

RESPONSES TO COUNCIL QUESTIONS RE: 4/7/15 AGENDA

CONSENT CALENDAR:

Item 1.D.

Does the higher bid represent a trend in public works bids, or is this a unique situation?

Staff Response: Bid pricing for public works projects has been trending up over the last year, likely attributable to increasing materials cost and demand. This trend is expected to continue with the robust economic cycle.

PUBLIC HEARING/GENERAL BUSINESS:

Item #2

What is the "exemption permit" referenced for Palo Alto, and can our city operations have one if not - other questions:

Staff Response: The City of Palo Alto's ban of gas powered blowers applies only to residential zones and was administratively applied to City operations. The Palo Alto Municipal Code specifically includes an Exemption Permit Process. Under this process, if an applicant can demonstrate to the city manager or his designee (in this case the Police Department) that a diligent investigation of available techniques indicates that immediate compliance with the code requirement would be impractical or unreasonable, a permit to allow exemption from the requirements (all or a portion) may be issued with appropriate conditions to minimize the public detriment. Sunnyvale can include a similar exemption permit process.

While Palo Alto city operations did not have to apply for an exemption permit, staff did so to be consistent with the administrative direction to apply ban to city operations and only use exemption in limited situations. Sunnyvale can develop municipal code requirements regarding leaf blowers that are not applied to city operations without the use of an exemption permit.

If one bans leafblowers in residential zonings, does that actually ban leafblowers in parks?

Staff Response: No. Banning leaf blowers in residential zones would not apply the ban to parks. Parks have a different zoning designation and are zoned "Public Facilities."

Can one legally ban leafblowers " in residential zonings, with the exception of parks"?

Staff Response: Yes. Residential zones do not include parks, which have a different zoning designation of "Public Facilities."

Can one legally ban leafblowers "in residential zonings, with the exception of public facilities"?

Staff Response: Yes. Banning leaf blowers in residential zones would by definition exclude parcels zoned as Public Facilities (which includes parks and other city facilities including City Hall, Community Center, and others.)

Can one legally ban leafblowers "in residential zonings, except for parcels with size > 2 acres"

Staff Response: Yes. The City could ban or limit the use of leaf blowers in specified zoning districts and could create exemptions such as by parcel size, so long as there is a rational basis for doing so.

Could one require a permit for use of an leafblower, where getting the permit entails paying a fee, attending a class, and having a measurement taken on the equipment to be used (fee might be big enough to cover the cost of the class and measurement and admin, so it might be rather large),

Staff Response: The City could require that only certified leaf blowers be operated within the City or within specific zones. The City would need to determine what criteria must be met to receive certification and this approach would require resources to administer as a new function.

Can one require registration of leafblowers?

Staff Response: The City could require that operators register their leaf blowers with the City. Parameters such as who the requirement would apply to (for example: residents; property owners; or business with a Sunnyvale business license for gardening or landscaping service) and what other operational requirements would be included as part of the registration, such as noise rating of the leaf blower, type of engine, etc. This approach would require resources to administer as a new function.

Can one require registration of leafblowers at the point of sale, together with payment of a registration fee, and pre-payment of a permit fee?

Staff Response: Due to the fact that leaf blowers can be purchased from any location, requiring registration at point of sale would be challenging and would not capture all leaf blowers used in Sunnyvale. The City would not be able to apply registration requirements to stores not located in Sunnyvale. Such a registration and fee program would require substantial cooperation of the stores (tracking, fee collection, remittance, and reporting to City) and resources for administration on the part of the City as a new function.

Item #3

The proposed alternatives make it possible for projects to use tandems and stacker spaces. But there is a difference between tolerating these configurations and promoting them. What means do we have to make them a potential option for projects but to make them the exception and not the rule? Can we create guidelines that indicate that, for

instance, specific space or layout considerations need to be present to justify their use?

Staff Response: The ordinance specifies when tandem and stacker parking can be allowed, e.g. for multi-family housing, a maximum percentage is defined.

Tandem spaces must be assigned to the same unit, and unassigned spaces cannot be tandem spaces. The size of the tandem and stacker parking spaces would be the same as for independently accessible spaces. If the desire is to allow them as an exception only, then additional criteria/standards should be defined as to when these parking options could be considered, e.g. for developments near transit stations only, when unusual site or development constraints exist, or if other project benefits are realized with the space saving from tandem/stacker parking. Depending on the provisions, these can be specified in the ordinance or developed as design guidelines.

Item #4

For 7.4-2 1A, is there actual value in calling out "key card and mechanical key", as compared to something more generic, like "the means to access City Hall and both the Office..."? As written, we have to change policy whenever we change security mechanisms at City Hall.

Staff response: A more generic reference to building and office access would be an improvement. Thank you for the suggestion.