken.

Amount of funding above current budget required: Uncertain. Outside counsel costs for specialized expertise.

Funding Source: Will seek budget supplement.

Explanation of Cost: Depending on action, specialized legal advice would be required.

##### **Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Discussions about initiating litigation, and legal strategies and negotiations involve sensitive and confidential information that are most effectively conducted in closed session, consistent with Brown Act requirements, and not suited to the study issue process, which typically is used for identifying, prioritizing, and analyzing policy issues (Council Policy 7.3.26). For this reason, staff believes this item should be dropped.

Prepared by: Joan A Borger, City Attorney  
Reviewed By: Robert A. Walker, Assistant City Manager  
Reviewed By: Deanna J. Santana, City Manager

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
OCM 15-01	Explore Actions to Improve Affordability of Living in Sunnyvale and Surrounding Cities	Moderate	\$0	Unknown	Drop	Too late to rank
OCM 15-02	Explore Bringing Urgent Care Services to Sunnyvale	Minor	\$0	Unknown	Drop	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.  
See Study Issue Paper for detail.

**Study Issues Status Report  
Office of the City Manager**

**Continuing Study Issues**

Number	Name <i>Continuing Status</i>
OCM 10-04C	<p>Civic Center Buildings: Renovate, Replace, or Relocate?</p> <p><i>The Civic Center was one of the prioritized topics that City Council discussed at its strategic planning workshop on September 2, 2014. Council reviewed and supported a decision tree framework that identified community engagement as a key next step in evaluating alternatives for the Civic Center.</i></p> <p><i>On October 28, 2014, Council approved funding for consulting services to: develop and implement a community engagement plan; conduct market analysis to better understand land values of the Civic Center with a range of potential new land uses; and evaluate space needs for improved library services, community gathering places and office space for City services. Community engagement efforts are scheduled to start in early 2015.</i></p>
NOVA 14-01	<p>Examine Ways to Increase Local Hiring in Major Developments (This item has been transferred from NOVA to OCM)</p> <p><i>Council took initial action on this issue on November 11, 2014. In accordance with Council direction received that evening, staff will be bringing back for Council's consideration a timeline and work plan that would see completion of this item in early 2015.</i></p>

**Completed Study Issues**

Number	Name	Status
OCM 14-01	Consider Adopting a Local Minimum Wage Ordinance Modeled on the City of San Jose Initiative	Completed 10/14/14



# City of Sunnyvale

## Agenda Item

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14-1012

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

OCM 15-01

**TITLE** Explore Actions to Improve Affordability of Living in Sunnyvale and Surrounding Cities

#### **BACKGROUND**

**Lead Department:** Office of the City Manager

Support Department(s): Community Development, Library and Community Services, North Valley Workforce Services (NOVA)

#### **Sponsor(s):**

Councilmembers: Hendricks, Larsson

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would explore with surrounding entities actionable items the City Council could implement or advocate for that would make it easier for individuals and families to make their home in the Sunnyvale area. Key elements would include a collaborative approach to engage surrounding cities, and a comprehensive list of options.

##### **What precipitated this study?**

This issue originated during Council's deliberations regarding the establishment of a minimum wage in Sunnyvale. While Councilmember Hendricks supported a goal of \$15 an hour by the year 2018, he also suggested a specific minimum wage by a targeted year was too narrow a focus in terms of the real issue at hand: total affordability of living in Sunnyvale and surrounding communities.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: Housing and Human Services Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** In general, the more specific the focus of a particular study issue, the more successful staff will be in meeting Council's expectations. This proposed study is simply too broad and too vague to provide staff any guidance not already provided it by Council and the General Plan.

Staff agrees that the affordability of living in Sunnyvale and surrounding communities is a serious issue that deserves the Council and staff's attention. It is, however, a multi-faceted issue influenced by a variety of complex factors including (to name only a few) housing, education, transportation and employment. Much of the City's General Plan is devoted to these issues. It already identifies, for example, that "housing is one of the most difficult challenges facing cities in Silicon Valley. The need for more affordable housing is critical: its symptoms surface in the shape of congested highways, the needs of homeless people, an exodus of young people from the area, and the constraints faced by local businesses in attracting new employees." To address related issues, Council has already adopted numerous goals, including:

"to assist in the provision of adequate housing to meet the diverse needs of Sunnyvale's households of all income levels"

"to maintain and enhance the conditions and affordability of existing housing in Sunnyvale"

"to minimize the impact of governmental constraints on the maintenance, improvement, and development of housing"

"to provide adequate sites for the development of new housing through appropriate land use and zoning to address the diverse needs of Sunnyvale's residents and workforce"

"to promote equal housing opportunities for all residents, including Sunnyvale's special needs populations, so that residents can reside in the housing of their choice"

And to support these goals, Council has adopted policy documents to guide City staff in implementing the above policies. More specifically, the City's Housing Element and Consolidated Plan (for expenditure of CDBG and HOME funds) address affordable housing and set priorities and action items, which staff is actively pursuing, to respond to this problem. Additionally, staff continues to collaborate with the County and surrounding cities to respond to the lack of affordable housing and the difficulty for lower-income individuals and families to live and work in the community, which are widely recognized as regionally significant issues.

Similar to housing, transportation is afforded its own Chapter in the City's General Plan, and it too provides a great deal of policy guidance to staff

All this is to say that staff feels Council's general direction to pursue "total affordable living" in Sunnyvale is already quite clear, as is staff's ability to implement actionable items that support those policies.

If Council wishes to further explore policies affecting our local communities' total cost of living and affordability, staff would appreciate additional detail that results in a much more focused study. Absent more specific guidance from Council than is offered by the scope of this study, staff would find it very difficult to provide any focused policies to study or bring back for Council's consideration.

Prepared By: Robert A. Walker, Assistant City Manager

Reviewed By: Hanson Hom, Director, Community Development Department

Reviewed By: Lisa Rosenblum, Director, Library and Community Services Department

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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15-0060

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

OCM 15-02

**TITLE** Explore Bringing Urgent Care Services to Sunnyvale

#### **BACKGROUND**

**Lead Department:** Office of the City Manager

Support Department: Community Development

#### **Sponsor(s):**

Councilmembers: Meyering, Whittum

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The study would survey regional urgent care medical providers to learn what future plans, if any, those providers have to construct urgent care medical facilities in Sunnyvale. The study would also identify potential sites in Sunnyvale that could accommodate an urgent care facility in Sunnyvale.

Currently, Sunnyvale residents have access to two nearby hospitals and two urgent care facilities (Kaiser Santa Clara, Palo Alto Medical Foundation (PAMF) Mountain View Campus, and El Camino Hospital). The hospitals and urgent care facilities are located on the City's Southerly and Westerly boundaries with Mountain View and Santa Clara.

##### **What precipitated this study?**

This study was precipitated by a member of the public in response to the perceived need for an urgent medical clinic Sunnyvale.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Minor

Amount of funding above current budget required: \$ 0

Funding Source: N/A

Explanation of Cost: Existing staff can conduct a study at no additional cost to the City.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** A study issue is defined as a topic of concern that may result in a new or revised City policy. The scope, as identified by the member of the public, does not require a new or revised City policy. Also, the member of the public proposing the study issue already contacted Kaiser, El Camino Hospital, and PAMF to inquire about any future expansion plans. Kaiser responded that their Santa Clara center serves residents from Sunnyvale, Santa Clara, Cupertino, and many other communities. Kaiser also stated that they “do not have any additional plans to add a local urgent care facility at this time in the City of Sunnyvale”. PAMF responded that they do not have any future plans to build a hospital in Sunnyvale. However, PAMF did state that they are “evaluating growth opportunities in Sunnyvale, including renovating our clinic buildings at 201 and 401 Old San Francisco Road”.

Staff could follow up with PAMF, and other major medical care providers, to investigate their appetite for expansion in Sunnyvale; however, these efforts would be considered a normal course of business for our Economic Development staff. If Council wishes to direct staff to attract an urgent care medical facility to the City, staff is able to do so without a policy decision. Also, urgent care clinics are allowed under the City’s current zoning; some facilities may require some level of discretionary review, but not a major policy decision.

Prepared by: Connie Verceles, Economic Development Manager

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
CDD 11-02	Downtown Development Policies for Parking	Moderate	\$25,000	Unknown	Defer	Defer Planning
CDD 12-02	Possible Nomination of Non-Residential Properties to the Heritage Resource Inventory	Moderate	\$25,000	Some cost to implement	Defer	4 of 4 Heritage
CDD 13-02	Consideration of Useable Open Space in Required Front Yards	Moderate	\$0	\$0	3	5 of 8 Planning
CDD 14-04	Individual Lockable Storage Requirements for Multi-Family Housing	Moderate	\$0	\$0	5	4 of 8 Planning
CDD 14-10	Update to the Murphy Avenue Design Guidelines	Moderate	\$25,000	Unknown	7	2 of 4 Heritage
CDD 15-01	Consider Imposing a Tax or Fee on Rental Property Owners to Provide a Revenue Source to Pay for Tenant-Landlord Dispute Resolution Services	Moderate	\$50,000	Some cost to implement	None	Drop Housing
CDD 15-02	Consider Multi-family Residential Transportation Demand Management Programs	Moderate	\$0	\$0	1	3 of 8 Planning 2 of 5 BPAC
CDD 15-04	Height Regulations to Accommodate Architectural Style	Moderate	\$0	\$0	6	2 of 8 Planning
CDD 15-05	Review Below Market Rate (BMR) Unit and/or In-lieu Fee Requirements	Significant	\$15,000-\$25,000	\$5,000-\$50,000	Drop	6 of 8 Planning Drop Housing
CDD 15-06	Design Guidelines for Parking Structures	Moderate	\$20,000	\$0	2	1 of 8 Planning
CDD 15-07	Evaluation of the Existing Items on the Heritage Resources Inventory	Moderate	\$250,000-\$275,000	\$0	Drop	1 of 4 Heritage
CDD 15-08	Policies Regarding Private Security Cameras	Moderate	\$0	\$0	9	Drop Planning
CDD 15-09	Exploring Opportunities to Improve the Appearance of Public and Private Property along the 100 Block of Murphy Avenue	Moderate	\$0	Unknown	Drop	Drop Planning 3 of 4 Heritage
CDD 15-10	Explore Introduction of a Rent Stabilization Ordinance	Major	\$50,000	Some cost to implement	None	Defer Planning 1 of 2 Housing
CDD 15-11	Appropriate Locations for Child Care Facilities	Moderate	\$0	\$0	4	8 of 8 Planning
CDD 15-12	Regulating Short-term Residential Rental Units (i.e., AirBnB)	Moderate	\$0	Unknown	8	7 of 8 Planning 2 of 2 Housing
CDD 15-13	Early Adoption of State Zero-Net-Energy Model Building Policies	Moderate	\$0	Unknown	Drop	Defer Planning 2 of 3 Sustainability
CDD 15-14	Evaluate Timing of Park Dedication In-lieu Fee Calculation and Payment	Moderate	\$0	Unknown	10	Drop Planning
CDD 15-15	Review City Tree Preservation Policies and Regulations for Removal of Mature Trees on Development Sites	Moderate	\$0	Unknown	Drop	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation. See Study Issue Paper for detail.

## Study Issues Status Report Community Development Department

### Continuing Study Issues

Number	Name <i>Continuing Status</i>
CDD 10-06C	<p>Toolkit for Commercial/Residential Mixed Use Development.</p> <p><i>To be completed March 2015. Initial drafts are completed and being revised. Public meetings will be held in early 2015.</i></p>
CDD 08-11C	<p>Preparation of Peery Park Specific Plan.</p> <p><i>Project moving forward with most background traffic studies completed at the end of 2014. A third outreach meeting has been scheduled for January 21, 2015. Policy framework scheduled for Council consideration in April 2015. Planned completion in October 2015.</i></p>
CDD 14-01C	<p>Explore the Use of Stacker and Tandem Parking Spaces to meet Parking Requirements</p> <p><i>To be completed in 2015. Scheduled for Planning Commission for January 26, 2015 and City Council February 24, 2015.</i></p>
CDD 14-09C	<p>Comprehensive Update of the Precise Plan for El Camino Real</p> <p><i>Estimated to be completed in 2016. Work is expected to begin early 2015 after the MTC contract is signed and consultant selected. An 18-month time frame is expected to complete the effort.</i></p>

### Completed Study Issues

Number	Name	Status
CDD 14-08	Increase Notice and Submittal Requirements for Taller Projects	Completed 8/26/2014
CDD 14-02	Review City Policies Governing Housing Density and Bonus Density Calculations	Completed 12/16/2014
CDD 14-15	Consideration of Appeal Process for Land Use Projects	Completed 11/11/2014
CDD 13-13	Standards for Bird Safe Buildings	Completed 1/13/2014
CDD 13-04C	R-3 Height Requirements (non-townhouses)	Completed 4/8/2014



# City of Sunnyvale

## Agenda Item

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14-0935

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 11-02

**TITLE** Downtown Development Policies for Parking

#### **BACKGROUND**

**Lead Department:** Community Development  
**Support Department(s):** N/A

#### **Sponsor(s):**

Board/Commission: Planning Commission

#### **History:**

1 year ago: Deferred

2 years ago: Deferred

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Redevelopment of sites within the downtown is governed by both the Downtown Specific Plan (DSP) and the development standards contained within the Zoning Code. For individual projects, tensions can arise between meeting the goals and vision of the DSP and the standards in the Zoning Code. This study would examine those potential tensions with respect to parking requirements.

Downtown parking is a potential barrier to the redevelopment of smaller individual sites in the downtown, which may be more constrained in their options for locating the required on-site parking facilities. One such property owner has contacted staff on numerous occasions to request staff support for a deviation to the parking requirements or payment of an in-lieu fee.

This study would examine the City's downtown development policies to identify and explore alternative solutions for meeting future downtown parking needs, including alternative ways to achieve effective off-site parking downtown, including shared and joint-use parking. It could also examine the potential for providing additional parking supply in the Parking District, including a current needs assessment, exploration of financing options, and consideration of legal issues.

