

RESPONSE TO COUNCIL QUESTIONS RE: 5/9/17 CITY COUNCIL AGENDA

Agenda Item #: 1.C.

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

Council Question: For each of the following two payments, please describe the nature of the payment and the work performed by the vendor and/or the details of the payment. Further, please describe the internal financial control processes in place to ensure each of the payments was duly authorized and properly accounted for (A) \$296,604.06 to SYNAGRO-WWT INC; (B) \$316,059.83 to CALIFORNIA JOINT POWERS RISK MANAGEMENT.

Staff Response:

- (A) The payment of \$296,604.06 to SYNAGRO-WWT INC is for contractual services related to work at the Water Pollution Control Plant (WPCP). Contracted service from Synagro is part of the work described in RTC 09-291. Those goals include removal of approximately 2,000 dry tons (+/-200) a year of accumulated solids from the Oxidation Ponds at the WPCP in order to maintain pond treatment capacity and ensure adequate treatment of wastewater. The financial control process starts with the physical measurement of each load of dewatered pond solids removed from the WPCP. Dewatered ponds solids are weighed at the time of removal on the scales located at the SMaRT station giving the contractor and the WPCP required information on how many tons are removed per day of operation. The contractor then invoices the City with the total amount based on the weight of the solids removed and the unit rate per the contract. WPCP staff verify the unit price and the weight based on the information from the scales. The invoice is then forwarded onto finance for payment. Budgetary control for the contract is established per council.
- (B) On May 17, 2016, in closed session the City Council granted the City Attorney settlement authority and on June 7, 2016, the various plaintiffs in the litigation signed a settlement agreement and release, in which the City agreed to settle the matter for the payment of \$550,000 and the plaintiffs agreed to dismiss their lawsuit with prejudice. This payment of \$316,059.83 to the California Joint Powers Risk Management Authority (CJPRMA), the City's excess liability risk retention pool, was the City's final payment to satisfy its Self-Insurance Retention (SIR) of \$500,000. CJPRMA paid the remaining \$50,000 to the plaintiffs, bringing the total settlement payment to \$550,000.

Agenda Item #: 1.D.

Title: Award of Contract for Design and Construction Support Services for The Mary-Carson Water Tank No. 2 Interior Refurbishment Project (F17-110)

Council Question: Are the costs for the construction/refurbishment of the second steel tank part of the 2017-18 year budget? Or will this be brought back to Council after the design is complete?

Staff Response: Approximately \$1.6 million in funding for the refurbishment of the Mary-Carson Tank #2 is included in FY 2017/18 Recommended Budget as part of project

830170 – Refurbishment of Water Tanks. After a competitive bidding process, staff will bring the award of contract to Council for consideration.

Agenda Item #: 1.G.

Title: Award of Contract for Storm Drain Trash Capture Devices (F17-119)

Council Question: From the staff report, the installation of the 3 devices in 2015 was \$1.4 Million (about double the original \$724K estimate). The two additional areas of full capture control were estimated at \$2.6 - \$2.8 million. What is the main cause of the cost increase? Is it construction costs, equipment costs, or is it directly related to the fact that we need to duplicate the other three StormTek solutions?

Staff Response: A primary factor in cost increases for large full trash capture devices was installation costs from contractors. As staff started design on the next set of large devices, bid prices were available from other projects in the region which showed significant increases as well. With a limited pool of experienced contractors and many Bay Area cities trying to meet the same trash capture regulations, cost estimates came in much higher causing the City to re-evaluate its approach. Therefore, as a cost savings measure while meeting regulatory standards, staff is recommending the installation of smaller trash capture devices.

Agenda Item #: 1.H.

Title: Approve 2017 Board and Commission Master Work Plans

Council Question: Can staff recommend ways we can change the procedure for approving these work plans, so that we aren't doing so five months into the calendar year? The current procedure means that we're only approving half of each work plan, which defeats the purpose of Council review.

Staff Response: Council approval of the work plans is scheduled after Council approval of Study Issue presentation dates. Once Council approves the presentation dates, approved study issues are added to board/commission work plans and taken to the board/commission for approval. Council approved the study issues presentation dates on March 28, Planning Commission approved their work plan on April 24 and the work plans were brought to Council for approval at the next available Council meeting (5/9).

