

## RESPONSE TO COUNCIL QUESTIONS RE: 5/2/2023 CITY COUNCIL AGENDA

### **Agenda Item #: 1.C**

**Title:** Accept Google LLC's Donation of Voluntary Midblock Crosswalk Improvements on Borregas Avenue with an Estimated Construction Cost of \$126,000 and Finding of an Exemption from the California Environmental Quality Act

**Council Question:** Is there a requirement for another Midblock crosswalk – say around Gibraltar Drive? The distance from this crosswalk to Java drive might require another crosswalk.

**Staff Response:** There is no minimum or maximum distances per federal or state standards for distances between marked crosswalks. We take into consideration visibility, origins and destinations of pedestrians, desired path of travel, nearby controlled crossings (if any), lighting, and traffic volumes when installing crosswalks at intersections. When considering midblock crosswalks, we have to factor in the number of pedestrians crossing, motorist expectations, and installation and maintenance costs when determining if a crosswalk is installed and if additional warning features are also required like such as rectangular rapid flashing beacons. Per the California Vehicle Code at intersections, pedestrians can legally cross at any corner regardless if there is a marked crosswalk or unmarked crosswalk unless prohibited by signs. At the intersection of Gibraltar Drive/Borregas Avenue, a marked crosswalk was installed by Google as part of their approved development improvement plans.



**Agenda Item #: 2**

**Title:** Public Hearing to Adopt a Resolution Confirming the Annual Report to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District (BID) for Fiscal Year 2023/24

Council Question: Table Attachment 1, Page 6 of 14: What is the *Developer Support*? Why is projected to be \$105K down this year?

Staff Response: The downtown project developers agreed to a specific amount of funding for the first three years, which ends in July 2023, and moving forward, it has been reduced significantly. The SDA will continue to pursue additional sponsors and will update budget accordingly.

Council Question: Given that these may still be difficult economic times for many and that these Sunnyvale Downtown Association organized events can help to renew customer support for the downtown retailers which brings revenue to Sunnyvale, offers stability to the downtown, and a positive downtown experience for the Sunnyvale Community, what are some constructive strategies on helping to overcome the projected \$25,650.00 in red for the Net Income as shown on the Sunnyvale Downtown Association Statement of Activities projected Jul 2023 to Jul 2024?

Staff Response: The SDA has control over the budget and will adjust expenses and activities accordingly based on additional funding sources or increased event revenue.

**Agenda Item #: 3**

**Title:** Consider Approval of Draft 2023 Housing and Urban Development (HUD) Action Plan

Council Question: Table 2, Recommended allocations in 2023 Action Plan (Attachment 1, Page 3/6): FY 2023-24 Funds Remaining under HOME is \$754,214 – does this mean that it will be “Funds disencumbered/Fund Balance” for next year? Why are these funds not allocated?

Staff Response: Correct. Staff is not allocating any HOME funds this fiscal year because we are currently on year two of a two-year contract with Sunnyvale Community Services to operate the Tenant Based Rental Assistance (TBRA) program. Next year, staff will release all available HOME funds for a new TBRA contract.

Council Question: Attachment 2, Section 1, Introduction: Second paragraph “In addition ...” is duplicated from the previous paragraph last few lines.

Staff Response: Noted, staff will fix before HUD submittal.

Council Question: Attachment 2, Page 5/44 (Section3 Evaluation of past performance): About 6<sup>th</sup> line in this section, it says the City evaluates the performance of Subrecipients on a quarterly basis. Who are the subrecipients? Are their quarterly progress reports publicly available?

Staff Response: Subrecipients are all grantees that receive funding from the City through CDBG or HOME. Quarterly reports are submitted (by the subrecipients) with invoices to be funded; they are not made public.

Council Question: Attachment 2, Table 2 (Page 10/44) mentions Community Forum on 4/19/23, was this a public forum?

Staff Response: Yes, the Housing and Human Services Commission was a public hearing meeting open to all applicants and members of the public to comment on the Draft Action Plan.

Council Question: Attachment 2, AP-65 (page 34/44) mentions *WorkFirst* program. Is there any data of how many “team-members” are trained and hired.

Staff Response: Sunnyvale Community Services and Downtown Streets Team application for WorkFirst funding in 23/24 identified that the program would assist 70 homeless clients with job training and job placement services, to enable them to obtain or improve their employment and housing opportunities. Due to the lower funding recommendation from the amount requested, it can be assumed the number of clients served would decrease slightly.

Council Question: Attachment 2, Section “Addressing the emergency shelter ....” Page 34/44 – There is no mention of *HomeFirst*. Does not the City pay Homefirst of Emergency Shelter and outreach?

Staff Response: HomeFirst is not funded through City CDBG or HOME funds and therefore is not included in the Action Plan. HomeFirst is funded as a project in the General Fund and was approved as a 1-year pilot program. The recommended budget for FY 23/24 has a request for the pilot program to continue for one additional year.

Council Question: Attachment 2, Second Paragraph Page 35/44, the HomeFirst Sunnyvale funding is \$515,258 (this amount is different from Attachment 1, Table 2)

Staff Response: The \$515,258 reflects all CDBG funds allocated towards assisting homeless individuals – this includes Workfirst, YMCA, and Next Door combined.