##### **What precipitated this study?**

Recent proposals for redevelopment projects in the downtown have highlighted tensions between the DSP and the Zoning Code. Parking is a particular challenge, as the City's Parking Maintenance Assessment District has limited capacity and there is no potential for expansion under current policies. As a result, redevelopment projects are required to use on-site parking to satisfy all additional parking requirements resulting from intensification of the site. This requirement has the

potential to encourage development patterns that are not consistent with the City's overall vision for downtown, such as increased land area devoted to surface parking.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$25,000

Funding Source: Will seek budget supplement

Explanation of Cost:

Consultant cost estimated at \$25,000 for parking studies and an updated parking needs study for build-out of the uses in the Downtown Parking Maintenance District.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: Costs can vary widely depending on the outcome of the study. Possible costs include installing new parking signs, implementing an on-going parking management plan, or financing capital improvements to add downtown parking.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Defer

**Explanation:** It is possible that the Town Center mix of uses and design will change when development is able to go forward. Given this uncertainty, and lack of substantial development activity on the Town Center project, deferring this item would ensure that the actual mix of uses and final development is better known in order to best analyze the parking situation.

Although this study issue has been deferred several years in a row, it is worthwhile to continue to have it as part of the study issues in order to be prepared to rank it once the downtown redevelopment is further along. Staff recommends not dropping this study issue, but to continue to defer it until further progress is made on the redevelopment of downtown.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0730

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 12-02

**TITLE** Possible Nomination of Non-Residential Properties to the Heritage Resource Inventory

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Heritage Preservation Commission

#### **History:**

1 year ago: Deferred

2 years ago: Deferred

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

In 2009, a study was completed that identified new Heritage Resources and possible Heritage Districts. The study included a survey of homes and residential neighborhoods within the City. The Heritage Preservation Commission has suggested further research be completed of the City's non-residential development to identify possible additions into the City's Heritage Resource inventory. The study would examine such properties and structures to determine if additional protections are warranted based on the criteria for designation.

Similar to previous studies, a windshield survey would be conducted to map the various non-residential properties that may be eligible for listing on the inventory. The Commission has noted that there are several examples of commercial architecture representative of the period that they were constructed throughout the City. A historic consultant would assist in the identification of possible notable architectural structures as well as research the history of any technological innovations that may have occurred at certain sites for possible incorporation to the Heritage Resource inventory.

In 2013, the Heritage Preservation Commission requested the addition of the following language to clarify the intent of the study: "The study could be used as a marketing tool and bring further awareness of Sunnyvale's key role in the development of Silicon Valley through the recognition of certain locations where technological and industrial innovations have occurred."

##### **What precipitated this study?**

The Heritage Preservation Commission sponsored the study during a meeting in 2011 after a discussion of notable commercial buildings throughout the City. Since a study had been recently

completed of residential neighborhoods, recognition of non-residential structures and locations was considered worth further study. Although related to another previously considered study, Commissioners have noted that this study could recognize certain locations in Sunnyvale where historic technological events have taken place.

**Planned Completion Year: 2015**

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$25,000

Funding Source: Will seek budget supplement

Explanation of Cost:

The funds would be used to hire a consultant to conduct the survey of the City's non-residential structures.

**Cost to Implement Study Results**

Some cost to implement.

Explanation of Cost: There may be additional consultant costs if properties identified in the study are determined to need further historic evaluation. The costs of those studies could range from \$4,000 to \$6,000 per property.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Heritage Preservation Commission

**STAFF RECOMMENDATION**

**Position:** Defer

**Explanation:** A comprehensive study has not been conducted since the 1990s of the City's non-residential properties to determine whether such properties or structures warrant additional protections as those listed in the City's Heritage Resource Inventory. Staff is recommending deferral of the focused study due to budget constraints. In a related Study Issue (CDD 15-07) staff recommends that to best preserve the City's heritage resources it is worthwhile to periodically add items to the inventory; staff recommends that this update should occur approximately every ten years. New resources were last added to the inventory in 2009. CDD 15-07 focuses on updating the documentation on existing structures and also includes the potential addition of resources to the inventory.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0922

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 13-02

**TITLE** Consideration of Useable Open Space in Required Front Yards

#### **BACKGROUND**

**Lead Department:** Community Development  
**Support Department:** N/A

#### **Sponsor(s):**

Board/Commission: Planning Commission

#### **History:**

1 year ago: Deferred

2 years ago: Deferred

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Useable open space is required for multi-family residential projects in the city. By code, landscaped areas in the required front yard cannot be counted towards useable open space. This study would review open space regulations and evaluate whether there are instances or criteria that would permit required front yard areas to be counted towards required useable open space and not be deemed a deviation from the code.

##### **What precipitated this study?**

Small townhouse developments have requested and been approved by the Planning Commission the ability to count the required front yard area towards the minimum useable space requirement.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

##### **Cost to Implement Study Results**

No cost to implement.

#### **EXPECTED PARTICIPATION IN THE PROCESS**

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Council-approved work plan: No  
Council Study Session: No  
Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** Clarifying the open space requirements by specifically stating the conditions and situations where the front yard can be counted will streamline the review process.

Prepared by: Andrew Miner, Principal Planner  
Reviewed by: Trudi Ryan, Planning Officer  
Reviewed by: Hanson Hom, Director, Community Development  
Reviewed By: Robert A. Walker, Assistant City Manager  
Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0207

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 14-04

**TITLE** Individual Lockable Storage Requirements for Multi-Family Housing

#### **BACKGROUND**

**Lead Department:** Community Development  
**Supporting Department(s):** N/A

#### **Sponsor(s):**

Board/Commission: Planning Commission

#### **History:**

1 year ago: Deferred

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The current code standard for 300 cubic feet has been in place since 1986. Staff has consistently applied this standard for both standard and larger “luxury” units throughout the community. In some cases an exception has been granted for units that provided significant interior storage such as large hall closets, separate full laundry rooms with additional storage, or large walk in closets. These exceptions are rare. Recent exceptions were granted for one-bedroom and studio units. The standards have been in place for nearly 30 years, and have typically been met by developers. Staff has heard from residents of these complexes that they appreciate the storage areas. The 300 c.f. can be met by a 7.5w x 5d x 8h space or several smaller spaces combined to meet the standard.

The study could include:

- Review of storage needs of residents
- Review of dwelling unit sizes and whether it makes a difference on storage needs
- Survey of requirements from other cities
- Aesthetic impacts of inadequate storage (balcony storage)
- Community outreach

##### **What precipitated this study?**

In the current economic market, smaller rental dwelling units are being developed than in the past in order to meet the needs of the growing population of single tech workers. The expectation for storage for these smaller dwelling units has not been studied to determine if there is a difference in need.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Explanation of Cost: N/A

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** It is more common for multi-family residential complexes to include more one-bedroom units, in which case smaller storage units could make sense since fewer people are likely to live in those units. The study could provide policy for appropriately sized storage requirements for smaller rental units.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0928

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 14-10

**TITLE** Update to the Murphy Avenue Design Guidelines

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Heritage Preservation Commission

#### **History:**

1 year ago: Deferred

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The Murphy Avenue Design Guidelines were originally published in 1980 and included a development plan that incorporated significant public improvements to the street, as well as design guidelines to encourage renovations by private business owners.

By 1994, when an update to the Design Guidelines was completed, many of the buildings had been renovated or newly constructed. The 1994 revisions removed the development implementation measures of the plan, which had largely been completed by that time, and included minor modifications to the text, illustrations and graphics of the former document. The body of the guidelines was not substantially changed and no changes to policies were made. Streetscape standards were prepared in 2005.

It has been approximately 20 years since the adoption of the most recent design guidelines. With recent construction and several approved redevelopment projects underway in the surrounding downtown, the context of the historic 100 block of South Murphy Avenue has been transformed. The new study would reexamine the importance of maintaining Murphy Avenue's historical integrity and unique architectural characteristics. New guidelines could provide further design specificity to business owners as well as provide further direction to Heritage Preservation Commissioners and decision makers when considering new proposals for renovation. Consideration may also be given to expand the scope of the guidelines to future redevelopment south of Washington Avenue.

##### **What precipitated this study?**

During recent public hearing discussion, Commissioners have noted that the current Murphy Avenue

Guidelines provide limited direction in certain areas and could be updated due to an evolving downtown. Discussion has also included a desire for more specificity with regards to color selection and the possible use of the Munsell Color System to better harmonize design and create connectivity along Murphy Avenue. The intent would be to provide more objective design criteria and improve the overall structure of the document.

**Planned Completion Year: 2015**

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$25,000

Funding Source: Will seek budget supplement

Explanation of Cost:

Funds would be used to hire a consultant for the recommended limited scope with specific knowledge and experience in historic colors and materials across 100+ years.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: To be determined as part of study

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Heritage Preservation Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** The 100 block of S. Murphy Avenue has been designated a Heritage Landmark District. The guidelines are intended to maintain a link to Sunnyvale's historic commercial area. Staff agrees that more direction and specificity on colors and materials would make the guidelines more useful and easier to implement. While staff supports this study, it would be lower priority than other more pressing study issues and could be deferred for future consideration. Further, if this study is ranked, consultant assistance would be required.

Prepared by: Amber El-Hajj, Senior Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

14-0992

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-01

**TITLE** Consider Imposing a Tax or Fee on Rental Property Owners to Provide a Revenue Source to Pay for Tenant-Landlord Dispute Resolution Services

#### **BACKGROUND**

**Lead Department:** Community Development

Support Department(s): Finance, Office of the City Attorney, Office of the City Manager

#### **Sponsor(s):**

Councilmembers: Whittum, Martin-Milius

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Study ways to generate a stable source of funding for tenant-landlord dispute resolution services for Sunnyvale residents, landlords, and community members, such as imposition of a special tax or fee. Amount suggested by study issue proposer was \$3 per rental unit per year, payable by the rental property owners. Preliminary legal analysis indicates this charge would constitute a special tax under current California law (Proposition 26 of 2010, the "Supermajority Vote to Pass New Taxes and Fees Act"), requiring voter approval of a local tax measure by 2/3 of the local electorate.

Staff suggests that the study would be conducted in two phases. The first phase would include the following elements:

- a) Determine the type and range of services to be provided (i.e., current dispute-resolution contract also handles disputes between neighbors, HOA members, mobile home park residents, residents and neighboring businesses, etc., although priority is given to cases involving tenant-landlord disputes);
- b) Study whether the desired services should be provided by city staff and/or city appointees, or contracted out, or a combination thereof;
- c) Estimate the level of demand for and potential cost to provide the desired services, and devise a method of distributing the estimated cost among the proposed payers (i.e., rental property owners), or in other words, determining the amount and application of the tax; and
- d) Outreach to key stakeholders, including rental property owners and the Tri-County Apartment Association.

Once the study of the above elements has been completed, staff would report back to Council with the findings and possible alternatives for a tax measure. If Council is interested in pursuing such a measure, the second phase of the study would involve Council direction to proceed with the next level of staff analysis, including appropriating funds, to complete the following work items:

- a) Work with the City Attorney's Office and City Clerk to prepare a proposal for a ballot measure;
- b) Conduct public opinion research to determine the likelihood of such a measure passing by the required 2/3 vote, or any further analysis that might be needed; and
- c) Conduct further outreach to key stakeholders regarding a possible ballot measure.

With the completion of the above analysis, staff would report back to Council and a decision could be made at that time to place a measure on the ballot and appropriate funds for the associated costs.

### **What precipitated this study?**

Councilmember proposed study in response to request from Project Sentinel for increased City funding for FY 2014-15 for the tenant-landlord services it proposes to provide in Sunnyvale next fiscal year. Council approved \$45,000 in funding for Project Sentinel's services for FY 2014-15 on June 24, 2014.

### **Planned Completion Year: 2016**

### **FISCAL IMPACT**

#### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: up to \$50,000

Funding Source: Will seek budget supplement.

#### Explanation of Cost:

Staff would work closely with OCA to complete study. If any additional funding is required, it would most likely be either for outside counsel to provide legal advice on this matter, and/or a consultant to analyze the level of need and estimated costs for the desired services, or similar issues.

#### **Cost to Implement Study Results**

Some cost to implement.

Explanation of Cost: The cost to implement the study would include the cost to complete both phases of the analysis described above, estimated in the \$40,000 to \$50,000 range, which would likely include a public opinion research firm and outreach costs. In addition, if Council decides to place a measure on the ballot, that would cost an additional \$45,000, approximately. Special tax measures may only be placed on the ballot during a general election in which there are already Council seats on the ballot, as required by Proposition 218, therefore the earliest it could be placed on the ballot would be November 2016.

### **EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: Housing and Human Services

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**STAFF RECOMMENDATION**

**Position:** None

**Explanation:** This is a matter of Council discretion.

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0866

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-02

**TITLE** Consider Multi-family Residential Transportation Demand Management Programs

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): Public Works

#### **Sponsor(s):**

Board/Commission: Planning Commission  
City Manager

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Office/industrial projects with FARs exceeding threshold levels commonly require Transportation Demand Management (TDM) programs as part of the approval. These programs play an essential role in reducing traffic for a project, and may also be mitigation measures as part of environmental review. In 2005 the Council adopted a policy on Residential TDM (Council Policy 1.1.15) for high and very high density residential development in the Downtown, in the Fair Oaks/Tasman area, along El Camino Real and within 1/3 of a mile of a major transit stop. There is not a trip reduction requirement for residential developments and no municipal code requirements for residential TDM. This study would review the options for requiring TDM programs for multi-family residential projects.

Options that could be considered as part of a residential TDM program include:

- Decreased parking requirements if alternative programs exist, such as unbundled parking, shared parking, etc.;
- Mixed-use projects that include residential components and have additional options available;
- Use of transit passes to provide residents other commuting options;
- Whether trip reduction targets should be established;
- On-site availability of shared automobiles and bicycles;
- Incentives for developers to seek GreenTRIPs certification (developed by Transform) or a similar program; and
- Distribution of transit information and other services to residents.

