

## RESPONSE TO COUNCIL QUESTIONS RE: 9/27/2022 CITY COUNCIL AGENDA

**Agenda Item #: 4**

**Title:** CONTINUED FROM AUGUST 30, 2022

Selection of the Sunnyvale Avenue Underpass Tunnel Option to be Defined as the Proposed Project for the Grade Separation of Crossing of the Caltrain Railroad Tracks for the Environmental Review

Council Question: With the Bike and Ped Only Tunnel option, Route 55 would require a reroute to Mathilda or Fair Oaks. Does VTA have an estimate on what the increase on bus travel times would be going from North Sunnyvale to Fremont High School?

Staff Response: VTA has not analyzed in detail the potential impacts related to rerouting their bus Route 55 to either Mathilda Avenue or Fair Oaks Avenue. Generally, you can assume that public or private transit/shuttles using Mathilda Avenue or Fair Oaks Avenue would experience the same delays as what vehicular traffic would encounter as a result of the Bike/Ped Only Tunnel option in the future, not including the additional travel time and distance related to the reroute on Maude Avenue or California Avenue.

**Agenda Item #: 5**

**Title:** Authorize the City Manager to Execute an Operating Agreement with Bird Rides, Inc. for a One-year Pilot Operation of a Stand-up Electric Scooter Sharing Program

Council Question: Would the Bird scooters be prohibited from the closed section of Murphy Avenue? Would this be done automatically with the Bird GPS?

Staff Response: Yes, scooters would be prohibited from operating on the closed section of Murphy Avenue or restricted to a slower speed. This would be done automatically using GPS.

Council Question: Is there a reason that the pilot is only scooters and not bicycle-share as well?

Staff Response: Staff asked Bird but they did not want to provide the bicycle share at this time. If we develop a permanent device share program we can evaluate a bicycle option further.

Council Question: Beyond the Farmer's Market outreach, what education and permanent information is planned while the program is in place? Please

see: <https://www.santaclaraca.gov/Home/Components/News/News/43847/3171>

Staff Response: Additional outreach will be jointly planned with Bird subsequent to the initial launch. Staff will also be investigating the preparation of a news release similar to the one referenced or development of a web page with applicable information also.

Council Question: Besides the \$10K bond, is there a financial revenue benefit for the city envisioned beyond the pilot program? If the pilot program is successful, what would happen at the end of 1 year (or 2 years, with the one-year extension)?

Staff Response: The pilot is envisioned as a transportation alternative option for members of the public to use beyond using automobiles. There is a potential that revenue will be increased for retail and commercial businesses due to increased availability of alternative travel modes. As part of the evaluation of the pilot program, staff will look into the possibility of forms of revenue sharing with providers if a permanent program is developed. After the end of the initial one year pilot program, if deemed successful, and directed to, staff will be taking into consideration public input, staff resources needed, usage of the device, problems encountered, support from the commercial/retail/employer properties, and interest from other device share providers to develop a program for implementation in the City.

**Agenda Item #: 6**

**Title:** Introduce an Ordinance Amending Section 9.62.090 of Chapter 9.62 (Public Parks) of the Sunnyvale Municipal Code

Council Question: What would be the potential fine for being cited for being in a park after posted hours?

Staff Response:

The proposed amendment to Ch. 9.62 would involve an infraction (not a misdemeanor) violation of the Sunnyvale Municipal Code. All infractions are handled in Santa Clara County Superior Court, Traffic Division (even infractions not involving the operation of a car). After a meeting with the Traffic Commissioner, staff understands that the Court has the authority to set the bail schedule itself (the cost a defendant has to pay to access a court hearing on the underlying citation), which is intentionally set low or at \$0 in the interest of justice. Once a hearing occurs and if the Court determines that the violation took place, the Court also has the discretion to set a fine, but they may take into account the City Council's intention as demonstrated in the schedule of fines and fees. Assuming Council introduces the Ordinance, staff would bring an item for the Council's consideration regarding an amendment of the fine schedule at a later date.