

RESPONSES TO COUNCIL QUESTIONS RE: 4//28/15 AGENDA

CONSENT CALENDAR:

Item 1.C.

Where does the revenue for the city payments of \$1.50/ton and \$2.60/ton come from? Where does the money needed for payment originate?

Staff Response: The \$1.50 and \$2.60 (a total of \$4.10) per ton of waste disposed are paid by the City's Solid Waste Fund to Waste Management, Inc., the operator of Kirby Canyon Landfill. The Solid Waste Fund is primarily funded by the refuse collection charges paid to the City by Sunnyvale residents and businesses, along with other miscellaneous fund revenues.

Waste Management then pays to County of Santa Clara \$4.10 for each ton of waste disposed at the landfill from all sources. The County similarly collects this fee from the other landfills located in-county and from solid waste facilities that transfer waste to disposal sites located outside Santa Clara County. The California Integrated Waste Management Act (AB 939, enacted in 1989) authorizes local jurisdictions to impose fees based on the types or amounts of solid waste generated to be used to pay actual costs incurred in preparing, adopting and implementing integrated waste management plans, as well as in setting and collecting the local fees.

With regard to the \$1.50 per ton portion of the fee, Santa Clara County returns to Sunnyvale and each of the other 15 jurisdictions \$1.50 per ton of waste originating from that jurisdiction and disposed (at Kirby Canyon or elsewhere). The City also receives a portion, prorated by population, for disposed waste that was imported from outside the County and charged the fee. Thus, the County pays to the City's Solid Waste Fund somewhat more than the City pays at Kirby Canyon. This money is then used by the Solid Waste Fund to pay a portion of the City's cost of providing recycling services to Sunnyvale residents and businesses.

Santa Clara County retains the \$2.60 per ton portion of the fee and uses it to pay for the "baseline" portion of Sunnyvale's share of Countywide Household Hazardous Waste Program costs.

Item 1.E.

The BPAC and Sustainability work plans have a bunch of discussions that don't seem to be the consequence of staff-requested or council-requested input, specifically:

BPAC:

- City of Sunnyvale Bicycle and Pedestrian Policies (Discussion)
- Discussion - Buffered Bike Lane Standards
- Discussion - Public Safety Department working with bicycle community
- Discussion - Bollards/Chicanes on Off-street Paths
- Discussion - State of Bicycling and Walking in Sunnyvale report
- Discussion - Program to reduce cyclist/pedestrian/motor vehicle crashes

Sustainability:

Discussion Item: Energy (CA Building Code)

Discussion Item: Leading Edge Sustainability Practices of Other Communities

Discussion Item: EcoDistrict Protocol

Discussion Item: Water

Energy (Building Code and Development)

It is the City Council that makes the decision when to devote staff time to a particular topic, and it is the City Council that makes the decision when to create a public hearing and a public debate on a given topic. So how did these items get added? And what does Council policy say, if anything, about how these items were added?

Staff Response: Council Policy specifies both generic and specific duties for each of the City's boards and commissions. Outside of these, no board or commission can self-generate issues to study or research, without the express approval of Council (for policy issues) or the City Manager (for operational issues). However, this does not preclude staff from providing basic information that helps to better inform members regarding their body of work, providing that information is readily available and requires little staff effort. Staff has also not objected to adding, at a board or commission's request, agenda items that are for discussion purposes only – i.e., where there is no expectation on the part of staff to prepare materials or engage in the discussion beyond the provision of readily available information. Staff does appreciate Council's support in this regard, as requests by boards and commissions to "discuss" items could consume significant staff resources.

With respect to the Sustainability Commission, it has, since its establishment, served in a more proactive role than typical for commissions, consistent with its charter which specifies that part of its duties include that it "advise Council on how to strategically accelerate Sunnyvale's progress toward sustainability and recommend priorities, in order to promote continued regional leadership in sustainability," and "review policies governing specific practices, such as ... water conservation, renewable energy, energy efficiency, waste reduction, and urban forestry." This can require that the commission stay informed of sustainability issues and trends that Sunnyvale may not yet be implementing.

For consistency's sake, and to manage expectations, staff will on future agendas label these items as "Discussion Only". That said, if there are subjects that the Council would prefer a board or commission not spend time discussing, this would be the appropriate time to remove it from the work plan.

PUBLIC HEARING/GENERAL BUSINESS:

Item #4

Page 3 of the staff report, "Overview of the PPSP Area", lists 6.6 million sq ft existing and an additional 2.2 million sq ft allowed under current zoning. It is not clear whether the 0.9 million sq ft under construction is already included in the 2.2 million sq ft number. So the total square footage allowed under current zoning is either 8.8 or 9.7 million sq ft.

Staff Response: Staff apologizes for the confusion. Existing development potential under current zoning is 2.1 million net square feet, which includes 900,000 net square feet that have recently been completed, are under construction or have already been approved. Adding this amount to the existing 6.6 million square feet, the total development potential under current zoning is 8.7 million square feet.

The table spanning pages 3-4 of the staff report shows 9.7 million sq ft of "planned development capacity". Is this under current zoning or under the proposed plan?

Staff Response: 9.7 million square feet is the total planned development capacity for the proposed Specific Plan policy framework. This assumes a plan capacity of 2.2 million additional net square feet over existing and under construction and approved projects.

Page 1 of Attachment 2 mentions 1.2 million sq ft remaining under current zoning, but page 3 of the staff report says 2.2 million sq ft remains under current zoning. Which is correct?

Staff Response: 1.2 million square feet is the correct number of potential development under current zoning.

Table 2 on page 4 of Attachment 2 shows a net increase of 2.2 million sq ft. Is this an increase over what is currently zoned, or is it an increase over what is currently built and under construction?

Staff Response: 2.2. million square feet is the net increase over the existing, under construction and already approved projects, and is not over the current zoning allowance.

Depending on how all these numbers are interpreted, the proposed plan adds either 0 or 0.9 or 2.2 million sq ft beyond what is allowed under current zoning.

Staff Response: The plan would allow about 1 million net square feet above current zoning, which includes conversion of some industrial space for residential use along San Aleso.

Page 4 of the staff report mentions monitoring implementation over time and making adjustments in response to actual impacts. When will the framework for monitoring and making adjustments be brought to Council? I realize this is beyond what Council is considering this week.

Staff Response: Monitoring the progress of the plan will be addressed in the Specific Plan as part of the implementation program. The Mitigation Monitoring Program for the EIR and individual environmental analyses for proposed projects will also be avenues for monitoring plan impacts.