**What precipitated this study?**

Recent large multi-family residential projects have increased the concerns about increased traffic in the community.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: 0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Reviewed by Boards/Commissions: Planning Commission, BPAC

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** Staff supports this study given the traffic concerns in the community, and potential to reduce impacts through alternative traffic reduction measures. These programs may work best in specified transit-rich neighborhoods.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer, Community Development

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0868

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-04

**TITLE** Height Regulations to Accommodate Architectural Style

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Planning Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Projects with unique design and architecture that exceed the height requirements typically require a Variance or exception for approval. Variance findings require something unique about the project site or use to approve the request. The issue can be present in any area of the city, but this study issue request was precipitated by applications in the single-family and R-2 zoning districts.

Options to study include:

- A. Amend the Variance findings in the zoning code to address the concern;
- B. Amend the code to allow projections of a wider set of architectural projects (now limited to towers, spires, chimneys, etc.);
- C. Increase the allowable height for a portion of a building;
- D. Create a height exception process and update the Single-Family Design Techniques to provide guidance on when the exceptions should be considered.

##### **What precipitated this study?**

Planning Commission review of specific projects resulted in denial because of the strict nature of the required findings. The Commission felt it would be useful to have additional options, such as unique architectural design, available to them when they considered the application request.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: 0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

No cost to implement

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** An amendment to the Zoning Code to expand the findings for approval of a height variance or exception could allow for other considerations, such as architectural enhancements, that could improve the design of a project while maintaining the intent of the zoning standard. While this study issue has merit, staff does not consider this zoning code amendment a high priority relative to other proposed study issues and given the pending staff workload in policy planning that is targeted for completion 2015.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer, Community Development

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0885

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-05

**TITLE** Review Below Market Rate (BMR) Unit and/or In-lieu Fee Requirements

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Planning Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Currently, the below market rate (BMR) requirements apply to for-sale market rate projects with a minimum of eight units. At least 12.5 percent of the total number of ownership housing units or single-family lots in a project shall be developed as BMR ownership housing or comparable fee paid. The study would consider a) dropping or reducing the minimum eight units, b) whether the percentage of units subject to the requirements should be raised, and c) whether BMR fees should apply to home additions.

##### **What precipitated this study?**

The Planning Commission suggested this study due to concern about housing affordability given the high cost of living in the area.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Significant

Amount of funding above current budget required: \$15,000 - \$25,000

Funding Source: General Fund

Explanation of Cost: Typically, additional analysis and advice from outside housing counsel is

required for these types of studies. In addition, staff and possibly consultant hours would be required to complete study and hold multiple outreach meetings.

**Cost to Implement Study Results**

\$5,000 - \$50,000

Explanation of Cost: Cost will be for consultant services and will depend on whether appeals or legal challenges are filed following adoption of the proposed code changes.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: Housing and Human Services and Planning Commissions

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** The minimum project size and in-lieu fees were reviewed between 2008 and 2012 and updated by Council in 2012. Staff will be presenting other programs such as non-residential linkage fees and rental development housing impact fees later this fiscal year. Most inclusionary programs throughout the country use a project size threshold similar to that of Sunnyvale's, ranging from 10-15 units, although some communities use thresholds ranging between one to 50 units. Staff does not believe that a smaller size threshold would generate a significantly higher number of total BMR units or a significant amount of fees, because most for-sale projects in Sunnyvale include more than eight units. In addition, each time the ordinance is modified it is subject to new statutory time lines for appeals and potential legal challenges. Staff does not believe the very small additional increment of fees that this proposal might generate (because projects of less than eight units would not result in a whole unit requirement) is worth the additional risk which could result in more harm than benefit to the current program.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Suzanne Ise, Housing Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0865

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-06

**TITLE** Design Guidelines for Parking Structures

#### **BACKGROUND**

**Lead Department:** Community Development

#### **Sponsor(s):**

Board/Commission: Planning Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Higher density projects (residential and non-residential) typically include underground or structured parking areas. Although the City has general design guidelines that could apply to parking structures, a specific set of guidelines would provide applicants, the public, staff and decision-makers with more information when considering a project with structured parking. The design of these structures is more significant when the structures can be seen from a public street or adjacent properties.

The study would include a review of the current standards and research into what type of criteria can be included in the City design guidelines. Topics covered could include site location, architecture, landscaping, circulation, bicycle parking, and area compatibility.

##### **What precipitated this study?**

There has been an increase in parking structures proposed in recent years due to developer interest in higher density and clustered projects. The Planning Commission sponsored this study after reviewing a parking garage for a project in Peery Park.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$20,000

Funding Source: Will seek budget supplement

Explanation of Cost: The expected cost would cover the hiring of a consultant to help write and illustrate the guidelines.

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** The design and location of parking structures can have a visual impact on the city. This study would provide more guidance to the public, developers and decision-makers as to how a parking garage or structure should be designed and built.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer, Community Development

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0931

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-07

**TITLE** Evaluation of the Existing Items on the Heritage Resources Inventory

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Heritage Preservation Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The Heritage Resources Inventory was first created in 1979 by the Heritage Preservation Commission (HPC), with help from local volunteers, based on documents and personal knowledge. The list currently contains approximately 55 resources that were inventoried in 1979 and approximately 20 resources that were added after (total of 75 heritage resources on the current list). These totals include both the higher level designation of Heritage Landmark and the lesser designation of Heritage Resource.

Since the 1979 creation of the heritage resources inventory approximately 29 structures have been removed from the list and five have been removed since 2004. Removal from the list was initiated by proposals to redevelop the property where these historic resources were located. Most of the resources have been demolished with several relocated to other sites. All of the structures that have been removed since 2004 have been reviewed by the HPC and have included a California Environmental Quality Act (CEQA) review to determine their significance as a resource. Since none of the removals have been deemed significant with CEQA review and all have been approved for removal it may be appropriate to revisit the existing list and work with a consultant to evaluate each resource.

The study could include:

- Review of structures on the Heritage Resources Inventory.
- Review of structures that could have historical integrity that may be added to the Heritage Resources Inventory.
- Review of the existing process for adding and removing Heritage Resources.

- Survey of processes from other cities.
- Community outreach.
- Outreach to property owners of heritage resources.

**What precipitated this study?**

The Heritage Preservation Commission noted that 29 structures have been removed from the heritage resources inventory, five since 2004 and none of the projects that have requested removal since 2004 have been denied. This idea of a comprehensive analysis arose when the Commission was discussing these removals; they felt that the structures on the list should be re-evaluated. Many resources that would be deemed locally significant may not be deemed significant to the State or beyond but that does not mean those resources are not valuable to the history of Sunnyvale.

**Planned Completion Year: 2015****FISCAL IMPACT****Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$250,000 to \$275,000

Funding Source: Will seek budget supplement

Explanation of Cost: The estimate of \$250,000 to \$275,000 is preliminary; it would cover costs to review and update the context statement for all designated Heritage Landmarks and Heritage Resources and would cover the hiring of a consultant to evaluate the 75 items on the heritage resources inventory list.

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Heritage Preservation Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** It has been determined that there are some errors in the documentation for the resources requesting removal from the list. The historic information for a resource turned out to be inaccurate upon further investigation. Updated information has contributed to the conclusion that the resource can be removed from the inventory. While it may be helpful to revisit the existing inventory; it may make more sense financially to rely on the existing research and evaluation of the structures currently on the list. Proposals to remove a resource from the inventory have been paid for by the property owner or potential developer, under contracts managed by the City.

To best preserve the City's heritage resources it is worthwhile to periodically add items to the

inventory; staff recommends that this update should occur approximately every ten years. New resources were last added to the inventory in 2009.

The Council could authorize a multiple year project evaluating a lesser number of landmarks and resources each year to spread out the costs of the study. If this option is selected, the first step would be for the Heritage Preservation Commission to prioritize the inventory. If the study were to involve the addition of new structures, the consultant costs would be higher and the staff effort would need to be increased.

Prepared by: Amber El-Hajj, Senior Planner

Reviewed by: Trudi Ryan, Planning Officer, Community Development

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0930

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-08

**TITLE** Policies Regarding Private Security Cameras

#### **BACKGROUND**

**Lead Department:** Community Development Department  
Support Department(s): Public Safety

#### **Sponsor(s):**

Councilmembers: Griffith, Hendricks

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

1) Examine existing ordinances affecting residents who wish to install security cameras for their personal safety. The current code requirements are written to protect property owner privacy, but the regulations may prevent placing private cameras in a manner that provides people a sense of security. Private security cameras have become more commonplace, but the placement and location of the devices may raise concerns from adjacent neighbors about the visual impact or potential intrusion of privacy. An additional element to consider is that these cameras could be useful for law enforcement agencies when investigating criminal activity.

2) Examine the feasibility of a voluntary camera registration program or other tools for greater law enforcement effectiveness similar to other cities in the area. Voluntary surveillance registries have been approved for use in the City of San Jose and are already in place in Los Gatos, Fremont and Sacramento.

##### **What precipitated this study?**

This study was precipitated by a resident who wished to install security cameras at his private residence, but who hesitated due to interpretations of existing City code.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** Given the increase in security camera use by private citizens, this is a good time to review the standards and regulations, as well as to consider options for allowing law enforcement to use the recordings for criminal investigations.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development Department

Reviewed by: Frank Grgurina, Director, Public Safety Department

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0933

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-09

**TITLE** Exploring Opportunities to Improve the Appearance of Public and Private Property along the 100 Block of Murphy Avenue

#### **BACKGROUND**

**Lead Department:** Community Development

Support Department(s): Office of the City Manager

#### **Sponsor(s):**

Board/Commission: Heritage Preservation Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The first Murphy Avenue design guidelines were created in 1980 (and updated in 1994) and included a development plan which proposed significant public improvements to the street, as well as design guidelines to encourage thoughtful and attractive renovations by private business owners. By the summer of 1994, 31 of the 36 buildings in the 100 block of South Murphy Avenue had been renovated or newly constructed. Also, in 2009 the City made major improvements to the Murphy Ave streetscape, including adding outdoor eating areas, street furniture, road improvements, etc.

Many of the tenants on Murphy Avenue have been on the street for many years and the Heritage Preservation Commission (HPC) feels some of the building facades, awnings and other building features are looking dated. While the HPC sometimes includes general maintenance conditions on new projects that come before them (update awnings every five years, maintain paint colors, etc.), the turnover on Murphy Avenue is minimal and some of the older tenants and property owners may not have effectively maintained their buildings.

The study could include:

- Exploration of outside funds that could be used to help tenants/property owners improve their buildings, awnings and signage.
- Work with the Sunnyvale Downtown Business Improvement District to see if there are opportunities for business/property owners to make self-improvements without providing any City funding.
- Survey of improvement districts for other historic downtown areas in the County.

- Community outreach to businesses and property owners.

**What precipitated this study?**

The Heritage Preservation Commission feels that there are many property upgrades and building facade and public improvements that could be made to Murphy Avenue to make it a more prominent street in Sunnyvale. The HPC is proud of the City's cultural heritage and wants to see Murphy Avenue look as nice as other downtowns in nearby cities.

**Planned Completion Year: 2015**

**FISCAL IMPACT****Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Explanation of Cost: N/A

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: It is unlikely that the City could obtain any public sector or charitable funds for private property improvements on Murphy Avenue, because such funding is generally only available for blighted areas or areas with significant long-term economic challenges, such as high commercial property vacancies, high tenant turnover, high crime, inadequate patronage of businesses, or high unemployment rates. None of these conditions exist in downtown Sunnyvale at this time.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Heritage Preservation Commission, Planning Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Improvement of private buildings on Murphy Avenue may be more attractive; however, in 2010, the City Council approved a \$120,000 Façade Improvement Program that was funded with CDBG funds. The Façade Improvement Program was created to provide low-interest rate loans to property owners interested in improving their storefronts. Economic Development and Housing staff conducted numerous forms of outreach to generate interest in this program, but none of the property owners completed an application. Staff believes that the CDBG facade program, which contains a number of federal requirements and can be time-consuming or add costs for applicants, was less attractive for potential applicants. Currently, staff is not aware of any other form of public funding available for private property improvements in Sunnyvale. Typically public financing for private improvements or business assistance is provided in local areas that are designated blighted or have very high unemployment rates, neither of which is the case in downtown Sunnyvale at this time. Also, staff has found that there are no active major code enforcement cases open on the properties located on this block of Murphy Avenue and the minor case that is active is under review and does not

pertain to items discussed in this study issue paper. In the recent past, the City spent over \$5 million dollars in City funds and grants upgrading the streetscape (street, sidewalk, utilities, etc.) on Murphy Avenue.

Prepared by: Amber El-Hajj, Senior Planner

Reviewed by: Connie Verceles, Manager, Economic Development

Reviewed by: Trudi Ryan, Planning Officer, Community Development

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0960

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-10

**TITLE** Explore Introduction of a Rent Stabilization Ordinance

#### **BACKGROUND**

**Lead Department:** Community Development

Support Department(s): Office of the City Attorney

#### **Sponsor(s):**

Board/Commission: Housing and Human Services Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The key elements of the study would be to answer the following questions:

- 1) Would it be appropriate to develop a rent stabilization program for Sunnyvale at this time, i.e., what are the pros and cons, unintended consequences, etc.?
- 2) If yes, how should such a measure be structured (i.e., proposed rate of increase, mechanisms for implementing and enforcing measure, appeal procedures)?
- 3) Should rent stabilization be enacted through a local ordinance, charter provision, or ballot measure? If by ballot measure, what is the likelihood of successful passage by the voters?
- 4) How much would it cost the City to implement and maintain a rent stabilization program if enacted?

