



DRAFT

**SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION
Meeting Minutes – May 17, 2012**

The Sunnyvale Bicycle and Pedestrian Advisory Commission met at 6:30 p.m. on May 17, 2012 with Commission Chair Ralph Durham presiding. The meeting was held in the West Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale.

ROLL CALL/CONSIDERATION OF ABSENCES

Members Present: Cathy Switzer
David Gandrud
James Manidakos
Ralph Durham
Angela Rausch
Andrea Stawitcke

Members Absent: None.

**Council Liaison
Present:** Chris Moylan

Staff Present: Jack Witthaus, Transportation and Traffic Division Manager, Department of Public Works
Christy Gunvalsen, Neighborhood Preservation Manager, Department of Public Safety

Visitors: Anthony Spitaleri, Mayor
Kevin Jackson, Horizon 2035 Committee member
David Simons, VTA BPAC Representative
Kimberly Hubble
Tammy Reed
Dave Jones
Patrick Grant
Richard Kolber
Unknown citizen

SCHEDULED PRESENTATIONS

Recognition of Departing Bicycle and Pedestrian Advisory Commission Members

Mayor Spitaleri and Council Liaison Moylan presented Certificates of Achievement to departing BPAC members Ralph Durham and Andrea Stawitcke, and praised them for their service.

Neighborhood Preservation Division – Vision Triangle Enforcement

Neighborhood Preservation Manager Gunvalsen gave an overview of the Neighborhood Preservation Division's code enforcement procedures and activities, and answered questions from

the BPAC. The Chair recognized VTA BPAC Representative Simons and Horizon 2035 Committee member Jackson, who asked questions.

PUBLIC ANNOUNCEMENTS

(Speakers are limited to 3 minutes for announcements of related board/commission events, programs, resignations, recognitions, acknowledgments)

Kevin Jackson announced reduced membership fees for joining the Silicon Valley Bicycle Coalition in the month of May. He summarized the status of SB 1464, a bill to consider minimum passing distances from bicycles. He presented his experience fitting bicycle helmets at the City's Fit and Fun Fair. He announced a Family Fun bike ride at Ponderosa Park on May 19, and a Family Fun Bike Night at Vargas School on May 21. He announced the scheduled grand opening of the Highway 85/Dale-Heatherstone bicycle bridge on June 23.

CONSENT CALENDAR

- 1.A) Approval of the Draft Minutes of April 19, 2012 Meeting
- 1.B) Updated 2012 BPAC Calendar

Items 1.A was pulled by Commissioner Stawitcke and 1.B was pulled from the consent calendar by Vice-Chair Manidakos.

- 1.A) Approval of the Draft Minutes of April 19, 2012 Meeting

Commissioner Statwitcke noted on Page 5 that the reference to Commissioner Statwitcke under the Non-Agenda Items and Comments should refer to Commissioner Switzer. Vice-Chair Manidakos noted under the VTA BPAC Appointment item that he had requested that the Commission consider criteria or guidelines for a VTA BPAC appointment in July. Commissioner Gandrud asked that his comments under Non-Agenda Items and Comments regarding a Bus Rapid Transit meeting should state that he found questions asked at the meeting to be excellent and insightful.

The Chair opened the public hearing. Kevin Jackson noted that Grace Sun's comments had also referenced accessory dwelling units being constructed on Pastoria Avenue. He clarified his comments under the Study Issues item to state that donation of property is proposed for providing off-street parking, not bicycle and pedestrian facilities, and that he believes the City should determine a threshold for accommodating vehicles on private property based on a reasoned determination of want of vehicles versus need for vehicles.

Motion by Switzer, second Manidakos, to approve the minutes as amended, 5-0-1, Stawitcke abstaining due to absence at the April meeting.

- 1.B) Updated 2012 BPAC Calendar

Vice-Chair Manidakos asked that the calendar be amended for the Commission to consider criteria or guidelines for a VTA BPAC appointment in July.

Motion to approve the Updated 2012 BPAC Calendar by Stawitcke, second Switzer, to approve Item 1.B as amended.