The Subcommittee for Boards and Commissions met in November 2016. During this meeting, the subcommittee discussed streamlining the workplan approval process. Due to a temporary staff shortage and competing priorities in the Office of the City Manager, the subcommittee's work has not been compiled yet and the Subcommittee's Chair has not reconvened a meeting. Staff intends to continue with this work effort by the end of the fiscal year.

Council Question: Regarding the BPAC work plan, what prompted the May discussion with DPS - an ongoing process, an addition by staff, or an addition by the BPAC? And why does the BPAC have both a quarterly discussion of collision reports AND an annual one? And isn't this item operational in nature, and therefore not within the BPAC's purview?

Staff Response: In September 2016, BPAC proposed a study issue (DPS 17-02 see attached) on developing a policy for investigating collisions involving bicyclist and pedestrians. During the discussion on the study issue BPAC desired to see the detailed

quarterly crash reports involving bicyclists and pedestrians. Staff recommendation was to drop the study issue, however, as part of the discussion Public Safety did agree to provide quarterly reports. Crash investigation is an operational matter and not a policy issue.

Council Question: Shouldn't all of the work plans include a scheduled Code of Ethics review? I thought I would see the El Camino Specific Plan on the Planning Commission Work Plan.

Staff Response: The Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials was inadvertently left off the Planning Commission work plan. The Planning Commission completed their annual review on March 6, which should have been reflected, in addition to the standard timeline for the annual review this December. In addition, the El Camino Real Corridor Plan should have been listed in the "Additional items yet to be scheduled" section at the end of the work plan. A revised Planning Commission work plan is attached and will be made available to the Council and the public before the Council meeting. The Council approved workplan will be presented to the Planning Commission at the next Planning Commission meeting.

Agenda Item #: 3

Title: Adopt a Mitigated Negative Declaration and a Mitigation Monitoring Reporting Program for Animal Assisted Happiness at Baylands Park, Approve the Conceptual Plan and Authorize the City Manager to Execute a Sublease Agreement between the City and Animal Assisted Happiness (AAH)

Council Question: Has the City held a meet-and-confer meeting with the County pursuant to Section 4.g. of the 2010 Sunnyvale Baylands Park Lease Agreement between the County and the City? Please elaborate.

Staff Response: Section 4 g. of the Agreement between the City and County indicates that the City and County may meet and confer to discuss the City's interest in acquiring the property that is Sunnyvale Baylands Park from the County. The lease that was signed in 2010 is for a 25-year initial period with the opportunity for an additional 10-year extension which would run into 2045.

Agenda Item #: 6

Title: Approve a Program for Paid Parking in Downtown Caltrain Commuter Lots

Council Question: Please provide an overview of the underground parking at Plaza del Sol, including number of spaces, ownership and use, as well as suitability for Caltrain parking.

Staff Response: The Plaza del Sol parking improvements are on Successor Agency to the Redevelopment Agency property approved by the Oversight Board to be transferred to the City. The improvements were developed and are maintained by the private owner of the adjacent three office buildings as part of a development agreement. The subterranean parking is part of a larger parking structure that occupies the subsurface level of the City property as well as three adjacent parcels in private ownership. The underground garage functions as a single parking structure. The City has use of the top one and one-half levels (250 spaces) and the office buildings have use of the lower two and one-half levels. In addition to the 250 parking spaces available for public parking, 320 spaces in the lower levels are available to the public after 6 p.m. on weekdays and

all day on weekends. The parking spaces available to the public are part of the parking district for the downtown, they are restricted-time parking (enforced by Public Safety) intended for downtown businesses, not Caltrain commuters.

Council Question: Could staff suggest one or more options for a timeframe and process for evaluating the effectiveness of the program and whether to adjust rates.

Staff Response: Staff has discussed evaluating the effectiveness of program during the first year of implementation and making rate adjustments in the following fiscal year and will share these findings with the Council.

Council Question: The Walker study suggested checking with Caltrain about the extent to which bicycle parking at the Caltrain station is oversubscribed. Has staff had a chance to look into this?