##### **What precipitated this study?**

Commissioners are aware of many community members affected by significant rent increases of 10 percent or more at a time. Some community members are not able to afford the increase and therefore have had to move, or may have to move in the event of a subsequent increase. Residential tenants in the City have experienced several years in a row of significant rent increases. These rent increases are reducing the inventory of affordable housing units. Staff has also received an increasing number of complaints from tenants about such rent increases in recent years. While the Council recently restored funding to Project Sentinel to provide tenant/landlord dispute resolution, the mediation services are voluntary and do not prevent rent increases from occurring, nor are any city regulations in place that address rent stabilization.

**Planned Completion Year:** 2016

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**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Major

Amount of funding above current budget required: \$50,000

Funding Source: Will seek budget supplement

Explanation of Cost:

Cost for additional staff hours and consultant and/or special legal counsel to complete study of likelihood of voter support for rent stabilization measure, if a ballot measure were the desired approach, and possible structure of such a measure.

**Cost to Implement Study Results**

Some cost to implement.

Explanation of Cost: If the study resulted in a city effort to place a rent stabilization measure on the ballot, significant costs would be required for developing the ballot measure, paying for the county costs for placing local measures on the ballot, significant costs for special legal counsel and public opinion researcher. The estimated cost of ballot measure for November 2016 is \$43,000. In addition, it is possible the measure would be challenged upon implementation by groups representing rental property owners, which would create additional legal expenses for the city. If another approach were pursued, costs to implement would likely be around the same for special legal counsel and additional specialized research that may be needed.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: Yes

Council Study Session: Yes

Reviewed by Boards/Commissions: Housing and Human Services Commission, Planning Commission

**STAFF RECOMMENDATION**

**Position:** None

**Explanation:** Staff has no position on this issue as a key factor depends on the desire of the City Council to enact a rent stabilization ordinance and/or sponsor a ballot measure to establish a rent stabilization program and to possibly impose a fee to cover the cost of administration. Similar study issues in recent years were dropped or failed to rank high enough to be implemented. In addition, rent stabilization measures have been on the local ballot twice in the past and failed to pass both times.

Prepared by: Suzanne Isé, Housing Officer

Reviewed by: Hanson Hom, Director, Community Development Department

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0794

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-11

**TITLE** Appropriate Locations for Child Care Facilities

#### **BACKGROUND**

**Lead Department:** Community Development  
**Support Department(s):** N/A

#### **Sponsor(s):**

City Manager

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would provide clear guidance to child care center providers, real estate brokers and other interested parties seeking information on appropriate locations for child care centers in the City. In the past few years there have been numerous inquiries about placing day care centers at various locations, many of which may not be appropriate for that use. Examples include sites in single family neighborhoods, along the El Camino Real corridor adjacent to auto repair /adult entertainment businesses, and sites in industrial zoning districts. Staff has discouraged applicants from locating at sites that could be considered inappropriate for child care uses. About 2 years ago staff conducted an existing conditions assessment of child care centers in Sunnyvale, and analyzed opportunities and concerns associated with locating such facilities in different zoning districts. The study would complete these efforts and develop guidelines for locating child care centers.

##### **What precipitated this study?**

Numerous inquiries about where to site child care centers, but not having clear guidelines to assist all parties in considering the request.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: 0

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Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

No cost to implement

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** Providing clear standards and expectations is a key part of the City's responsibility to the community. This study would improve communication on this specific issue.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0969

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-12

**TITLE** Regulating Short-term Residential Rental Units (i.e., AirBnB)

#### **BACKGROUND**

**Lead Department:** Community Development  
Support Department(s): N/A

#### **Sponsor(s):**

City Manager

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Airbnb and similar internet-based companies provide a mechanism for owners of residential properties to rent them out on a short-term basis. They have become a popular alternative to hotels and motels. This is a relatively recent business model that presents a number of regulatory and legal issues related to land use compatibility, zoning, and application of transient occupancy taxes. Under the City's current zoning code, the short-term rental of single and multi-family residential properties in this manner may be considered a hotel or motel use, i.e., a facility offering transient lodging accommodations to the general public for compensation. Those uses are not allowed in residential zones (except the R-5 multi-family residential zone, which requires a use permit). A review of different web sites that offer these services shows multiple properties in Sunnyvale providing temporary rentals through Airbnb and similar services, and this number is expected to increase in the future. Sunnyvale is not alone in this experience; it is a popular service providing lodging opportunities throughout the world.

This study would consider whether the uses should be prohibited, allowed by right or with a permit, or not regulated. These short-term rentals can be considered comparable to uses such as hotels and motels. Typically reviewed as part of these uses are parking and circulation, security, and neighborhood compatibility. Additionally, those uses pay transit occupancy taxes, which short-term residential rentals do not. The study would be a review of transient occupancy tax options for the uses. Other cities have initiated regulations for the uses, and this study would include a review of the approaches taken and would provide options to address it.

**What precipitated this study?**

Staff has received several questions about short term rental of residential property, and Neighborhood Preservation has also received complaints from neighbors of properties that are being used as short-term rentals.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: Depending on the result of the study, it is possible that additional time and expense could be required to collect transit occupancy tax if such uses are allowed and are classified as similar to hotels/motels. The time and expense could be defrayed by the taxes collected.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: Planning Commission, Housing and Human Services Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** Staff has noted an increase in this activity, and also an increase in complaints from neighbors where nearby properties are used for this business. It is likely that this use will increase over time. In anticipation of the growth in popularity, it would be appropriate to gather community input and clarify the City's policy regarding this use. The primary policy question is whether these short-term rentals are appropriate and compatible in residential districts. Whatever the outcome of the study, it would be beneficial to clarify the Zoning Code for this use, and if allowed, to consider standards to minimize neighborhood impacts.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0837

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-13

**TITLE** Early Adoption of State Zero-Net-Energy Model Building Policies

#### **BACKGROUND**

**Lead Department:** Community Development Department

Support Department(s): Environmental Services Department

#### **Sponsor(s):**

Board/Commission: Sustainability Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The State of California has a policy goal of making all new buildings zero-net-energy - essentially combining energy efficiency measures and renewable energy generation so that a building can produce as much energy as it uses annually - by 2020 for residential and 2030 for non-residential. The State has developed a Strategic Plan that focuses on market transformation and recognition that deep energy savings can be achieved only through a common vision and coordinated efforts of both utility and non-utility entities. Programs established through the public utilities have been designed either to: 1) encourage suppliers, manufacturers, designers and other market actors to provide efficiency products or services; or 2) encourage consumers and end-users to buy or use efficiency products and services through voluntary rebate programs (which will end when these products/services are sustainable in the market without the need for additional incentives or ratepayer subsidies).

The non-utility efforts that are being made are largely through the 2016 and 2019 Energy Code development cycles, which are planned to increase the efficiency of new buildings by 20 percent to 30 percent each cycle. Additionally, the California Energy Commission anticipates establishing reasonable exceptions to account for building and building site limitations, including the need for "development entitlements" for off-site renewable energy resources, such as community based renewable energy generation.

The study would include examination of the State's zero-net-energy codes as they become available and how and when to integrate them into city policy and ordinances, staff education, community and business outreach.

**What precipitated this study?**

This study issue was proposed by the Sustainability Commission.

In researching the recent update of Sunnyvale's green building code, Commissioners became aware that the State of California has developed a program to support its goal that all new residential construction be zero net energy by 2020 and non-residential buildings by 2030.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Sustainability Commission, Planning Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Achieving the State's policy goal of zero-net-energy is a multi-faceted issue that involves collaboration of the utility company as well as increased energy code standards. It is premature for Sunnyvale to implement higher energy efficiency standards before the infrastructure and marketplace is available to support the increased standards. When the State adopts increased energy code standards designed to achieve the zero-net-energy goal, Sunnyvale (along with other jurisdictions throughout the State) will be mandated to enforce the standards.

Prepared by: Diana Perkins, Permit Center Coordinator

Reviewed by: Hanson Hom, Director, Community Development Department

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0971

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-14

**TITLE** Evaluate Timing of Park Dedication In-lieu Fee Calculation and Payment

#### **BACKGROUND**

**Lead Department:** Community Development  
**Support Department:** Public Works

#### **Sponsor(s):**

Councilmembers: Hendricks, Griffith

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Determine the appropriate time in the development review process to establish land value for the purpose of required park dedication in-lieu fees. The study would include a review of other jurisdiction approaches, legal limitations and the effects associated with different options.

##### **What precipitated this study?**

During City Council discussion on an update to the Park Dedication in-lieu fee land valuation, questions arose about the sequencing of development review and the calculation and collection of park dedication in-lieu fees. Council is interested in understanding the options, the effects on development, the effects on the City, etc.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: The study will address how various times of fee calculation and collection would affect revenues.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** This study would allow a focus on the date in-lieu fees are established, and could provide options to simplify the process of fee collection for all development fees.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

15-0036

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 15-15

**TITLE** Review City Tree Preservation Policies and Regulations for Removal of Mature Trees on Development Sites

#### **BACKGROUND**

**Lead Department:** Community Development

Support Department(s): Department of Public Works

#### **Sponsor(s):**

Councilmembers: Whittum, Meyering

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The tree preservation requirements of the Zoning Code have been in place since 1991, and were updated in 2006. Tree removal is allowed only after specific findings are made. When a tree is approved for removal through issuance of a tree removal permit, a replacement tree(s) or in-lieu fee is typically required for each tree removed as a condition of approval. The Code specifies that the Director of Community Development may determine appropriate mitigation measures to offset the effects of the removal. Although replacement trees are preferred if space permits, applicants can be offered the option of paying an in-lieu fee (currently \$262 per tree) instead of replanting. The fee is based on the cost to purchase a 15-gallon tree and the cost of labor for the City to plant the tree.

For single-family homes, which constitute the majority of tree removal permits, a minimum 15-gallon replacement tree or the above in-lieu fee is the common mitigation measure. For development projects, the above in-lieu fee is rarely applied. When trees are allowed to be removed, the emphasis is on replacement trees. The size and quantity of replacement trees vary and depend on the significance of the tree(s) proposed for removal. Factors such as tree species, size and health are considered in setting the replacement tree requirement. Development applications with tree removal are currently required to include a certified arborist report with a list of all protected trees, their health, and reason for removal, if applicable. Most arborist reports include a valuation of the trees considered for removal. As a condition of approval, development projects typically require a minimum 36-inch box replacement tree for every significant tree approved for removal. In some circumstances a greater than 1:1 replacement ratio is imposed.

This study would focus on the practices, policies and regulations for removal of mature trees at

development sites and the required replacement trees and/or in-lieu fees. The study would also review prevailing and common practices in surrounding cities on tree preservation, replacement and in-lieu fees. The study would include outreach meetings and public hearings before the Planning Commission and City Council with likely completion by the end of 2015.

This study would review the number of private trees proposed for removal each year for development projects, the replacement policies, and methods of using in-lieu fees for trees not replaced. The study would not address street trees, park trees or other City owned trees. Zoning code amendments could be considered to address tree preservation and replacement regulations for private development projects.

The study would focus on how trees being removed are valued. Options include using the guide provided by the Council of Tree and Landscape Appraisers in appraising the monetary value of trees and correlating replacement trees and in-lieu fees with the relative value of the trees to be removed. If the Council chooses to amend the City's Fee Schedule to increase the tree replacement in-lieu fee, this proposed increase could be enacted at the conclusion of the study or included in the annual update of the schedule in June 2016.

The City currently has a tree fund for depositing tree replacement in-lieu fees. This fund is used to plant new street trees and new trees in City parks. This study would include a review of the tree fund, and consider other uses for the money collected.

#### **What precipitated this study?**

Concern was raised by a member of the public about tree removal on redevelopment sites and the replacement trees or in-lieu fees that are required. Subsequent to that, two members of Council sponsored this study issue.

#### **Planned Completion Year: 2015**

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost:

No budget allocation has been identified as staff anticipates this study can be completed without the need for consultant services or technical studies.

##### **Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs

Explanation of Cost: Possible increase in administrative costs to implement new replacement tree requirements for development projects and to collect and allocate in-lieu fees.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

**STAFF RECOMMENDATION****Position:** Drop**Explanation:**

The primary concern that generated this study issue is the method of valuing trees and the resulting tree replacement requirement or in-lieu fees. Changing the in-lieu fee does not require a study issue. The most expedient method for adjusting this fee is by amending the City's Fee Schedule. As part of the adoption of the FY 2015-2016 Fee Schedule in June 2015, staff can propose an increase in the in-lieu fee. However, if increasing the in-lieu fee is incorporated into a study issue, adjusting the fee would be delayed until June 2016 or until the study is completed and heard by the City Council.

Increasing tree replacement requirements also do not require a code amendment or a study issue. The authority for tree replacement is already defined in the tree preservation regulations within the Zoning Code (Chapter 19.94). These regulations provide discretion to the approval authority to determine the size and quantity of replacement trees and other mitigation measures. Staff is currently exploring the methodology for tree evaluations to strengthen the City's tree replacement requirement, which does not require initiating a study issue. Tree replacement can be addressed by the Director of Community Development, Planning Commission and City Council as part of their review and approval of development applications, and standard conditions of approval can be refined to strengthen tree preservation and replacement requirements. Discretion is advisable as development sites vary significantly in terms of the species and value of existing trees and the feasibility of preservation. Where trees cannot be preserved, tree replacement is already the preferred option with in-lieu fees typically the back-up option.

Prepared by: Andrew Miner, Principal Planner

Reviewed by: Hanson Hom, Director, Community Development

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
ESD 12-03	Impact of Sea Level Rise on Land Use	Moderate/ Major	Unknown	Unknown	Drop	Defer Planning 1 of 3 Sustainability
ESD 14-04	Full Cost-Analysis and Carbon Pricing in City Operations	Major	\$25,000	Unknown	Drop	3 of 3 Sustainability

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.  
See Study Issue Paper for detail.

