

RESPONSE TO COUNCIL QUESTIONS RE: 12/7/2021 CITY COUNCIL AGENDA

Agenda Item #: 3

Title: Award a Contract to All City Management Services Inc. for Crossing Guard Services (F21-150) and Approve Budget Modification No. 10 in the Amount of \$92,375

Council Question: Can Staff explain (again) how the intersections that are staffed are prioritized and evaluated?

Staff Response: Crossing guard intersections are evaluated based on collision history, speed, volume, presence of intersection controls (stop signs, signals) and school proximity. Prior to the start of the school year, staff evaluated each crossing guard intersection and produced a priority list for each school using the parameters provided. The priority list maintains at least one crossing guard staff for each school. Public Works is currently conducting a traffic study to re-validate the need/priority of each identified intersection, to be completed by the end of calendar year 2021.

Council Question: I have heard multiple complaints about ACMS's ability to staff intersections this school year. Have those issues been resolved appropriately? How do we track the success/feedback of ACMS in providing services to the city?

Staff Response: Since the beginning of the school year, staffing has been an ongoing challenge. The only solution is for ACMS to hire more crossing guards. They are actively recruiting, with DPS support. School districts have also received and have distributed recruitment information flyers provided by ACMS.

Staff is retaining all emails that DPS receives containing complaints and compliments. ACMS provides a weekly staffing report to the Safe Routes to Schools Coordinator who is compiling this data into a tracking sheet to be maintained throughout the term of the contract. Procedures are in place such that any issues are reported and addressed on the day they occur via direct contact from DPS to ACMS.

Council Question: The Staff report from 2015 showed the cost comparison of crossing guards as opposed to city casual employees. Have we talked with other cities that are utilizing private service providers to see how ACMS's costs compare?

Staff Response: Cupertino, Palo Alto, and Harker Schools in San Jose all use ACMS.

- Cupertino reported that they had only two responses to their RFP. They have 16 guards at 14 schools. They are paying guards a four-hour minimum day for approximately two-hour shifts. Effective 1/1/2021, their cost per hour for a two-hour shift will be \$49.84, based on a minimum wage of \$16.10/hr.
- Palo Alto has been in a long-term contract with ACMS since 2018. Because of that, they have a very good rate. They pay a 3-hour minimum for a 2-hour workday (pursuant to state split-shift laws). Their effective hourly rate for a two-hour shift is \$36.21. ACMS informed us that they will no longer engage in long-term contracts that lock in rates.
- Harker Schools in San Jose pay \$42.56 per hour for guard services. Their agreement is to pay for hours worked.

Council Question: The crossing guard service hourly rate has gone up dramatically in the last two years (more than just minimum wage and split shift wage requirements). Does the City still consider private service preferable to managing casual employees?

Staff Response: The cost of managing casual employees would include not insignificant costs for recruiting, backgrounding, hiring and training, which would be an ongoing process due to turnover. The City would also bear the full cost of liability insurance, unemployment insurance and worker's compensation. In addition, DPS would require the addition of a fulltime administrative position to manage the program. When DPS previously managed the program, vacancies and no shows were staffed by CSOs and PSOI's, which resulted in a very high cost per intersection. Based on these factors, DPS considers a private service preferable.

Council Question: Does Staff agree that our 80-cent minimum wage increase correlate to a \$2.16 increase (for January hourly wage)?

Staff Response: Sunnyvale's hourly rate also includes the cost of 2 supervisors at \$28.65/hr. Our markup in 2021 was 71% (guard pay @ \$24.45/hour, bill rate of \$41.78/hour). The proposed rate increase is consistent with that markup (guard pay @ \$25.65/hour, bill rate of \$43.94/hour).

The pay rate for guards includes a bonus hour to account for state wage law requiring an additional hour for a split shift. The guard pay rate proposed for January 1, 2022 is \$25.65, which would equate to \$17.10 per hour. ($\$17.10 \times 3 \text{ hours} = \51.30 . $\$51.30/2 = \25.65).

ACMS provided the following information on the contract cost:

Guard Wages	\$ 494,055.00
Supervisor Wages	\$ 63,603.00
CA Sick Leave	\$ 8,935.00
Employers Payroll Taxes	\$ 65,054.00
Workers Compensation	\$ 66,627.00
Liability Insurance	\$ 16,584.00
General / Administrative	\$ 65,405.00
Field Operations	\$ 24,032.00
Operating Margin	\$ 42,067.00
Total	\$ 846,362.00

Agenda Item #: 4

Title: Accept LinkedIn's Donation of Voluntary Bicycle and Pedestrian Facility Improvements on Maude Avenue between Sunnyvale/Mountain View City Limits and Approximately 400 feet West of North Mathilda Avenue with an Estimated Construction Cost of \$1,180,000 and Finding of an Exemption from the California Environmental Quality Act

Council Question: There is talk in the Staff report about "bicycle queue boxes" however I didn't see that called out anywhere on the preliminary designs. Can Staff elaborate?

Staff Response: The two-stage bicycle left turn queue boxes will be implemented on westbound Maude Avenue at Macara Avenue, eastbound/westbound Maude Avenue at Pastoria Avenue, and northbound/southbound Mary Avenue and eastbound/westbound Maude Avenue at the intersection of Maude Avenue at Mary Avenue. Below is a picture of a typical two-stage bicycle left turn queue box.



Agenda Item #: 5

Title: Introduce an Ordinance to Add Chapter 10.62 of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code Relating to Exhibitions and Speed Contests, Amend Section 1.04.101(b) of Chapter 1.04 (General Penalty) Relating to Violation-Misdemeanor or Infraction, and Adopt a Resolution to Amend the City Fee Schedule

Council Question: How does the \$500 and \$750 proposed fines compare to other cities that have implemented similar fines/ordinances for sideshow activity?

Staff Response: See below for spectator and promoter fees for other cities.

	Fairfield	San Jose	Vallejo
Spectator	\$1,000 (misd)	\$1,000 (misd)	\$1,000 (misd)
Promoter	no ordinance	\$1,000 (misd)	\$1,000 (misd)