By order of the Chair, the Commission adjourned at 7:10 P.M. to enjoy treats provided to celebrate outgoing members' terms. The meeting was resumed at 7:20 P.M.

PUBLIC COMMENTS

This category is limited to 15 minutes, with a maximum of three minutes per speaker. If you wish to address the board or commission, please complete a speaker card and give it to the Recording Secretary or you may orally make a request to speak. If your subject is not on the agenda, you will be recognized at this time; but the Brown Act (Open Meeting Law) does not allow action by board or commission members. If you wish to speak to a subject listed on the agenda, you will be recognized at the time the item is being considered by the board or commission.

A citizen requested information on when the Pastoria Avenue bike lanes issue would move forward.

Tammy Reed presented information on her personal observations of the volume of parked vehicles on Pastoria Avenue. She stated that there are lots of homes with second units and insufficient off-street parking, and that families with high school age drivers often must have at least three vehicles. She stated that she believes a City street tree in front of her home is in need of trimming.

PUBLIC HEARINGS/GENERAL BUSINESS

4. ACTION: Bicyclist Anti-Harassment Ordinance – Study Issue

Staff gave a brief report. Commissioner Gandrud asked that clarifying language be added to the Report in Brief section of the Report to Council to state that the proposed ordinance does not preclude pursuit of remedy through the criminal court system. There was discussion of criminal versus civil law approaches.

The public hearing was opened. Richard Kolber inquired as to whether the ordinance would apply to an incident that he had encountered. Kevin Jackson stated that he believed language in the Report stating that the ordinance could create a misconception that the City would provide enforcement or other resources was counter to the intent of the ordinance. He believes the ordinance will raise attention and improve understanding of the law in general regarding safe driving around bicyclists. Patrick Grant presented concerns with the effectiveness of current law enforcement, and stated that the ordinance is needed to augment or provide another potentially more effective remedy than criminal enforcement. David Simons stated that he believes the ordinance is needed.

The public hearing was closed. The Commission discussed whether to recommend amendment of the ordinance to include specific examples of harassment.

Motion by Gandrud, second Stawitcke, to recommend approval of the staff recommendation to approve a bicyclist anti-harassment ordinance, and request clarification in the text of the Report to Council that the ordinance does not preclude actions by an individual in criminal court. Motion approved 5-1, Rausch opposed.

5. ACTION: Review of the Proposed Two Year Budget

Staff gave a brief report. Commissioners inquired about potential projects and schedules for budgeted projects.

The public hearing was opened. Kevin Jackson commented on Pastoria Avenue and Route 101/237/Mathilda projects. The public hearing was closed.

Motion by Stawitcke, second by Manitakos, to support approval of those portions of the budget presented to the BPAC with regard to bicycle and pedestrian services and projects, and to encourage Stevens Creek Trail funding and provision of dogs on leashes signs to improve bicycle and pedestrian safety in parks. Motion approved, 6-0.

NON-AGENDA ITEMS AND COMMENTS

- COMMISSIONERS ORAL COMMENTS

In response to an inquiry from Commissioner Switzer on a recent Council Committee recommendation for adjustment of terms for BPAC members, Council Liaison Moylan responded that the Council had approved at it's May 15 meeting a revision to BPAC member terms.

Vice-Chair Manitakos presented information on a recent hearing by the VTA BPAC on proposed changes to Caltrans standards for centerline rumble strips.

Chair Durham requested that staff distribute his acronym list to new BPAC members.

- STAFF ORAL COMMENTS

Staff announced that the City has been re-designated a Bicycle Friendly Community by the national League of American Bicyclists. A ceremonial sign was presented to Chair Durham.

INFORMATION ONLY ITEMS

1. Bike to Work Day Report Out
2. BPAC E-mail messages and/or letters since circulation of the agenda packet of the April 19, 2012 meeting.
3. BPAC Active Items List

The Commission discussed the status of recruitment for open BPAC positions, and an issue with bakfiets cargo bicycles.

ADJOURNMENT

Meeting adjourned at 8:40 p.m.

Respectfully submitted by:

Jack Witthaus
Transportation and Traffic Manager