**Study Issues Status Report  
Environmental Services Department**

**Continuing Study Issues**

<b>Number</b>	<b>Name</b> <b><i>Continuing Status</i></b>
ESD 12-01C	<p data-bbox="550 390 1338 420">Community and Operational Greenhouse Gas Inventory</p> <p data-bbox="550 453 1528 947"><i>The community component of this Study Issue is included as an action within the approved CAP Work Plan. The CAP Work Plan identifies that a community greenhouse gas inventory will be conducted in 2015 with most recent data available. A municipal operations GHG inventory was last developed in 2012 as a project of Joint Venture Silicon Valley. Staff is working with regional partners and the CivicSpark Program to conduct municipal GHG inventories in 2015, and develop standard protocols and procedures to guide future municipal inventories. The results of the community and operational inventories will be included in the first CAP Biennial Report which is scheduled for April 2016. Staff recommends dropping ESD 12-01 as a separate study issue.</i></p>
ESD 13-05C	<p data-bbox="550 989 1073 1018">Eco-district Feasibility and Incentives</p> <p data-bbox="550 1052 1520 1339"><i>Funding of approximately \$50,000 needed to carry out this study issue was dependent on receipt of grant funding which has not been secured. Staff has not yet identified suitable grant opportunities to fund this effort and will continue to monitor and pursue grant funding. In the event that grant funding is not available, Council could consider funding this study from the General Fund as part of the annual budget process.</i></p>
ESD 14-01	<p data-bbox="550 1381 1198 1411">Ban on the Use of Gas-powered Leaf Blowers</p> <p data-bbox="550 1444 1503 1732"><i>Scheduled to go to Council on March 17, 2015. Due to staffing limitations and competing priorities, relative to legislative (eg. Community Choice Aggregation) and Council priorities (eg. Climate Action Plan), this item was delayed past 2014. Staff is evaluating various potential actions to address the impacts of leaf blowers and benchmarking what other communities have done, in order to determine a recommended course of action.</i></p>

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ESD 14-02

Community Choice Aggregation

*Scheduled to go to Council in May 2015. Funding of \$30,000 was approved with the FY 14-15 budget. Since this study was prioritized, 3 other South Bay communities – Cupertino, Mountain View, and the County of Santa Clara - have come forward with an interest to collaborate and with some funding approved. Staff is in the process of securing consultant support and organizing a business engagement forum for January. This study issue as approved represents a first phase of study and does not include the technical analysis typically performed to validate that a planned CCA program can meet its intended objectives. Staff will be proposing additional funding for consideration during the FY 15-16 projects budget process to pursue the subsequent phase. Staff will bring the item to Council sooner if possible and continues to research the experiences of successful CCA programs to leverage their lessons learned with the goal of potentially more efficient implementation in the South Bay.*

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**Completed Study Issues**

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<b>Number</b>	<b>Name</b>	<b>Status</b>
ESD 13-01	Power Purchase Agreements for Alternative Energy Allocation	Complete 7/15/14

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# City of Sunnyvale

## Agenda Item

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14-0923

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

ESD 12-03

**TITLE** Impact of Sea Level Rise on Land Use

#### **BACKGROUND**

**Lead Department:** Environmental Services Department  
**Support Department(s):** Community Development

#### **Sponsor(s):**

Board/Commission: Sustainability Commission

#### **History:**

1 year ago: Deferred

2 years ago: Deferred

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study issue was initiated by the Sustainability Commission. The Commission recommended a study to evaluate the potential environmental and economic impacts surrounding land use in Sunnyvale based on existing City Policy and General Plan statements in light of vulnerabilities associated with projected sea level rise. The outcome of this study is the creation of a whitepaper that may support a future study issue for recommendations of adaptation strategies.

##### **What precipitated this study?**

The Bay Conservation and Development Commission (BCDC) has developed a background report titled "*Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on the Shoreline*" (April 7, 2009). The report identifies vulnerabilities in the Bay Area's economic and environmental systems, as well as the potential impacts of climate change on public health and safety. This background report provides the basis for all versions of the proposed findings and policies concerning climate change.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate to major

Amount of funding above current budget required: \$ unknown at this time

Funding Source: N/A

**Explanation of Cost:**

Staff support for this study may range from moderate to major. This study would require staff to review the current General Plan and other city policies against the BCDC vulnerability and adaptation report identifying anticipated sea level rise impacting Sunnyvale. No additional funding is proposed at this time as staff would first evaluate the progress and utility of regional efforts, namely the Silicon Valley 2.0 project, which aims to support cities with climate change impact assessment and adaptation strategies.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**Explanation of Cost:** The study would educate the City by identifying vulnerabilities to Sunnyvale as a result of anticipated sea level rise. The study may provide information that allows the City to make General Plan and policy decisions based on the study results.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Commissions: Sustainability Commission, Planning Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Staff recommends dropping this study. Staff supports the objectives of the proposed study and finds that it is substantially addressed by the Adaptation Strategies section of the City's Climate Action Plan (CAP), adopted in May 2014, namely Action A-3.1: Analyze and disclose possible impacts of climate change on the project or plan area with an emphasis on sea level rise. This action is included in the CAP Work Plan 2020. Progress will be reported as part of CAP updates to the Council. While this scope focuses on local impacts, it is envisioned to be implemented in the context of regional efforts to assess climate vulnerabilities and to develop and implement adaptive strategies.

Prepared by: Melody Tovar, Regulatory Programs Division Manager

Reviewed by: John Stufflebean, Director, Environmental Services Department

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0924

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

ESD 14-04

**TITLE** Full Cost-Analysis and Carbon Pricing in City Operations

#### **BACKGROUND**

**Lead Department:** Environmental Services Department  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Sustainability Commission

#### **History:**

1 year ago: Deferred

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

In the evaluation of various options for choices made in city operations, the true cost of the alternatives does not monetize the environmental impacts as part of the analysis. For instance, in evaluating various vehicles purchases, the lifecycle cost used does not monetize environmental impacts; rather they are treated separately and somewhat optionally as quality measures. Clearly, as the climate changes, we are recognizing that there are economic impacts associated with the choices made, but those costs have not been related directly back to the actions.

Recently, James Hanson (former NASA director) suggested that measures of CO<sub>2</sub>e can be used as one of these criteria. Dr. Hanson recommended that, today, a cost of \$20/metric ton of CO<sub>2</sub>e be used, and that the cost be increased year by year at a rate greater than inflation until it reaches \$100/MTCO<sub>2</sub>e at current currency rates. His recommendation was that for now a 6% increase per year would be sustainable and appropriate until that \$100 figure is achieved. (At \$100/MTCO<sub>2</sub>e, if applied to gasoline, one gallon would cost roughly \$1.00 more over current prices.) Barbara Boxer, sponsor of Climate Protection Act S. 322 and Steven Chu, former Energy Secretary, both of California, have agreed that monetizing decisions is the single most effective way to rationalize environmental controls.

This study issue combines two related study issues proposed by the Sustainability Commission that would identify what the City can do to 1) determine, in monetary terms, the relative environmental impacts and comprehensive, true lifecycle costs of operational decisions and determine how these environmental costs can be factored into the City's decision making process, and 2) establish a reasonable price for carbon emissions (in \$/ton carbon over the lifecycle of the product) to be

factored in when the City purchases vehicles and major equipment.

The study would develop the procedures and practices necessary to incorporate the environmental costs and price of carbon purchasing decisions starting with major purchases such as vehicles or major equipment. As part of this study, staff would determine:

- Operational activities where monetization would be required
- Basic methods and techniques to be used in regard to associating costs to GHG emissions, including a price for carbon
- Identify examples of recently implemented decisions that may be used as learning experiences by providing a contrasting analysis to decisions planned but not yet implemented
- Identify how existing carbon trading regulations might impact City operations in the future

### **What precipitated this study?**

This study was proposed by the Sustainability Commission.

**Planned Completion Year: 2015**

### **FISCAL IMPACT**

#### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Major

Amount of funding above current budget required: \$25,000

Funding Source: Will seek budget supplement.

#### Explanation of Cost:

If approved, costs associated with this study will be for consultant services to research this monetization concept and how it would apply to operational activities. Staff time would be associated with the consultant selection process and review of future impacts on City operations based on the consultant's work. Because the study includes the determination of a pricing value for carbon in purchasing decisions, it is anticipated that whatever price is determined will raise the City's cost of purchases (for lower carbon-emitting products or services) compared to current purchasing procedures.

### **Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

### **EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Sustainability Commission

### **STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Staff recommends dropping this study issue. Since proposal of this study issue, the Council has adopted the City's Climate Action Plan, which establishes the policy and program activities needed to achieve targeted reductions in greenhouse gas emissions. This Plan substantially provides for the decision making guidance sought as an outcome of this study; therefore, a separate study is no longer needed.

Prepared by: Melody Tovar, Regulatory Programs Division Manager

Reviewed by: John Stufflebean, Director, Environmental Services Department

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
FIN 15-01	Review Potential for a Utility Users Tax Ballot Measure and Discount Program for Low Income Customers	Moderate	\$0	Unknown	1	-
FIN 15-02	Local Business Preference Relative to City Purchases	Moderate	\$0	Some cost to implement	Drop	-

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation. See Study Issue Paper for detail.



# City of Sunnyvale

## Agenda Item

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14-0990

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

FIN 15-01

**TITLE** Review Potential for a Utility Users Tax Ballot Measure and Discount Program for Low Income Customers

#### **BACKGROUND**

**Lead Department:** Finance

Support Department(s): Office of the City Manager

#### **Sponsor(s):**

Councilmembers: Griffith, Whittum, Hendricks

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would research the pros and cons of a potential ballot measure to increase the rate and/or base of the City's Utility Users Tax (UUT) and explore discounts or programs that can be offered to mitigate the impact for low income utility customers.

UUT may be collected on a wide variety of utility services, including but not limited to electricity, gas, water, sewer, telecommunication, trash collection, and cable television. Sunnyvale's UUT is applied to only electricity, gas and intrastate telephone services at a rate of 2%. The rate, which was adopted in 1975, remains below the average of Santa Clara County cities and significantly below the statewide average. Any change to either the rate or the base would require voter approval.

Although UUT still represents one of the City's top five largest sources of revenue for the General Fund, UUT revenues are not expected to keep pace in the long-term. Specifically, the application of telecommunication UUT to certain intrastate phone services has been a topic of legal and legislative uncertainty due to changes in technology and federal law. As a result, future uncertainty exists in the application and scope of the City's telecommunication UUT which represents 25% of total UUT revenue.

Additionally, Council has requested staff to explore if there are discounts or programs that can be offered to help alleviate the impact on low income customers. As part of the study, staff will review the structure of a potential discount program.

**What precipitated this study?**

At the February 7, 2014 Study and Budget Issues Workshop, Council requested that staff provide a review of the City's UUT in time to consider a ballot measure for 2016, if Council determines to move forward. An analysis was last provided to Council in 2011. Council took no action at that time taking into consideration the economic conditions in assessing the chance of success for a measure.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost:

The cost associated with this study is staff time required to research and evaluate the options and fiscal impacts.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** As Sunnyvale's UUT applies to only electricity, gas, and intrastate telephone the opportunity exists to broaden its base to other areas of coverage allowable under state law. It would be prudent to consider ways to increase and strengthen the City's General Fund revenue base.

Reviewed by: Grace Leung, Director, Finance

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0991

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

FIN 15-02

**TITLE** Local Business Preference Relative to City Purchases

#### **BACKGROUND**

**Lead Department:** Finance

Support Department(s): N/A

#### **Sponsor(s):**

Councilmembers: Griffith, Hendricks, Martin-Milius

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The Sunnyvale Municipal Code grants local businesses a one percent preference when participating in competitive bidding for the City's purchase of *goods* (SMC §2.08.200). The one percent advantage is applied to the bid price to determine if its application results in the lowest bid for the local business, but the City pays the full price of the bid.

The one percent preference was adopted by Council in 1990 as a way to enhance the competitive status of local businesses when bidding for contracts, increase employment opportunities within the City, and encourage businesses to locate and remain in Sunnyvale thereby increasing overall tax revenue. In that the City receives a one percent share of the sales tax derived from business transacted in Sunnyvale, a one percent local preference was adopted on the basis of its cost neutrality - a higher preference would put the City at an economic disadvantage due to the loss of sales tax.

Council has requested that staff propose a Study Issue to extend the one percent local preference to the procurement of *services*. This study would focus on the pros and cons of such an application.

##### **What precipitated this study?**

The issue was precipitated by a Council contract award associated with the sale of a City-owned condominium, whereby staff selected a Cupertino realtor based on overall value of the firm to effect the transaction. Council inquired as to why the contract was not going to a Sunnyvale firm, which was echoed by a member of the public. Council then proposed a Study Issue to evaluate the merits of extending the City's one percent preference to the procurement of services.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

Explanation of Cost:

Existing staff can conduct a study at no additional cost to the City.

**Cost to Implement Study Results**

Some cost to implement.

Explanation of Cost: Providing a one percent preference to businesses for the procurement of services would result in negative fiscal impacts to the City, particularly in terms of potential legal challenges more fully explained below.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Council has periodically considered broader application of the local preference, most recently in 2006 (Study Issue), 2007 (Study Issue follow up) and 2009 (Budget Issue). Following the study in 2006, and the follow up in 2007, Council opted not to expand the local preference. In 2009, Council decided to drop the Budget Issue. Expanding the local preference to services would be economically disadvantageous to the City and would be difficult/problematic to implement given the current Municipal Code requirements and potential legal challenges. In the case of goods purchases, applying the local preference is relatively straightforward because contract awards are always made to the lowest responsive and responsible bidder. Procuring services, on the other hand, typically involves a competitive Request for Proposals (RFP) process, whereby the services offered are evaluated on a variety of objective criteria (with price being one factor of many). In these instances, contract award is based on the best value, not the lowest bid, e.g., the City can pay a higher price than the lowest cost if the overall value is justified. Additionally, the final contract cost is negotiated in good faith with the top-rated proposer, in many cases resulting in pricing reductions. Providing a one percent price preference to a local firm that was not the top-rated proposer would give an unfair advantage over firm(s) that were more favorably evaluated, increasing the risk of legal challenges to the City's selection process. This would be particularly true for architectural and engineering design-related services, for which State law requires a Qualifications Based Selection (QBS) process before price can be negotiated.

