



Consent Calendar 1.A)

## DRAFT

### SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION Meeting Minutes – November 18, 2010

The Sunnyvale Bicycle and Pedestrian Advisory Commission met at 6:30 p.m. on November 18, 2010 with Commission Chair Patrick Walz presiding. The meeting was held in the West Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale.

#### ROLL CALL/CONSIDERATION OF ABSENCES

**Members Present:** Andrea Stawitcke  
Angela Rausch  
David Gandrud  
James Manidakos  
Patrick Walz  
Ralph Durham

**Members Absent:** Cathy Switzer

**Staff Present:** Officer Scott Cortese, Traffic Unit, Department of Public Safety  
Heba El-Guendy, Senior Transportation Planner, Public Works  
Department

**Visitors:** Doreen Yen – Sunnyvale resident  
Kevin Jackson – Member of the Horizon 2035 Committee

Commissioner Switzer informed the BPAC Chair and staff liaison in advance of her absence on a personal leave. There were no objections by the BPAC members and the Commissioner's absence was excused.

#### SCHEDULED PRESENTATION

There were no scheduled presentations.

Officer Cortese – In response to a previous BPAC generated inquiry, officer Cortese noted that dispatch records were checked and that there were no recent collisions involving a cyclist reported at the intersection of Mary Avenue/Fremont Avenue.

Kevin Jackson – Indicated that a cyclist who was traveling in a Santa Cruz park was inpatient with a few kids walking in front of him on the path, and he yelled at them

and ran over one of the kids. The cyclist was taken to jail, and was later charged with assault with a deadly weapon and willful cruelty to a child. Noted that the cyclist's conduct was inexcusable. However in many instances when motorists cause serious injuries to cyclists, they do not get arrested or taken to jail. Noted that in most cases, motorists would need to show up in court months later. Indicated that the sooner the consequences to an action, the more effective they become in changing behavior. Indicated that there is bullying that takes place on the street and that some motorists need to feel a consequence to their aggressive behavior towards cyclists. Requested allocating sufficient police resources for the purpose of educating motorists, cyclists, and pedestrians.

Officer Cortese – Responded that the penalty is dependent on the charge. If it is a misdemeanor, the person charged only gets a citation. If it is a felony, the person charged has to be taken to prison. Officers determine the charges on the field.

Chair Walz – Noted that Mr. Jackson's concern is a shared feeling by many cyclists. Commented about a cyclist that was killed recently at Alpine Drive/I-280. Noted that the cyclist was hit and killed by a motorist who was previously found at fault for hitting and killing another cyclist.

Officer Cortese – Provided a couple of clarifications for his comments during the October BPAC meeting. Indicated that bicycle licensing is every three years (and not in effect for a lifetime) for a fee of \$6. Added that the licensing records are kept lifetime, and can be transferred for an additional fee of \$3. Mopeds are licensed once in a lifetime by the Department of Motor Vehicles. Shared the bicycle related section of the 2004 quick reference guide that officers use, and noted that the Municipal Code is posted on line at <http://qcode.us/codes/sunnyvale/>. Noted that additional updates are currently underway and the reference guide will be reprinted soon, which is overseen by Lieutenant James Anton. Indicated that he will find out about the update process and timing to accommodate BPAC input if possible. Also shared some sections of the California Vehicle Code and clarified that a motorized bicycle can have a power output of not more than 1,000 watts and is incapable of propelling the device at a speed of more than 20 miles per hour on ground level. A motorized scooter shall ride within the bicycle lane (Section 21229. (a)) except when overtaking or passing another vehicle or pedestrian, when preparing for a left turn, when avoiding debris or hazardous conditions, and when approaching a place where a right turn is authorized. Added that if a motorized scooter is supposed to use the bicycle lane, then it is very likely that motorized bicycles are supposed to use the bicycle lane.

Commissioner Gandrud – Inquired if the speed limit of 15 mile per hour on some trails is enforced and who would be responsible for enforcing it.

Officer Cortese – Responded that the speed limit is enforced on trails and depending on the jurisdiction it could be enforced for examples by the Sheriffs Department, Parks Department, or Mid-Peninsula Regional Open Space District.

