

## RESPONSE TO COUNCIL QUESTIONS RE: 4/11 CITY COUNCIL AGENDA

### **Agenda Item #: 1.B.**

#### **Title: Approve City Council Special Meeting Minutes of April 4, 2017**

Council Question: Should these minutes reflect that Councilmember Smith's absence was excused?

Staff Response: Yes, Councilmember Nancy Smith's absence was an excused absence. A correction to the draft minutes has been prepared and will be made available on the dais and in the Council Chamber Public Review Binders Tuesday night.

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

#### **Title: Approve the List(s) of Claims and Bills Approved for Payment by the City Manager**

Council Questions: On the payment for \$157,245.90 to ICC General Contractors Inc, please describe the nature of the payment and the work performed by the vendor. Further, please describe the internal financial control processes in place to ensure the payment was duly authorized and properly accounted for.

Staff Response: On December 13, 2016, City Council awarded a construction contract in the amount of \$1,955,026 to LCC Construction for the modernization of park buildings at DeAnza, Washington, Raynor, and Ponderosa parks. Work for this invoice included mobilization, demolition, framing, rough electrical, and rough plumbing. Construction Progress Payments like these are paid based upon the bid amounts received during the bid opening. Each month the contractor and the City review all the progress that has been completed and the contractor generates a pay letter application according to the construction contract's payment schedule. The City (including the City's construction inspector) receive and review the payment request and ensure that it aligns with the work performed and the contract. After any discrepancies are resolved it is reviewed again and ultimately approved by the Department of Public Works in accordance with established approval levels and sent to Finance for payment. Budgetary control is set by Council.

### **Agenda Item #: 1.D.**

#### **Title: Award of Contract for Vision Zero Plan (F17-024), Finding a California Environmental Quality Act (CEQA) categorical exemption and Approval of Budget Modification No. 38 in the amount of \$33,476**

Council Question: If a majority of the Council were to agree, and considering both staff workload and pressures on the City's budget, would it be possible to: (a) terminate the Study Issue and cease staff efforts on it; and (b) reallocate the \$183,476 towards the forthcoming Irrevocable Pension Trust?

Staff Response: After pulling the item off the consent calendar, by majority vote, the Council has the option to reject the proposal and not proceed with the procurement. Then, Council could direct staff to return to Council with a recommendation not to pursue the vision zero study and reallocate the savings.

**Agenda Item #: 1.H.**

**Title: Adopt a New Council Policy on Debt Management, Amend Council Policy 7.1.1 and Find that the Action is Exempt from CEQA**

Council Question: What is the origin of the proposed policy? Was it written from scratch, or drafted in part or in total from other cities' existing policies? Do other nearby cities have policies already in place?

- Is there any real value to spelling out a bunch of different types of debt financing in section 5, given that item k essentially says "and anything else the City wants to use"?
- 8a - there appears to be a hyphen out of place in "ad-valorem".

Staff Response: The proposed policy is based on best-practices from other cities, is responsive to SB 1029, and was reviewed by the City's financial advisor. Per SB 1029, all cities which issue debt must certify that they have adopted a debt policy. SB 1029 also specifically requires that the policy call out the type of debt that may be issued, so while other types may be issued (the catch all) the purpose of listing out the most common instruments is to enhance transparency. Thank you for catching the typo. Staff will correct it before we post the final policy.

**Agenda Item #: 3**

**Title: Proposed Project: Related General Plan Amendment and Rezoning applications: GENERAL PLAN AMENDMENT: Proposed land use designation change from Industrial to: Residential Low-Medium Density (7-14 du/ac), Medium Density (14-27 du/ac), or High Density (27-45 du/ac); or Commercial Neighborhood Shopping for 210 W. Ahwanee Avenue, a 0.41-acre site; 214 W. Ahwanee Avenue, a 0.31-acre site; and 220 W. Ahwanee Avenue, a 1.18-acre site.**

Council Question: The staff report mentions possible utility undergrounding as part of future projects. Would that include undergrounding of the power lines along the rear property line?

Staff Response: The service drops from the rear power lines would be required to be undergrounded as part of future development projects on the Ahwanee Avenue sites, but not the power lines themselves. The power lines referred to in the neighbor comment from Attachment 13 are located along the rear property line of the single-family properties on Hemlock Avenue. The tract map for the neighborhood shows a 10-foot wide public utilities easement along the rear of the Hemlock Avenue properties.