Reviewed by: Grace Leung, Director, Finance  
Reviewed By: Robert A. Walker, Assistant City Manager  
Approved By: Deanna J. Santana, City Manager

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
HRD 15-01	Make Public Proposals and Counter Proposals by the City in all Labor Negotiations Bargaining	Minor	N/A	Unknown	None	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation. See Study Issue Paper for detail.



# City of Sunnyvale

## Agenda Item

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15-0026

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

HRD 15-01

**TITLE** Make Public Proposals and Counter Proposals by the City in all Labor Negotiations Bargaining

#### **BACKGROUND**

**Lead Department:** Department of Human Resources

#### **Sponsor(s):**

Councilmembers: Meyering, Whittum

#### **History:**

1 year ago: N/A

2 years ago: Dropped

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The scope of the study issue is to determine if it is a best practice to post City proposals and counter proposals in bargaining with all labor associations. Analysis will be conducted to determine the positive or negative impacts of creating such a process. Although other agencies may have implemented a process to post proposals on their website, staff will explore if these agencies have also implemented work alternatives such as off-the-record conversations or supposals, and whether these alternatives have caused additional steps or delays in labor negotiations. Further, City staff will perform outreach with the City's labor associations on the potential for this process and obtain input on their own interest in having their proposals and counter proposals made public to achieve the goal of complete bargaining transparency, as well. Additional clarification on what could be made public and the optimum timing of disclosure would also be examined - for example, would it just be City proposals posted or would we also post the labor association proposals. Staff notes that complete bargaining transparency is not achievable unless both sides agree, otherwise there can be a skewed characterization of the bargaining proposals that do not support the goal of accuracy and transparency. And finally, additional analysis would help determine what legal limitations or restrictions would be identified with such a process. The study issue as presented for consideration has the focus only on City proposals which does not achieve the goal of full transparency.

##### **What precipitated this study?**

A motion was made by Councilmember Meyering and seconded by Councilmember Whittum at the December 9, 2014 Council meeting to prepare a Study Issue paper for posting all city proposals and counter proposals for labor negotiations.

Councilmember Meyering requested that the City make public all proposals and counter proposals that have been made by the City in its bargaining. He stated that he believes that San Jose and Mountain View School District already do this.

**Planned Completion Year: 2016**

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Minor

Amount of funding above current budget required: N/A

Funding Source: N/A

**Explanation of Cost:**

Although the level of staff effort required to conduct the study is identified as minor, the planned completion year of the study would be delayed to 2016 due to staffing limitations and negotiations with five labor associations in 2015. City staff does not feel that now is the time to divert limited staff resources to studying this issue when its focus should be on negotiations with five labor associations and completion of the Council directed Compensation Council Policy.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**Explanation of Cost:**

As the study issue was presented it would require staff time to develop a protocol for posting proposals and counter proposals. The City currently has six labor associations and as the MOU terms have started to trend with shorter term limits, this would require labor negotiations to happen more frequently. The maintenance of the information will require staff time that is not currently available for this process.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** None

**Explanation:** N/A

Prepared by: Teri Silva, Director, Human Resources

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

**City of Sunnyvale  
2015 Proposed Study Issues**

**INFORMATION TECHNOLOGY DEPARTMENT**

**NO STUDY ISSUES PROPOSED**

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
LCS 15-01	Establishing a Library Impact Fee	Moderate	\$0	Unknown	None	1 of 1 BLT
LCS 15-03	Consider Development of Teen Center	Moderate	\$0	Unknown	Defer	Too late to rank
LCS 15-04	Consider Development of Indoor Aquatic Center	Moderate	\$100,000	Unknown	Defer	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.  
See Study Issue Paper for detail.

**Study Issues Status Report  
Library and Community Services**

**Continuing Study Issues**

<b>Number</b>	<b>Name</b> <b><i>Continuing Status</i></b>
LCS 14-02C	Review of Park Use Policies and Related User Fees  <i>Staff is currently drafting a report to include outcomes of study and recommendations. The RTC is scheduled to be presented to the Parks and Recreation Commission in February 2015 and to the City Council in March 2015.</i>

**Completed Study Issues**

<b>Number</b>	<b>Name</b>	<b>Status</b>
LCS 14-01	Consider Creation of a Youth Commission	Completed 6/24/2014



# City of Sunnyvale

## Agenda Item

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14-0738

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

LCS 15-01

**TITLE** Establishing a Library Impact Fee

#### **BACKGROUND**

**Lead Department:** Library & Community Services  
**Support Department(s):** N/A

#### **Sponsor(s):**

Board/Commission: Board of Library Trustees

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would analyze the requirements to initiate library impact fees for the City of Sunnyvale. Staff would survey cities in California and elsewhere to see if there are similar fees placed on new development dedicated for library facility construction and improvements and provide a summary of such fees as well as the impact such fees have had on library capital projects and services.

##### **What precipitated this study?**

The Board of Library Trustees has become increasingly frustrated by the lack of funds to build a new library or to significantly increase library services since the library is solely dependent upon general funds. They are concerned that Sunnyvale offers the lowest library space per capita of any city in Santa Clara County and is the last city in Santa Clara County to have rebuilt or constructed a main library. They observed the model of park funding in the City (the Quimby Act) which authorizes local agencies to establish an ordinance requiring new development to pay a fee or dedicate land for park and recreation facilities. They have also observed development fees being assessed for other city services. Since increased development impacts usage of library services and buildings they would like a similar funding model to be considered by the city.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

Funding Source: N/A

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Board of Library Trustees

**STAFF RECOMMENDATION**

**Position:** None

**Explanation:** While the idea is innovative, it is unclear if this impact fee would be sufficient in the short term to fund large capital improvements without the need to still seek other funding sources. Staff also notes that there already exists a Council-approved study regarding the renovation or replacement of all Civic Center buildings, including the City's main library. If this study issue is conducted then staff recommends it be considered along with other funding opportunities being explored in the context of the civic center project (e.g., bond financing, or a public/private development partnership).

Prepared by: Lisa Rosenblum, Director, Library & Community Services

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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15-0059

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

LCS 15-03

**TITLE** Consider Development of Teen Center

#### **BACKGROUND**

**Lead Department:** Library & Community Services  
**Support Department:** Department of Public Works

#### **Sponsor(s):**

Councilmembers: Meyering, Hendricks, Davis

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would research the feasibility of establishing a dedicated space for a teen center in Sunnyvale. Staff would research successful models for teen centers in other communities. With assistance from the Teen Advisory Committee, staff would also survey middle and high school teens and adults to determine what the existing needs and interests are for a teen center.

##### **What precipitated this study?**

This study issue was proposed by a member of the public in response to a perceived need for the creation of a centrally located and dedicated space for a teen center in Sunnyvale. The member of the public stated that due to a lack of a movie theatre and other traditional amenities for teens he felt there were not enough places for teen to meet.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$ 0

Funding Source: N/A

Explanation of Cost: N/A

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: N/A

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Parks and Recreation Commission

**STAFF RECOMMENDATION**

**Position:** Defer

**Explanation:** Two existing capital improvement projects are pending, a possible new Main Library and a branch library. Staff recommends that consideration of providing a space for a dedicated teen center be studied in the larger context of these projects. In the meantime, staff proposes to continue its partnerships and outreach in support of teen programming, through the use of shared sites including the library, schools and parks and through the City-sponsored Teen Advisory Committee

Prepared by: Daniel Wax, Superintendent of Community Services

Reviewed by: Lisa G. Rosenblum, Director, Library & Community Services

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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15-0061

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

LCS 15-04

**TITLE** Consider Development of Indoor Aquatic Center

#### **BACKGROUND**

**Lead Department:** Library & Community Services  
**Support Departments:** Department of Public Works

#### **Sponsor(s):**

Councilmembers: Meyering/Whittum

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The study issue will evaluate the feasibility of development and operation of a year round indoor aquatic center at a central location in the City of Sunnyvale.

The study would include a needs assessment for year round aquatic services, a comparison of service levels with neighboring and comparable cities, estimated costs to build a facility, the ideal location for the facility, annual operating costs, and possible funding sources. The study would also include community outreach with Sunnyvale residents and other interested parties.

##### **What precipitated this study?**

This study issue was proposed by a member of the public in order to provide year round swimming opportunities in Sunnyvale.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$100,000

Explanation of Cost: The cost associated with this study is for the consultant time required to research and evaluate the need for a facility, provide community outreach and write a report

summarizing the options and the fiscal impacts.

If located on a park site the source of the additional funding would be the Park Dedication Fund.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: N/A

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Parks and Recreation Commission

**STAFF RECOMMENDATION**

**Position:** Defer

**Explanation:** Pending the final sale of Raynor Activity Center, staff will begin to identify the scope of work for the Washington Park Pool expansion project (which is scheduled to be renovated FY 15/16 per the Park Dedication Fund workplan). Staff recommends that a community needs assessment and additional study related to an indoor year round aquatics center be incorporated within the scope of this work.

Prepared by: Daniel Wax, Superintendent of Community Services

Reviewed by: Lisa G. Rosenblum, Director, Library & Community Services

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

**Study Issues Status Report  
NOVA Workforce Services**

**Continuing Study Issues**

<b>Number</b>	<b>Name</b> <b><i>Continuing Status</i></b>
NOVA 14-01	Examine Ways to Increase Local Hiring in Major Developments (Transferred to OCM)

**Completed Study Issues**

<b>Number</b>	<b>Name</b>	<b>Status</b>
	N/A	

**City of Sunnyvale  
2015 Proposed Study Issues**

**NOVA WORKFORCE SERVICES**

**NO STUDY ISSUES PROPOSED**

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
DPS 15-01	Prohibit Smoking Inside All Units and in Common Areas of Multi-Family Residences	Major	\$75,000	Unknown	1	-
DPS 15-02	Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations	Minor	\$25,000	Unknown	2	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.  
See Study Issue Paper for detail.

**Study Issues Status Report  
Public Safety**

**Continuing Study Issues**

<b>Number</b>	<b>Name</b> <i>Continuing Status</i>
NONE	

**Completed Study Issues**

<b>Number</b>	<b>Name</b>	<b>Status</b>
DPS 13-01C	Develop Plan to Address Traffic Flow and Parking Impacts from Future 49ers Stadium	Completed 10/2/14
DPS 14-01	Recreational Hunting and Safe Access to Open Space	Completed 8/26/14



# City of Sunnyvale

## Agenda Item

14-1070

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPS 15-01

**TITLE** Prohibit Smoking Inside All Units and in Common Areas of Multi-Family Residences

#### **BACKGROUND**

**Lead Department:** Public Safety

Support Department(s): Office of the City Attorney

#### **Sponsor(s):**

Councilmembers: Whittum, Martin-Milius

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Several members of the public have expressed concerns about the negative effects of secondhand smoke exposure in and around multi-family housing units. For residents of multi-family housing units, secondhand smoke can be a major health and quality of life concern because it can migrate from other units and common areas and travel through doorways, cracks in walls, electrical lines, plumbing, and ventilation systems.

This study would consider prohibiting smoking inside all units and in common areas of multi-family housing developments including, but not limited to, duplexes, apartments, condominiums, and townhouses. The study would also consider allowing designated unenclosed smoking areas that are a specified distance from operable doors, windows, and other openings where smoking is prohibited.

##### **What precipitated this study?**

The study was precipitated by a resident living in a multi-family housing unit who stated that he is negatively impacted by neighbors who are smoking in close proximity to his unit. He suggested the study issue because he believes that the issue is prevalent in multi-family housing units city-wide. Staff has received several other similar requests from the public over the last five years.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Major

Amount of funding above current budget required: \$75,000

Funding Source: Will seek grant funding. If grant funding is unavailable, will seek a budget supplement.

**Explanation of Cost:**

Due to continued staff vacancies in the Department of Public Safety, the process could potentially require the assistance of a consultant experienced in conducting smoking-related studies. Other, nearby, municipalities have employed consultants to conduct similar types of studies. There would, however, be staff costs associated with managing the study, supervising the public outreach efforts, and presenting the final Report to Council.

The research and public outreach components would be significant. The research aspect would include examining similar bans in other municipalities and evaluating the associated results. Public outreach would be conducted in the form of community meetings and surveys with building managers, property owners, residents, homeowners' associations, apartment associations, and other important stakeholders.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: Dependent upon adopted policies, costs would include outreach to the public and stakeholders to inform them of study results and Council's action. If adopted as proposed, to prohibit smoking inside all units and within common areas, there would be a significant cost to implement new policies due to notifying the public, notifying stakeholders of their responsibilities (i.e. signage requirements), developing and implementing enforcement policies, and establishing a program component for receiving and addressing complaints.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** The negative health effects of secondhand smoke are scientifically proven and commonly known and accepted. Survey results would determine the public's readiness to be the first city within Santa Clara County and one of only a few municipalities within the state to adopt a ban on smoking inside multi-family housing units.

If Council ranks this study, it is recommended that it be combined with Council Study Issue OCA 14-03 (b) Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses. OCA 14-03 (b) was continued to 2015 due to the expanded scope, a

lack of existing funding, and staff vacancies in DPS.

Prepared by: Christy Gunvalsen, Neighborhood Preservation Manager

Reviewed by: Jeffrey Hunter, Captain

Reviewed by: Dayton Pang, Deputy Chief

Reviewed by: Frank Grgurina, Director, Department of Public Safety

Reviewed by: Joan A. Borger, City Attorney

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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15-0102

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPS 15-02

**TITLE** Car/Ride Share Impacts on Taxicab Franchises and Review of Taxicab Franchise Regulations

#### **BACKGROUND**

**Lead Department:** Public Safety

Support Department(s): Office of the City Attorney

#### **Sponsor(s):**

Councilmembers: Griffith, Larsson

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would compare the profiles of the Sunnyvale taxicab franchises with those of car/rideshare businesses, including the differences, benefits and challenges, and risks; assess the impact of car/rideshare businesses on Sunnyvale taxicab franchise businesses; and review and compare regulatory developments that have taken place in other jurisdictions. This study will also review and compare the City's current taxicab franchise requirements with that of neighboring cities and research potential policy options such as the deregulation of taxicab franchises.