## **PUBLIC ANNOUNCEMENTS**

Kevin Jackson – Provided an update on work of the Horizon 2035, and noted that the committee is reviewing land use growth scenarios before providing recommendations. The Committee is also reviewing the overall CAP list of policies proposed by Committee members, public members and staff. Indicated that the CAP consultant will be attending the Committee meeting on December 1<sup>st</sup> to discuss the refined policies and invited the BPAC members to attend. Indicated that the recommended VERBS grant funds was endorsed by the VTA BPAC and is proceeding through the approval process, and noted that the County/Sunnyvale team project is expected to receive over \$800k of grant funds. Requested that BPAC be thoroughly involved to ensure that funds are spent as effectively as possible. Indicated that the MTC appointed a subcommittee to provide recommendations on the Complete Streets and requested from BPAC to keep on top of that initiative since MTC funnels the state and federal funds.

Heba El-Guendy – Indicated that the Horizon 2035 Committee appointed two sub-committees, one to review the draft CAP policy list to possibly eliminate duplications, reduce the number of policies and actions, and revise wording. The second sub-committee will develop a set of principles that the Committee values the most. Clarified that the schedule has been slightly changed and indicated that the December 1<sup>st</sup> Committee meeting is likely to cover the rest of the land use growth assumptions and that the consultant may attend the following meeting when the CAP policies may be placed on the agenda. Following the Committee's revisions to the policy list, the consultant will quantify the different items which will be again reviewed by the Committee around February to assess effectiveness and recommend an updated list of CAP policies.

## **CONSENT CALENDAR**

- 1.A) Approval of Draft Minutes of the October 21, 2010 Meeting
- 1.B) Approval of Agenda of the November 18, 2010 Meeting
- 1.C) Approval of the 2010 BPAC Calendar Update

**Commissioner Stawitcke moved a motion seconded by Commissioner Durham to approve Consent Calendar items 1.B) and 1.C). Motion was passed 6-0.**

Commissioner Durham – Requested revising the last two phrases of the first paragraph on Page 6 of the agenda packet to indicate “Electric powered bicycles are allowed to utilize bike paths and bike lanes if traveling at prudent speeds and if they are under what is equivalent to 50cc. Any electric powered bicycle above what is equivalent to 50cc is considered similar to mopeds and motorcycles and therefore would not be allowed in the bike lane”.

Commissioner Gandrud – Requested correcting the same paragraph noted above to clarify that the current Municipal Code posted on the web incorrectly indicates that bicycle licensing is required.

Chair Walz – Requested adding under Discussion Item #2 that there was a consensus among the Commission members that the most important evaluation criteria are numbers 3, 4, 5 and 6.

Commissioner Manidakos – Requested revising Page 5 of the packet, under the Visitors section, to add Supervisor Kniss's *office representative*. Also requested adding his comment regarding Segment 3 at the end of Page 9 of the packet indicating that the plan under review for both options have a separate right-turn lane at Mary Avenue/Maude Avenue that is located to the right of the bike lane. This forces cyclists to mix with the traffic or wait behind turning cars to get back to the bike lane. He considers this design practice to be confusing and hazardous. Noted his opposition to such design and his preference to maintain the bike lane abutting to the curb.

Heba El-Guendy – Noted that she will also apply a couple of changes requested by the consultant to further clarify the project scope. These changes are to the first paragraph on Page 8 of the packet as follows: “--- on one side of the street to accommodate the provision of bike lanes. It should be noted that both alternatives maintain the existing number of auto travel lanes between Evelyn Avenue and Central Avenue, with the second alternative including median reduction to accommodate continuous Class II bicycle lanes. The three road segments from south to north are: Mary Avenue from Knickerbocker Fremont Avenue to Evelyn Avenue -----”.

Commissioner Durham moved a motion seconded by Commissioner Manidakos to approve Consent Calendar item 1.A) as amended. Motion was passed 6-0.

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

No response was needed.