**Agenda Item #: 4**

**Title: Adopt a Resolution regarding the LAND USE AND TRANSPORTATION ELEMENT of the General Plan (2016-7708)**

Council Question: What is the source of the jobs number used in the jobs/housing ratio? What do we know generally about the methodology and sources of uncertainty in the jobs number such as difficulty collecting proprietary information or how part-time, contract, mobile, or work-from-home positions are counted?

Staff Response: The jobs number was derived by:

1. Examining the current average square footage per job (this is industrial, office and other commercial I/O/C square footage). Job numbers were obtained from the U.S. Census, on the Map resource, the result was one job per 600 square feet.

2. Using ABAG's estimate of jobs (in Projections 2009) for 2035 (109,000), which at buildout would mean one job per 505 square feet.
3. Calculating the new 2035 jobs, based on the additional I/O/C then, adding a 5% intensification factor, which results in one job per ~480 square feet.

#### **Agenda Item #: 5**

**Title: Proposed Project: PEERY PARK PLAN REVIEW PERMIT to allow a 150,651 square foot four-story office/R&D building and a detached six-level with partial underground parking structure, resulting in 100% FAR, in the Peery Park Specific Plan area. The project includes a 2,500 square foot retail space on the ground floor.**

Council Question: The applicant is proposing a whole lot of features to be built on top of the SFPUC ROW, including parking spaces and bike racks. We've seen PG&E going through some pretty extensive efforts in northern Sunnyvale to clear their pipelines of decades of unpermitted encroachments on top of their pipelines. Are we confident that the features being proposed for the SFPUC ROW have the approval of the SFPUC?

Staff Response: (Peery Park Project on Almanor) The project has received SFPUC approval and Dollinger (property owner) also has a contract with SFPUC to park on their property. No bicycle parking is proposed on SFPUC property. The bicycle racks as well as the parking structure are on Parcel 2 which is owned by Dollinger (not SFPUC).

This site is slightly different than the California Public Utilities Commission and PG&E with encroachments on gas line rights of way.

#### **Agenda Item: Information Only Reports/Items**

**Title: New Public Park at 936 East Duane Avenue (Information Only)**

Council Question: This is a small area for a park, less than an acre. Generally speaking, curved features create less usable space in a design. A more linear design that has the various amenities along the edges of the property, rather than dividing the open space, would allow for a larger amount of contiguous green space, which is pretty important for a park this small. Swegles Park does this to a much greater extent. Were there design considerations that prevent those amenities from being flush against the southern or western edges of the park? Given the limited amount of space, it would seem better if some of the new park's amenities were instead located at Swegles Park, to maximize the amount of total contiguous open space in both parks. If, for instance, the half basketball court were placed along the southern edge of Swegles Park, and the remaining features of the new park were straightened out and placed along the western edge of the new park, that would seem to create a lot more net usable, contiguous open space in both parks. I'm a little concerned that we're just trying to cram too much into one small parcel. Since we're considering the two parks to be one for the purposes of maintenance, why not think of them that way in terms of amenities and services provided? It seems like the end result would be better.

Staff Response: There were several design options that were reviewed as part of the community process for the new park, including taking into consideration how it "partners" with Swegles Park, and as discussed in the Informational Report to Council, "the improvements that are included in the new park will be complementary to Swegles Park." Staff's goal was to provide two small parks that can serve as one in terms of amenities and service, with Swegles Park having the larger open space. Recently a new

playground was installed at Swegles Park, and staff does not anticipate any future modifications. Since Swegles Park is approximately 20% larger than the new park, staff wanted to maintain the green space to the greatest extent possible. This approach provides one larger green space, instead of two smaller ones.

The design for the new park is intended to accomplish a number of goals including providing passive open space and activity areas that are different and complementary to Swegles (different age playground, fitness equipment, and a basketball court). There is also an intentional buffer between the new residential development and the more active area of the park. This is typical for new park designs and can be seen at Swegles Park (parking lot), Orchard Gardens Park expansion (passive landscape) and Seven Seas Park (passive landscape). The park could have been designed in more square shapes, but the designer and staff felt that adding curved designs provided better aesthetics that enhanced it. As an example, curved designs were used as part of Seven Seas Park, but to a much larger scale.

Of course, there are a number of different ways that the combined amenities at these two parks could have been designed and still achieved the City's goals. However, with Swegles already constructed and being larger, staff felt the proposed approach best accomplished the community and City goals. This also took into consideration that a future much larger park will be constructed at the AMD site (approximately 700 feet from Swegles) that will include other amenities as well as much larger open spaces that will provide different opportunities for the community.