##### **What precipitated this study?**

Car/ride share businesses have evolved over the past several years. Of the more commonly known businesses, or Transportation Network Company (TNC) services, Uber and Lyft use smartphone applications to receive ride requests and connect passengers with drivers who provide the services in their personal vehicles. The taxicab industry is raising concerns over the increasing popularity of such programs and the negative impacts TNCs are having on their businesses. While the City regulates taxicab franchises per SMC Section 5.36 to ensure reasonable assurance of driver, passenger safety and risk reduction, and a predictable fee structure, the City does not set regulations for TNCs. TNCs are regulated at the State level by the Public Utilities Commission (PUC).

Mayor Griffith, when sponsoring the study, indicated that he has heard feedback from local franchise taxi operators with concerns that their businesses are being impacted by car sharing services such as Uber and Lyft. Additionally, in a recent meeting Mayor Griffith had with taxicab franchise owners, they indicated that the City's requirements are much more rigorous than other cities and those the PUC places on TNCs, therefore potentially deterring taxicab drivers from continuing operation in

Sunnyvale.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Minor

Amount of funding above current budget required: \$25,000

Funding Source: Will seek grant funding. If grant funding is unavailable, will seek a budget supplement.

Explanation of Cost:

Due to current staff vacancies in the Department of Public Safety, the process would require the assistance of a consultant experienced in conducting such studies. There could also be additional staff costs associated with managing the study, conducting additional research, and presenting the final Report to Council.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** The popularity and number of TNCs will likely increase over time. In anticipation of its continued growth, this study would help to determine if and how the City's current taxicab franchise regulations are impacting taxicab franchise owners' abilities to remain competitive and potentially deterring interest in continuing operations in Sunnyvale.

Prepared by: Nancy Thome, Senior Management Analyst

Reviewed by: Frank Grgurina, Director, Department of Public Safety

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

Study Issue Summary Worksheet  
2015 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
DPW 13-12	Acquisition of Approximately 18 Acres of Land Bounded by Highway 85 and Stevens Creek	Moderate	\$25,000	Some cost to implement	Defer	Defer Parks & Rec Defer BPAC
DPW 14-13	Scoping of Grade Separations for Caltrain Crossings at Mary Avenue and Sunnyvale Avenue	Major	\$450,000	Unknown	Drop	Drop Planning Drop BPAC
DPW 15-01	Review of Transportation Demand Management Program Standards, Measurements and Effectiveness	Minor	\$0	\$0	Drop	-
DPW 15-03	Determine Steps to Move Forward to Becoming a Silver Level in the League of American Bicyclists - Bicycle Friendly Communities	Moderate	\$15,000-\$25,000	Unknown	2	4 of 5 BPAC
DPW 15-04	Convert Part-Time Bicycle Lanes on Homestead Road to Full-Time Bicycle Lanes	Moderate	\$10,000	Some cost to implement	4	1 of 5 BPAC
DPW 15-05	Safe Routes to Walk and Bike to Nearby Schools Map	Major	\$100,000	\$0	Drop	3 of 5 BPAC
DPW 15-07	Development of a Wayfinding Signs Plan to Direct Cyclists to Bike Facilities and Important Destinations	Moderate	\$25,000	Unknown	Drop	5 of 5 BPAC
DPW 15-09	Feasibility of Establishing a Park Mitigation Fee for Non-residential Development	Moderate	\$50,000	Unknown	1	Too late to rank
DPW 15-10	Relocation of the Butcher House to Heritage Garden Park and Review of the Need for a Retaining Wall	Moderate	\$50,000	Unknown	3	Too late to rank
DPW 15-11	Consider Development of Weekday School Facilities on Park Properties	Moderate	\$0	Unknown	Drop	Too late to rank

\*Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.  
See Study Issue Paper for detail.

**Study Issues Status Report  
Department of Public Works**

**Continuing Study Issues**

<b>Number</b>	<b>Name</b> <b><i>Continuing Status</i></b>
DPW 13-15C	Protecting Burrowing Owl Habitat on City Facilities.  <i>This Study Issue is in progress and a public meeting is being held on December 11, 2014. The item is tentatively scheduled for the Parks and Recreation Commission, and Sustainability Commission in March 2015. Staff is planning to take this issue to City Council in April 2015.</i>
DPW 13-10C	Pilot Bicycle Boulevard Project on East-West and North-South Routes  <i>Completion date To Be Determined. Funding of approximately \$60,000 needed to carry out this study issue was dependent on receipt of grant funding which has not been secured. In 2014, no eligible grant funds were identified.</i>
DPW 13-13C	Feasibility of Establishing a Community Animal Farm for Children at the Sunnyvale Landfill  <i>The Study Issue went to Council on December 17, 2013. Council elected to further evaluate the technical feasibility of constructing park enhancements (shade structures, water fountains, benches, and trail connections) at the Sunnyvale Landfill and directed staff to explore Baylands Park as a possible location for Animal Assisted Happiness. As part of the community input and Council discussion, staff is completing a biological constraints and opportunities analysis for both the landfill and park prior to moving forward with new uses at the sites. A public meeting is scheduled for December 11, 2014 and the item is tentatively scheduled for both the Parks and Recreation Commission and Sustainability Commission in March 2015. Staff is currently targeting April 2015 to take the issue back to Council.</i>
DPW 14-14C	Optimization of Wolfe Road for Neighborhood and Commuters via Reconfiguration and Signalization  <i>This will be a Multi-Year Capital Improvement Project. Study Issue will commence in 2015.</i>

## **Completed Study Issues**

<b>Number</b>	<b>Name</b>	<b>Status</b>
DPW 14-05	Implementation of a Bike Share Program	Completed 10/28/2014
DPW 14-15	Feasibility of Entering Into a Joint-Use Agreement with the Santa Clara Unified School District for Open Space Areas at Peterson Middle School	Completed 10/28/2014



# City of Sunnyvale

## Agenda Item

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14-0926

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 13-12

**TITLE** Acquisition of Approximately 18 Acres of Land Bounded by Highway 85 and Stevens Creek

#### **BACKGROUND**

**Lead Department:** Department of Public Works  
Support Department(s): N/A

#### **Sponsor(s):**

Councilmembers: Moylan, Griffith

#### **History:**

1 year ago: Deferred

2 years ago: Deferred

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The study would examine the feasibility and costs associated with acquiring or entering into a joint-use agreement for approximately 18 acres of land located within Mountain View and Sunnyvale city limits and bounded by Highway 85 and Stevens Creek, north of Fremont Avenue. The study would also evaluate potential public uses and analyze the cost benefit to the community of entering into a joint-use agreement or purchasing, developing, and managing said land.

Most of the land to be studied is located within Mountain View, owned by the City of Mountain View, and zoned for public facility. The Santa Clara County Assessor's map lists the area as part of the Stevens Creek Park Chain, which was a planning term coined for the original county park plans for the Stevens Creek Corridor in the 1960s. It is unclear whether there are any legally binding covenants to this designation, land and water conservation easements, or any other limits to the use of the property. The area is not currently used as part of the Stevens Creek Park Chain and is inaccessible to the public. Several parcels within the study issue area are owned by the City of Sunnyvale, the Santa Clara Valley Water District, and Pacific Gas and Electric.

This land will be evaluated for trail feasibility as part of the Stevens Creek Trail Joint Cities Feasibility Study. The City of Mountain View has also completed extensive environmental reporting on much of this area as part of its planning for the Stevens Creek Trail. They intend on utilizing about half their property, from the northern tip to approximately Remington Court, to construct the last reach of their trail as currently planned. The City of Sunnyvale also currently owns three parcels and a roadway easement in this area, totaling approximately 5 acres which will be considered in the trails study.

**What precipitated this study?**

This study issue was proposed by Councilmember Moylan, supported by Councilmember Griffith, and raised by members of the community for possible park and/or trail use.

**Planned Completion Year:** 2015

**FISCAL IMPACT****Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$25,000

Funding Source: Will seek budget supplement

**Explanation of Cost:**

Costs for staff can be absorbed within existing operating budgets. The study would require staff to coordinate with the City of Mountain View to evaluate the feasibility of a land acquisition. Should the purchase be possible, staff would obtain consultant services for any appraisals and environmental assessment of the land.

Funding would be required for obtaining title reports, appraisals and environmental reports. In addition, staff believes it may be helpful to obtain specialized brokerage consultant services to conduct a market analysis of public land.

**Cost to Implement Study Results**

Some cost to implement.

**Explanation of Cost:** If the City of Mountain View is amenable to selling their parcels to the City, the capital costs for purchasing the land could be several million. As part of the study issue analysis, staff will estimate the cost to purchase, develop, maintain, and manage the land.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission, Parks and Recreation Commission

**STAFF RECOMMENDATION**

**Position:** Defer

**Explanation:** Staff recommends continuing to evaluate uses for the area as part of the Stevens Creek Trail Joint Cities Feasibility Study and partner with the City of Mountain View for joint use. Upon completion of the study if ownership by Sunnyvale still looks desirable, further analysis as outlined in this study issue could be conducted. The Stevens Creek Trail Joint Cities Feasibility Study will be available in Early 2015 for consideration by agencies.

Prepared by: Scott Morton, Parks and Golf Superintendent  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed By: Robert A. Walker, Assistant City Manager  
Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0927

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 14-13

**TITLE** Scoping of Grade Separations for Caltrain Crossings at Mary Avenue and Sunnyvale Avenue

#### **BACKGROUND**

**Lead Department:** Department of Public Works  
**Support Department(s):** N/A

#### **Sponsor(s):**

Councilmembers: Whittum, Meyering

#### **History:**

1 year ago: Deferred

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would evaluate grade separation of the current at-grade crossings of Caltrain at Mary Avenue and Sunnyvale Avenue. The study would identify alternatives, costs, and limitations; over vs. under separation; right-of-way requirements; roadway operations, and potential environmental issues. Alternative concepts such as commute-hour reversible lanes could be considered. Commute hour capacity improvement due to grade separation would be evaluated to determine if roadway reconfiguration/lane reduction could be considered as an economizing measure.

##### **What precipitated this study?**

There is a perception that significant congestion and queuing results from commute hour crossing gate downtime. This may be exacerbated in the future with increased train frequency. Safety is a concern.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Major

Amount of funding above current budget required: \$450,000

Funding Source: Will seek budget supplement

**Explanation of Cost:**

Consultant services for conceptual design, cost estimating, environmental evaluation, and public outreach.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: Yes

Council Study Session: Yes

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission, Planning Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Many of the issues proposed to be examined are currently being evaluated by Caltrain as part of a modernization project or have been evaluated by the California High Speed Rail Authority. Impacts of gate downtime, alternative grade separation configurations, and right of way impacts have all been studied or are under study. While the proposed study by Sunnyvale would go into greater detail, many conclusions can currently be deduced from available information.

As an alternative to pursuing this study issue, staff recommends that a study session with Council be scheduled to share information from existing studies.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0760

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 15-01

**TITLE** Review of Transportation Demand Management Program Standards, Measurements and Effectiveness

#### **BACKGROUND**

**Lead Department:** Public Works  
Support Department(s): N/A

#### **Sponsor(s):**

Councilmembers Hendricks & Martin-Milius

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would identify a process to document and monitor Transportation Demand Management (TDM) Program compliance and effectiveness. The City has placed auto trip reduction requirements on a number of land developments across the City over the last several years. These trip reduction requirements are intended to compel property owners and/or tenants to put into place transportation demand programs that encourage or require employees to use alternative modes of travel to the automobile when making trips to and from the work site. The City currently requires reporting on the effectiveness of programs but has relied heavily on self-reporting by the employers implementing the TDM program. This study would establish a formal process for documenting trip reduction compliance and enforcement mechanisms should TDM goals not be met.

##### **What precipitated this study?**

This issue was suggested by Council members Hendricks and Martin-Milius as a means to inform the Council on the effectiveness of City TDM requirements and allow the City to monitor and consider modifications to requirements over time as necessary.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Minor

Amount of funding above current budget required: \$ 0

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** This is an operating issue that is currently being pursued by staff. Staff is working on a process to standardize and unify TDM monitoring. More recent conditions of approval on projects require the effectiveness of TDM programs to be measured through traffic counts conducted by the City. Staff is currently organizing this program and researching which development projects it will apply to. As a result, this study is effectively underway, and there is no need for Council to rank or wait for a formal study issue. Staff expects to be able to report the results from initial monitoring efforts by the end of this fiscal year.

Prepared by: Jack Witthaus, Transportation and Traffic Manager

Reviewed by: Kent Steffens, Director, Department of Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

14-0938

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 15-03

**TITLE** Determine Steps to Move Forward to Becoming a Silver Level in the League of American Bicyclists - Bicycle Friendly Communities

#### **BACKGROUND**

**Lead Department:** Public Works  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Bicycle and Pedestrian Advisory Commission

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

This study would evaluate what steps the City would need to take to become a Silver Level community in the League of American Cyclists (currently Bronze Level). The study would review ranking criteria elements including enforcement, education, engineering, key outcomes, evaluation, and encouragement and determine what Sunnyvale would need to implement to achieve Silver Level status. The study would have specific action items and conceptual costs for implementation.