#### **PUBLIC COMMENTS**

Doreen Yen – Inquired about the proposed bike/pedestrian under-crossing of the Caltrain tracks at Bernardo Avenue that was planned for construction in 2012. Also inquired about the possibility of the City installing bike racks at plazas such as the ones located at Mary Avenue/Fremont Avenue and on Mary Avenue near Maude Avenue.

Heba El-Guendy – Noted that the Caltrain under-crossing project is in the regional Bicycle Expenditure Plan (BEP) and the Valley Transportation Plan (VTP) 2035. However, funds has not yet been allocated for the project, and the design and construction schedule has not been determined. Added that reference to the project was included in the City's comments on the high speed rail project in order to accommodate coordination. Also clarified that the City requires the installation of bicycle parking of new developments and redevelopment projects. Other than that if

a business owner wishes to install bicycle parking, City staff could provide guidelines to design and installation.

**PUBLIC HEARINGS/GENERAL BUSINESS**

2. ACTION: Ranking of Study Issues

Heba El-Guendy – Circulated a copy of the DPS 11-01 study issue that was recently signed by the City Manager and requested including it in the ranking.

Commissioner Stawitcke – Expressed her frustration that staff is against all study issues except for one.

Heba El-Guendy – Clarified that staff decisions are made in light of available staff resources and funds. Requested from the Commission members not to be discouraged and to rank the study issues based on what they value the most. City Council will later rank the study issues based their priorities and will also decide on allocating funds if needed.

Study Issue	Score	Rank	BPAC Recommendation
DPW 09-01: Comprehensive School Traffic Study	10	1	Forward for Council consideration
DPW09-02: Update/Review Corner Vision Triangle Municipal Code Ordinance	49	10	Defer to a future year
DPW 09-04 Impacts of Traffic Calming Devices on Cyclists	36	6	Defer to a future year
DPW 09-07: Sunnyvale Cyclovia Event	57	11	Defer to a future year
DPW 11-02: A New Bicycle/Pedestrian Bridge Overcrossing US 101 east of Lawrence Expressway	45	9	Defer to a future year
DPW 11-03: Nexus Study for a New Development Fee for Funding Pedestrian and Bicycle Projects	43	8	Defer to a future year
DPW 11-04: Placement of "Bicycles Allowed Use of Full Lane – Vehicles Change Lanes to Pass" signs	33	4	Forward for Council consideration
DPW 11-05: Adopt a Policy that Restricts Bicycle Lane Closure in Construction Zones	34	5	Defer to a future year
DPW 11-06: Closing Murphy Avenue to Automobile Traffic	15	2	Forward for Council consideration
DPW 11-07: Adopt a Policy to Utilize the VTA Bicycle Technical Guidelines	32	3	Forward for Council consideration
DPS 11-01: Improve Bicycle Licensing Process	42	7	Defer to a future year

Prior to discussing the item, the Commission decided to rank all eleven study issues and recommend only the top four study issues for Council consideration. This is with the understanding that some of the remaining study issues recommended for deferral will have to be considered by Council if they were previously deferred,

ranked, or initiated by Council. The individual Commission members expressed their inquiries, comments and preferences. The Commission members then individually ranked the eleven study issues which were added and resulted in the ranking listed in the previous table.

Commissioner Durham – Requested that the Cyclovia event if ranked by Council to be combined with another larger event such as Hands on the Arts to increase the potential of its success. Inquired about the school traffic study relative to the work that will be covered under the VERBS grant. Discussed the recently passed Proposition 26 and the possibility of requiring two-thirds of the public votes relative to two-thirds of Council votes to allow approval of a potential new development fee for funding pedestrian and bicycle projects.

Heba El-Guendy – Clarified that the VERBS grant is for non-infrastructure elements such as educational measures, and that it will be covering 80% of Sunnyvale's elementary and middle schools within the different school districts.

Commissioner Gandrud – Raised his concerns that explanation provided under the staff recommendation section of DPS 11-01 study issue includes inaccurate and misleading information. Noted as examples that bicycles are not generally inspected and no educational materials are provided at time of licensing bicycles. Also the licensing data is maintained in manual log books that are not shared between the different fire stations or enforcement officers in the field.