Staff Response: Staff has not met specifically on this; however, we have met with Caltrain on a regular basis over the last few years to discuss a number of projects and bicycle parking has not come up as a concern. Staff will follow up with Caltrain and advise of issues, if any.

Council Question: The Parking Consultant Report is almost 5 years old. I know that the easy comparison for Caltrain (whose parking price is going from \$5 to \$5.50 a day on July first), but what about other downtown parking lots pricing? Do we know the usage of the current Caltrain Lot (and estimated usage of other lots)?

Staff Response: There are no other paid lots downtown. As for Caltrain parking lot usage, we do not know actual usage of the lot; the City does not maintain the parking lot. We do however observe the Caltrain lot full during the day and have received complaints from surrounding residents on the overflow of Caltrain users parking in their neighborhoods.

Council Question: Is the City going to be requiring paid parking on weekends too? (it seems to focus on Mon-Fri)

Staff Response: No.

Council Question: Do you have more information on the system that Berkeley has contracted (that we can also get similar pricing)?

Staff Response: Berkeley's system is more comprehensive. The City Attorney looked at the Berkeley ordinance, which includes hourly parking and street meters. The only real connection to Berkeley is that we were able to utilize Berkeley's contract to obtain the meter system. Our parking program is much simpler, as it only addresses commuter lots for Caltrain riders.

Council Question: As per the Staff Report, four part-time Vehicle Abatement Officers (VAOs), allocating 25 hours per VAO per week. What is the current staffing level for this position?

Staff Response: The City's Vehicle Abatement program is staffed with four part-time VAOs working 25 hours each and managed by the Administrative Division in the Department of Public Safety.



City of Sunnyvale

Agenda Item

16-0927

Agenda Date: 2/17/2017

2017 COUNCIL STUDY ISSUE

NUMBER

DPS 17-02

TITLE Bicycle and Pedestrian Collision Analysis

BACKGROUND

Lead Department: Public Safety

Support Department(s): Public Works

Sponsor(s):

Board/Commission: Bicycle and Pedestrian Advisory Commission

History:

1 year ago: N/A

2 years ago: N/A

SCOPE OF THE STUDY

What are the key elements of the study?

The purpose of the study would evaluate the options available to the City Council in be to develop and adopting a policy for investigating all collisions involving bicyclists or pedestrians. The intent would be to have the Department of Public Safety (DPS), with assistance from the Department of Public Works (DPW), would to analyze each bicycle or pedestrian collision and determine the leading factor of the collision. In t

The assessment of the collision would include identification of any potential, the counter-measure that would have prevented the collision will be stated. Examples of potential counter-measures include engineering design modifications, education, and enforcement. The study would also explore a policy provision for may also include a periodical reports to the City Council on the findings listing the details of collisions involving bicyclists and pedestrians, including preventative measures.

What precipitated this study?

A City is currently studying implementation of a Vision Zero Plan will be developed and incorporated in the near future. The BPAC believes that a policy for investigating all collisions involving bicyclists or pedestrians, and the subsequent reporting provision could policies developed as part of this study may aid in achieving the Vision Zero Plan goals.

Planned Completion Year: 2018

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost): Moderate

Amount of funding above current budget required: \$25,000

Funding Source: Will seek budget supplement

Explanation of Cost:

The funding will be used to hire a consultant to review the existing process and draft the policy.

Cost to Implement Study Results

Unknown. Study would include assessment of potential costs

Explanation of Cost: Unsure if any additional cost would be identified beyond the costs for future projects that are already identified as part of the current process

EXPECTED PARTICIPATION IN THE PROCESS

Council-approved work plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Bicycle and Pedestrian Advisory Commission

STAFF RECOMMENDATION

Position: Drop

Explanation: DPS has current policies in place directing the investigation of all reported collisions including bicycle and pedestrian related accidents/collisions. The information gained from the reports is utilized to direct specific enforcement activity with the Traffic Unit and those assigned to the Bureau of Police Services. The information is also shared with DPW (Traffic and Transportation Division) for review of any possible roadway improvements. If possible improvements are identified, DPW immediately implements lower cost improvements (such as minor striping modifications) or pursues grant funding or a capital project if it is higher cost (such as a major signal modification). All reported and investigated injury and non-injury accidents are reported to the California Highway Patrol. DPS will continue to review reporting data methods and make any needed changes to improve accuracy of data. DPW will continue to analyze the data to determine if modifications or improvements are required.