##### **What precipitated this study?**

The BPAC would like to provide better bicycle facilities. The study would identify specific actions the City would need to take to enhance the overall bicycle program and increase bicycle ridership.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$15,000-25,000

Funding Source: Will seek budget supplement

Explanation of Cost:

The cost associated with this study would be for consultant services to evaluate the action items that the city would need to take to achieve Silver Level status. The consultant would also provide conceptual costs for any action items or needed improvements.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Committee

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** The Study would provide valuable information to the City in identifying possible steps and associated costs to continue to improve Sunnyvale's overall bicycle program. This process would provide Sunnyvale with specific goals and priorities and help prioritize funding and staff resources.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0939

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 15-04

**TITLE** Convert Part-Time Bicycle Lanes on Homestead Road to Full-Time Bicycle Lanes

#### **BACKGROUND**

**Lead Department:** Public Works  
Support Department(s): N/A

#### **Sponsor(s):**

Board/Commission: Bicycle and Pedestrian Advisory Commission

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The study issue will evaluate converting the part-time bike lanes on Homestead Road to full-time bike lanes. The bike lane is currently part-time in front of residential development and only available between 7:00 AM and 6:00 PM. A full-time bike lane will require the permanent removal of on-street parking which will affect the current parking patterns in the area. The study will consist of community outreach with the adjacent property owners and all other interested parties to investigate the pros and cons of the proposal.

##### **What precipitated this study?**

The BPAC would like to maintain continuous bicycle facilities. The BPAC views the conversion of the bike lanes to full-time as an opportunity to increase connectivity and encourage cycling.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$10,000

Funding Source: Will seek budget supplement.

Explanation of Cost:

The funding will be used to coordinate outreach meetings, mailers, and any related presentation material.

**Cost to Implement Study Results**

Some cost to implement.

Explanation of Cost: If a full-time parking is considered feasible the project will require removal of existing signage and new signage.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** The possibility of full-time bike lanes has been discussed numerous times as part of the BPAC. Completing the study issue will help make a determination on the feasibility.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0940

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 15-05

**TITLE** Safe Routes to Walk and Bike to Nearby Schools Map

#### **BACKGROUND**

**Lead Department:** Public Works

Support Department(s): Public Safety

#### **Sponsor(s):**

Board/Commission: Bicycle and Pedestrian Advisory Commission

#### **History:**

1 year ago: N/A

2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The study issue would develop a walking, biking, and drop-off map for each of the 21 schools in Sunnyvale. The study would review the enrollment radius for each school and develop the most comfortable travel paths by analyzing existing walking and bicycling facilities and crossing guard locations. In addition, the map would also identify alternative student drop-off locations to alleviate traffic congestion around schools. The study would require coordination with each school to fully understand their access needs.

##### **What precipitated this study?**

BPAC commissioners would like to encourage more walking and biking and reduce automobile travel. They identify a lack of information on the best walking and biking alternatives to schools as a key issue. The proposed maps would provide parents with additional information to further encourage walking and biking.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Major

Amount of funding above current budget required: \$100,000

Funding Source: Will seek budget supplement

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Explanation of Cost: The cost associated with this study would be for consultant services to evaluate each individual school, determine an appropriate walking and biking radius, analyze the best walking and biking paths, incorporate crossing guard locations, identify alternative drop-off areas to minimize congestion, and complete the appropriate outreach. The consultant would be required to complete and finalize each map.

**Cost to Implement Study Results**

No cost to implement.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** In 2012 the City Council approved a School Traffic Study. The study identified a number of improvements to provide better transportation flow and increase safety to and around schools. Staff efforts and available funds should continue to be focused on identifying grants and other funding sources to continue to implement physical improvements. In general, parents are already knowledgeable of the access options to their schools.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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14-0942

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 15-07

**TITLE** Development of a Wayfinding Signs Plan to Direct Cyclists to Bike Facilities and Important Destinations

#### **BACKGROUND**

**Lead Department:** Public Works  
**Support Department(s):** N/A

#### **Sponsor(s):**

Board/Commission: Bicycle and Pedestrian Advisory Commission

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

The study will review the City's bicycle network and develop a bike network wayfinding signs plan. The signs would provide clear direction for cyclists to bicycle facilities as well as important destinations such as trails, parks, and transit.

##### **What precipitated this study?**

The BPAC would like additional bicycle connectivity to increase ridership and reduce motor vehicle use.

**Planned Completion Year:** 2015

#### **FISCAL IMPACT**

##### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$ 25,000

Funding Source: Will seek grant funding

##### **Explanation of Cost:**

The cost of the study will be for consultant services to develop the wayfinding plan and develop implementation estimates.

**Cost to Implement Study Results**

Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Council has already established policy that supports the implementation of bicycle improvements as stated in the following General Plan policies:

LT-5.5d Maximize the provision of bicycle and pedestrian facilities.

LT-5.5g Ensure safe and efficient pedestrian and bicycle connections to Neighborhood transit stops.

LT-5.6a Develop clear, safe and convenient linkages between all modes of travel; Including, access to transit stations and stops and connections between work, home and commercial sites.

LT-5.8 Provide a safe and comfortable system of pedestrian and bicycle pathways.

This study focuses on operational issues as opposed to City policy. The development and implementation of wayfinding could be a future City capital project. However, a future wayfinding project should be deferred until key facilities get constructed that will provide additional connections throughout the City. This includes projects such as Maude Avenue bike lanes, Mary Avenue bike lanes, and the construction of the East-West channels. The City's resources and priorities should continue to be focused on the implementation of the current bicycle plan.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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15-0054

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### NUMBER

DPW 15-09

TITLE Feasibility of Establishing a Park Mitigation Fee for Non-residential Development

#### BACKGROUND

**Lead Department:** Public Works  
Support Department(s): N/A

**Sponsor(s):**

City Manager

**History:**

1 year ago: N/A  
2 years ago: N/A

#### SCOPE OF THE STUDY

**What are the key elements of the study?**

This study was proposed initially as part of Report to Council No. 11-083: ***Consider Increase in the Parks Dedication Standard from 3.0 Acres to 5.0 Acres per 1,000 Population (Subdivision Map Act, Title 18.10 of the SMC and Fee Mitigation Act, Title 19.74 of SMC)***. Alternative 2 was for Council to direct staff to provide information regarding the possible implementation of a park mitigation fee for new industrial, commercial and retail developments but it was not approved.

Currently, funding for the Park Dedication Fund comes from two sources. Parkland dedication or in-lieu fees are collected to mitigate the impact an increasing population has on parks and recreation facilities. The Sunnyvale Municipal Code (SMC) Title 18 (Subdivisions) Chapter 18.10, requires developers of specified residential subdivisions to either dedicate a certain amount of land per additional 1,000 new residents for recreation or open space purposes, or pay an in-lieu fee equivalent to the cost of purchasing the required acreage. Enabling legislation is found in California Government Code (CGC) (6647) and is known as the Quimby Act. Title 19 (Zoning) Chapter 19.74, requires the same acreage or in-lieu fees for Rental Housing Projects. Enabling legislation is found in CGC (66000) and is known as the Mitigation Fee Act.

These fees do not address new industrial, commercial and retail developments. While these types of developments may not create the same impacts as residential, many daytime users of the City's parks and recreation facilities are from local companies participating in sports and recreation activities during their non-work hours and lunch breaks. As these types of development have

increased in Sunnyvale, there are more daytime users of many parks. Encinal Park, for example, has seen an increase in usage as nearby office buildings have increased occupancy resulting in more wear on fields and facilities.

The goal of the study is to consider the feasibility of expanding the park dedication fee to include development of retail, commercial and industrial projects. The study would include a review of existing conditions in the City and would review other nearby cities' requirements. A nexus study would also be conducted in compliance with the state Mitigation Fee Act.

**What precipitated this study?**

This study issue was proposed by staff and supported by Council in RTC: 11-083.

**Planned Completion Year: 2016****FISCAL IMPACT****Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$50,000

Funding Source: Will seek budget supplement

**Explanation of Cost:**

A mitigation fee nexus study of this type would be estimated at \$50,000 for a qualified consultant to complete, depending on exactly what scope of work is ultimately defined for the study. This type of study requires highly specialized knowledge, analytical ability, and often costly proprietary economic data and it would be most cost-effective to hire an experienced consultant to do it, as such studies are often subject to legal challenge. This estimate does not include staff hours estimated to be required to complete this study, which can be provided as part of standard operations. The cost for this study could be funded by the General Fund, if added as a special project in the FY 2015-16 Budget.

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

Explanation of Cost: Implementation costs would include the costs to revise the Municipal code and fee schedule as needed to implement the study recommendations; however these are not anticipated to be significant and most likely can be absorbed within the operating budget.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Park and Recreation Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** Staff recommends commissioning the study to evaluate the feasibility of establishing a mitigation fee for commercial, industrial and retail developments. Additional funds are required to purchase acreage and develop parks and recreation facilities to meet the needs of day-time residents in areas of the city that are commercial, industrial and retail and are underserved.

Reviewed by: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

15-0118

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### **NUMBER**

DPW 15-10

**TITLE** Relocation of the Butcher House to Heritage Garden Park and Review of the Need for a Retaining Wall

#### **BACKGROUND**

**Lead Department:** Public Works  
Support Department(s): N/A

#### **Sponsor(s):**

Councilmembers: Martin-Milius, Griffith

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

**What are the key elements of the study?**

#### **Butcher House Relocation**

Staff previously reviewed the relocation of the Butcher House as a Budget Issue to determine all the costs associated with relocation. This Study Issue would only determine the appropriate location for the Butcher House within Heritage Garden Park and the conceptual elements that need to be included as part of the project that affects other park features. This would include tree removals/relocations, utilities, and access.

There are also two additional projects currently under consideration at Heritage Garden Park that affect the Butcher House relocation.

#### **Construction of a Retaining Wall**

The study would review the existing drainage (the Heritage Museum experienced flooding as part of the last major storm) and make a determination if drainage modifications are required. It would also analyze what type of improvements (such as retaining walls), if any, should be constructed to address any flooding and drainage issues.

#### **Project 830480 Orchard Heritage Park**

There is funded capital project to remove and construct a new maintenance building and dumpster enclosure within the park. The purpose of the project is to make the museum and surrounding area

more accessible, usable, and attractive. Staff is currently developing a design scope of work, which is scheduled for release in March.

### **Study Issue Approach**

The Study Issue contemplates additional modifications to the park. As such, it would be most effective to combine all projects into one single project. A piecemeal approach would not work, as each decision taken individually could affect future options and opportunities.

Staff will include the drainage concern as part of the current scope of work for project 830480. The drainage item contemplates specific engineering issues which staff believes should fit within the expertise of the designer that will be selected as part of the current project. However, the identification of a location of the Butcher house will require additional funding and time. This includes masterplan review, preliminary engineering concerns, and additional outreach. If relocation of the Butcher house proceeds as a selected Study Issue, staff will incorporate it within the same consultant contract, which will allow for a comprehensive plan for all the proposed improvements. It is important to highlight that this will delay the completion of the scope of work for project 830480 by approximately three months, and the additional work will add approximately another six months to the overall project.

### **What precipitated this study?**

Request by the Sunnyvale Historical Society and Museum Association

**Planned Completion Year: 2015**

### **FISCAL IMPACT**

#### **Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$50,000

Funding Source: Will seek budget supplement

Explanation of Cost:

The additional funds will be used to help masterplan and identify a possible location for the Butcher house. This will also include conceptual infrastructure needs and a discussion on possible impacts.

#### **Cost to Implement Study Results**

Butcher house - No cost to implement.

Retaining Wall/Drainage Issues - Will be determined as part of design

Explanation of Cost: The actual design, relocation, and construction of the Butcher house would be funded by private funds. This would also include any City fees for review and inspection.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Parks and Recreation Commission

**STAFF RECOMMENDATION**

**Position:** Support

**Explanation:** If Orchard Heritage Park is a feasible location for the Butcher house, it would be beneficial to include it as part of the current project. Because of space constraints, understanding and planning all possible improvements would simplify future construction of improvements within the park.

Prepared By: Manuel Pineda, Director, Public Works

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager



# City of Sunnyvale

## Agenda Item

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15-0126

Agenda Date: 1/30/2015

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### 2015 COUNCIL STUDY ISSUE

#### NUMBER

DPW 15-11

**TITLE** Consider Development of Weekday School Facilities on Park Properties

#### **BACKGROUND**

**Lead Department:** Public Works  
Support Department(s): N/A

#### **Sponsor(s):**

Councilmembers: Whittum, Meyering and Davis

#### **History:**

1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What are the key elements of the study?**

Occasionally schools and other organizations request the exclusive use of public open space. Some examples of this are the ongoing permitted use of sports facilities at Fair Oaks Park by The King's Academy (a private school), the proposed use of portions of Raynor Park by Stratford School, and the possible use of a portion of Baylands Park by Animal Assisted Happiness currently under study.

Council has previously developed exclusive use permit policies for Sunnyvale Parks and Open Spaces through action related to Report to Council 05-358. Current policy allows for schools to obtain exclusive use permits in accordance with Municipal Code 9.62.120 Permit for exclusive use-Application-Standards. Section 9.62.120(b)(7) states "That the use for which the permit is sought complies with the use established for the area of the park requested". Therefore, current policy and code allows for a school to obtain a permit to use basketball courts at a park but doesn't allow a school to locate a classroom on a sports field.

The scope of this study would focus on the community perspective and the legality of this type of use. Public input would be gathered through public meetings and an online survey. Public Works staff would work in conjunction with the Office of the City Attorney to determine the legality of using public open space for school facilities.

##### **What precipitated this study?**

A new charter school named SPARK that is associated with the Sunnyvale School District has expressed an interest in using portions of Baylands Park for its campus.

**Planned Completion Year:** 2015

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$0

**Cost to Implement Study Results**

Unknown. Study would include assessment of potential costs.

**EXPECTED PARTICIPATION IN THE PROCESS**

Council-approved work plan: No

Council Study Session: Yes

Reviewed by Boards/Commissions: Parks and Recreation Commission

**STAFF RECOMMENDATION**

**Position:** Drop

**Explanation:** Current policy and code is very clear that public open space use must comply with established use.

Prepared By: Scott Morton, Superintendent of Parks and Golf

Reviewed By: Manuel Pineda, Director, Public Works

Reviewed By: Lisa Rosenblum, Director, Library and Community Services

Reviewed By: Robert A. Walker, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

# **City of Sunnyvale**

**NO BUDGET ISSUES PROPOSED  
AT THIS TIME**