Doreen Yen – Noted that her boss, the owner of a coffee shop, is opposed to the closure of Murphy Avenue. Clarified that Murphy Avenue is not busy in the morning and patrons can stop for getting their coffee and leave within five minutes.

Kevin Jackson – Requested a correction to the description of DPW 11-07 to reflect that the VTA Bicycle Technical Guidelines recommends width of the bike lane dependent on the motor vehicle speeds. Requested from BPAC to recommend this study issue because it would have a continuous positive effect on cyclists.

**Commissioner Durham moved a motion seconded by Commissioner Manidakos for BPAC to accept the ranking results as tabulated and to forward the four highest ranked study issues for Council consideration. Motion was passed 6-0.**

3. ACTION: Review Process for the Mary Avenue Street Space Allocation Project

Chair Walz – Disclosed that he had a meeting with Commissioner Durham, Jack Witthaus (Transportation and Traffic Division Manager) and Heba El-Guendy (Senior Transportation Planner and BPAC staff liaison) in which he discussed BPAC's need to conduct future review of the Mary Avenue plan as it progresses. Indicated that the BPAC review of the draft plan concepts during the October meeting was not conducive to providing a Commission recommendation, and indicated the need for

additional BPAC review. Explained that the two options that are now under consideration are to form a BPAC sub-committee to review the plans and form comments for the consultant prior to the public outreach meeting, and the regular BPAC meeting in which the item will be considered for recommendation. The other alternative is for the BPAC members to review the plans individually and provide comments to the staff liaison without any violations to the Brown Act. Inquired if the consultant's scope of work also covers the final design following Council approval of the conceptual plan.

Kevin Jackson – Indicated that it is important for BPAC to have a meaningful input before it is too late. Noted that individual reviews are good, but a sub-committee will allow up to three BPAC members to brain-storm together. Added that three minds are not as good as seven, but better than individual minds thinking in a box.

**Commissioner Manidakos moved a motion seconded by Commissioner Durham for BPAC to form a sub-committee for reviewing the Mary Avenue conceptual plan. Motion was voted a tie of 3-3.**

It was therefore decided by consensus to review the plans individually. The staff liaison will inform all BPAC members once the plans are received from the consultant, and will arrange for the individual members' review.

Commissioner Manidakos – Noted that the individual reviews will need to be scheduled to avoid Brown Act issues, and it would need to be on a first come first served basis.

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

- BPAC ORAL COMMENTS

Chair Walz – Noted that during the meeting with Commissioner Durham, Jack Witthaus and Heba El-Guendy, he was requested to keep the meetings on schedule and per the order of the agenda.

Commissioner Durham – Noted that Alternative 1 on Segment 3 of the Mary Avenue conceptual plan shows four-foot bike lane in the southbound direction on Mary Avenue at Maude Avenue. Requested to provide six-foot bike lane and add a bike box in a right-through lane.

Commissioner Rausch – Inquired about the East Channel Trail and the possibility of piggy banking on the plan of the Santa Clara Valley Water District for the flood channel.

Heba El-Guendy – Clarified that the City is being awarded CDT Capital grant funds to complete the design and to construct the trail which is presently planned to take place from April 2011 to June 2012. The grant fund is in the amount of \$595,200 in addition to the local match of \$148,800. Added that the Trail will be constructed

within the City's right-of-way and that the City received a letter of support from the Water District. Added that the District's planning, environmental review, and improvements to the flood channel are expected to take years longer than the City project.

Commissioner Stawitcke – Indicated that she was recently in Beijing, China, which she visited several times in the past. Noted that wonderful bike lanes were implemented in several areas of the city including the area where the Olympics were held. However, most of the people now drive cars and the bike lanes are hardly being used. She noticed that there is far less cycling than there used to be, and that vehicular traffic and associated congestion deteriorated significantly.