Prepared By: Frank Grgurina, Director, Department of Public Safety

Prepared By: Manuel Pineda, Director, Department of Public Works

Reviewed By: Walter C. Rossmann, Assistant City Manager

Approved By: Deanna J. Santana, City Manager

Bicycle and Pedestrian Collision Study

What are the key elements of the study?

The purpose of the study would be to develop and adopt a policy for investigating all collisions involving bicyclists or pedestrians. The intent would be to have the Department of Public Safety and the Department of Public Works analyze each bicycle or pedestrian collision to determine the leading factor of the collision. In the assessment of the collision, the counter-measure that would have prevented the collision will be stated. Examples of counter-measures include engineering design modifications, education, and enforcement. The policy may also include a periodical report listing the details of collisions involving bicyclists and pedestrians, including preventative measures.

What precipitated this study?

A Vision Zero Plan will be developed and incorporated in the near future. The policies developed as part of this study may aid in achieving the Vision Zero Plan goals.

2017 Master Work Plan

Planning Commission Annual Calendar

Meeting Date	Agenda Item/Issue
January 9	SS Routine Planning Items
	PH Routine Planning Items
January 23	SS Routine Planning Items
	PH Routine Planning Items
February 27	SS Routine Planning Items
	PH Routine Planning Items
March 6	PH Study Issue: Individual Lockable Storage Requirements for Multi-Family Housing
	PH Peery Park Plan Review Permit at 520 Almanor Avenue
	PH Review of Code of Ethics and Conduct for Elected and Appointed Officials
March 13	SS Routine Planning Items
	PH Firebird Way/Flamingo Way/ Dunholme Way Single-Story Combining District
	PH Related General Plan Amendment and Rezone at 210, 214, and 220 W. Ahwanee Avenue
	PH Peery Park Plan Review Permit at 675 Almanor Avenue
March 27	SS Routine Planning Items
	PH Routine Planning Items
	PH Land Use and Transportation Element (LUTE)
April 10	SS Routine Planning Items
	PH Peery Park Plan Review Permit at 684 W. Maude Avenue
	PH Peery Park Plan Review Permit (multiple locations; File # 2015-7879)

Meeting Date	Agenda Item/Issue
April 24	SS Planning Commissioner Training: Further Discussion of Public Interest and Planning Commission's Discretion PH Tentative Map applications, for condominium purposes, for Ranchero Mobile Estates and Thunderbird Mobile Estates PH Approve Master Work Plan PH Quarterly review of General Plan Initiations
May 8	SS Routine Planning Items PH Routine Planning Items
May 22	SS Routine Planning Items PH Routine Planning Items
June 12	SS Routine Planning Items PH Routine Planning Items
June 26	SS Routine Planning Items Recognition of Commission members PH Routine Planning Items
July 10	SS Routine Planning Items PH Routine Planning Items PH Election of Officers
July 24	SS Routine Planning Items PH Routine Planning Items PH Quarterly review of General Plan Initiations
August 14	SS Routine Planning Items PH Routine Planning Items
August 28	SS Routine Planning Items PH Routine Planning Items

Meeting Date	Agenda Item/Issue
September 11	SS Routine Planning Items
	PH Routine Planning Items
September 25	SS Routine Planning Items
	PH Routine Planning Items
	PH Final Meeting to Propose 2018 Study Issues
October 9	SS Routine Planning Items
	PH Routine Planning Items
October 23	SS Routine Planning Items
	PH Routine Planning Items
	PH Quarterly review of General Plan Initiations
November 13	SS Routine Planning Items
	PH Ranking of Study Issues
November 27	SS Routine Planning Items
	PH Routine Planning Items
December 11	SS Routine Planning Items
	PH Routine Planning Items
	PH Final month for Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials

Additional items yet to be scheduled:

1. Study Issue – Downtown Development Policies for Parking
2. El Camino Real Corridor Plan

- *Training will be scheduled based on workload of routine planning applications*
- *Schedules are subject to change*