

RESPONSE TO COUNCIL QUESTIONS RE: 10/30/18 CITY COUNCIL AGENDA

Agenda Item #: 1.A

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

Council Question: Please provide more information about the following payments:

- \$205,233.92 to L N Curtis & SONS INC for General Supplies

Staff Response: This payment is for public safety equipment, specifically 80 uniform jackets and pants, and 84 gear bags to carry turnouts. Council awarded a contract to LN Curtis and Sons for this equipment in the amount of \$401,679 on August 22, 2017 (RTC 17-0754).

- \$229,393.92 to SHUMS CODA ASSOC for Consultants

Staff Response: This payment is for plan review work performed on behalf of the Community Development Department on various development projects from October 2017 to March 2018 (expenses were accrued by Finance into FY 2017/18). Council increased an existing contract with Shums Coda to \$300,000 for these services on November 17, 2017 (RTC 17-0974).

Agenda Item #: 2

Title: Adopt a Resolution to Establish 15 Mile Per Hour Speed Zones at 35 Locations Adjacent to 16 Public Schools in Sunnyvale, Find the Action is Categorically Exempt under CEQA and Approve Budget Modification No. 7 for \$107,600 for Installation of Signs

Council Question: I took the attached picture of a SPEED LIMIT 15 sign near Lakewood Elementary. Would it be correct to say that similar signs (specifically including the verbiage, "WHEN CHILDREN ARE PRESENT") would be implemented at the 35 locations if Council adopts Alternative 1?

Staff Response: Yes, if Council adopts Alternative 1, the attached photo of the sign that is currently used near Lakewood Elementary school, will be used for the other locations identified. The sign is defined per the Manual for Uniform Traffic Control Devices (MUTCD).

Council Question: What is DPS's interpretation of "when children are present"? For example, refer to this 2015 "Roadshow" article titled "Confusion over 25 mph speed limit near schools". As one writer stated, "Children are present where? In their classrooms? On the sidewalk? On the road? At home? Is the lower limit in force when school is out for summer?" What objective criteria does DPS look at when making a determination of whether or not "children" are "present" and therefore the reduced speed limit is in effect? <https://www.mercurynews.com/2015/02/13/roadshow-confusion-over-25-mph-speed-limit-near-schools/>

Staff Response: The California Vehicle Code Section 22352 (b)(2) states, "When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving school either during school hours or the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate, or another physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. For purposes of this subparagraph, standard "SCHOOL" warning signs may be placed at any distance up to 500 feet away from school grounds."

Although not specifically spelled out in the Vehicle Code, this would include enforcing school speed limit laws during special events, such as weekend dances, festivals and sporting events where children may be traveling to or from school. It ultimately would be up to the officer to justify the rationale for issuing the citation.

SCHOOL

**SPEED
LIMIT**

15

**WHEN
CHILDREN
ARE PRESENT**