**Consensus was reached among the BPAC members to cancel the December BPAC meeting for a lack of agenda items.**

- STAFF ORAL COMMENTS

In response to concerns reported by BPAC members, staff provided the following information:

1. The bottle brush plants on westbound Evelyn Avenue near Mary Avenue were trimmed at the end of October;
2. Vienna Drive was swept on November 4, 2010;
3. Exposed wires in the northbound through lane on Sunnyvale Avenue at California Avenue are from old detector loops that are no longer being used at the intersection;
4. There are no bike detectors at the intersection of Oakmead Parkway/Arques Avenue, and the Division of Transportation and Traffic is planning to install loops to detect bicycles for the northbound and southbound left turn movements.
5. The intersection of Bernardo Avenue and Remington Drive has been evaluated several times in the past and has not met the conditions required for traffic control installation as provided by the federal and state governments. The recently completed analysis also indicates that this location still does not experience many of the conditions that warrant the installation of new traffic controls. However, warrant analysis shows that the warrant for street classification is met, and traffic volumes approach the levels necessary to meet signal warrants. City staff notes that at least one approach to the intersection is on a curve, which introduces line of sight challenges for drivers. This may cause drivers to divert to other locations on Bernardo Avenue to avoid the intersection. Also, vehicle volumes and speeds on Bernardo Avenue discourage pedestrian traffic, and no pedestrian crossing facilities are provided because there are no positive traffic controls for motor vehicles. Given these conditions, staff believes the installation of a traffic signal will facilitate a more orderly and safe flow of traffic and will improve pedestrian conditions at the intersection. A report to council will be prepared and staff will recommend that the City Council approve the installation of a traffic signal at

this location. Funds are budgeted for completion of the work and design will begin upon approval by the City Council.

**INFORMATION ONLY ITEMS**

4. BPAC E-mail messages and/or letters since circulation of the agenda packet of the October 21<sup>st</sup> meeting along with their responses were accepted as submitted in the agenda packet
5. BPAC Active Items List was accepted as submitted in the agenda packet.

**ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.

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Respectfully submitted by:

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



**Bicycle and Pedestrian Advisory Commission Master Work Plan**

**Calendar Year:** 2011

List all regularly scheduled board/commission meetings, annual review of the Code of Ethics and Conduct for Elected and Appointed Officials, specific issues identified in the Tentative Council Meeting Agenda Calendar, and routine assignments specific to each board or commission.

Meeting Date	Agenda Item/Issue
January 20	<ul style="list-style-type: none"> <li>- 2011 BPAC Calendar</li> <li>- Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials</li> <li>- Design of the Stevens Creek bike/pedestrian bridge over-crossing SR 85 at Sleeper Avenue (Information Item)</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List (Information item)</li> </ul>
February 17	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Allocation of the Transportation Development Act (TDA) Funds</li> <li>- Council ranking of Study Issues (Information item)</li> <li>- FY 2011/12 Curb Ramp Installation and Road Resurfacing Lists (Information item)</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>
March 17	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Utility Bill Stuffer Concepts</li> <li>- Update on the City's Climate Action Plan (CAP)</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>
April 21	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Mary Avenue Concept Plan</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>
May 19	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Review of the Detailed Two-Year Budget</li> <li>- Draft Utility Bill Stuffer</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>

Meeting Date	Agenda Item/Issue
June 16	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Volunteer Recognition</li> <li>- Update on the ongoing work on the LUTE</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>
July 21	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- City of Sunnyvale 2011 Local Appointment List for Boards and Commissions (Information Item)</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> <li>- Election of Officers (This is an Action item to be addressed at the end of the meeting)</li> </ul>
August 18	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Update on the ongoing work on the LUTE</li> <li>- Study and Budget Issues Development</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>
September 15	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Study and Budget Issues Finalization</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List Update (Information item)</li> </ul>
October 20	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Update on the ongoing work on the LUTE</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List (Information item)</li> </ul>
November 17	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- Ranking of Study Issues</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List (Information item)</li> </ul>
December 15	<ul style="list-style-type: none"> <li>- Updated 2011 BPAC Calendar</li> <li>- 2012 Work Plan</li> <li>- BPAC E-mail Messages and/or Letters (Information item)</li> <li>- BPAC Active Items List (Information item)</li> </ul>