Council Question: While the rehabilitation/electrification of Carroll Inn is a laudable project, aren’t there funding sources from SVCE to help with this proposed project? (SVCE Multifamily Direct Install program)

Staff Response: There may be other funding sources available to supplement MidPen’s CDBG application for Carroll Street Inn, however MidPen needs every funding source possible to complete this renovation. The renovation for Carroll Street Inn is a substantial project and certain funding sources can only cover certain aspects of the project, for example CDBG funds are very specific to

which activities can be covered such as energy efficiency. In addition, timelines for funds are critical and MidPen must ensure all funding sources are available/expended by specific deadlines so that all grant/loan requirements are met.

Council Question: There is a 15% Cap in Public Services from CDBG funding, however, we are currently not at the maximum for that section, correct? Can you explain the breakdown among Public Services/Capital Projects/Administration funding.

Staff Response: Staff has proposed the maximum amount of CDBG entitlement award for public service, which is 15% of our annual entitlement. Administration is capped at 20% of the annual entitlement while Capital Projects is allowed for the remaining 65%. Small amounts of Program Income can be allocated towards administration and public services at the discretion of the City, but this year staff is not allocating any Program Income towards public services due to the need to replenish the revolving loan fund which funds the City's Home Improvement Program operation. This funding scenario is planned for the foreseeable future until the fund has a healthy operating balance.

Council Question: As shown in the "Excerpt of Final Minutes of the Housing and Human Services Commission Meeting of March 22 2023," and in regard to the request for "...additionally including a cost of living, or inflationary annual increase to the General Fund Supplement..." in the motion at the end of the document, what are some thoughts on the feasibility of this request in the motion and what are so outcomes with and without the increase?

Staff Response: The HHSC has recommended increases to the supplementation General Fund amount for human services for several years due to increasing needs, however, the Council has kept the funding at \$135,000. This year, based on the most recent recommendation from the Commission and Council's consideration of priority needs from November 2022, Council requested staff to bring a CPI increase for human services as a budget workshop item for consideration. Therefore, the Council will consider referring this increase (for consideration with the budget) at the Council's May 18, 2023 workshop. An increase to the General Fund human services grants is not included in this item because the Action Plan only allocates HOME and CDBG funding, not General Fund. Outcomes without the increase could result in either fewer grantees receiving awards or smaller grant amounts, as agency costs and needs increase; agencies may also stop applying or working in Sunnyvale if grant awards are too small. With additional inflationary funding, the City can keep up with rising inflationary costs of our partner agencies.

**Agenda Item #: 4**

**Title:** Public Safety Military Equipment Use Annual Report Pursuant to California Assembly Bill No. 481

Council Question: Are the reports on pages 64/68 and 65/68 (attachment 1) available to the public on the City's website? If so, please provide the URL.

Staff Response: The unmanned aircraft system (UAS) is available to the public on the City's website, link included below. The armored response vehicle (ARV) information is not available to the public on the City's website, however, following every patrol deployment of the ARV, the Chief provides a

subsequent notification to City Council.

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/546/638179227886570000>

**Council Question:** I spotted an error in Tuesday's packet. On page 1 of agenda item 4, it states the third drone was approved in November, 2023.

**Staff Response:** The correct date for when the Public Safety Military Equipment Use Policy was updated to increase the authorized quantity of unmanned aerial systems, commonly referred to as drones, from two to three devices is November 1, 2022. Here is a redline showing the correction in context.

*On November 1, ~~2022~~2023 (RTC No. 22-0991) Ordinance, No. 3191-22 was amended to authorize the purchase and use of a third Unmanned Aerial System (UAS drone) which was added to the existing list of authorized military equipment.*

**Agenda Item #: 5**

**Title:** Introduce an Ordinance to Repeal and Re-Adopt Sunnyvale Municipal Code Chapter 12.60 (Stormwater Management) and Find That the Action is Categorically Exempt From the California Environmental Quality Act (CEQA) Pursuant to Section 15308 of the CEQA Guidelines

**Council Question:** Will the projects (not approved by 6/30/23) be assessed with additional permit fees for the stormwater permit?

**Staff Response:** Project applicants that have already paid their permit fees would not be assessed additional fees.

**Council Question:** The staff report says that CDD is evaluating whether changes to permit fees are needed to address the ongoing cost of stormwater review during permit processing. Will the increase be finalized for the next fiscal year.

**Staff Response:** Staff will evaluate the cost of stormwater review during FY 23/24 and consider changes to the annual fee schedule for FY 24/25.

**Council Question:** When will he have an estimate on how this implementation of the requirements will affect the project budgets of ongoing projects? How will the increase to future projects be called out? Will all of this be part of the 2023/24 Budget?

**Staff Response:** For City projects that were already required to meet the stormwater treatment requirements based on the previous permit, the costs had been integrated into the project budgets. Not all projects will need stormwater improvements as many of the infrastructure projects (such as pipelines and repaving) will be classified under the heading of "maintenance."

Staff has determined that no additional projects scheduled to begin work in the next two years meet the expanded criteria (for example, between 5,000 and 10,000 square feet of impervious area or road reconstruction projects more than one acre). As staff identify additional regulated projects, their budgets will be adjusted during the next available Projects Budget cycle and/or the budget evaluated after the design is completed, when costs for a specific project are better known.