

RESPONSE TO COUNCIL QUESTIONS RE: 1/29/19 CITY COUNCIL AGENDA

Agenda Item #: 1.F

Title: Award of Bid No. PW19-07 for the Fair Oaks Avenue Bikeway and Streetscape Re-Bid to JJR Construction, Inc, Determination of Bid Non-responsiveness and Waiver of Minor

Council Question: What was requested in Addendum #1 that the awardee did not respond to? Was the information eventually provided?

Staff Response: Addendum No. 1 was issued to modify the bid to reflect new wage rates which were modified per the Davis Bacon determination CA 180029 dated November 2, 2018. This change did not affect the specification and JJR Construction, Inc indicated to staff that the modified wage rates would not change their bid as they were already compensating at a higher rate than those provided in the determination.

Agenda Item #: 1.G

Title: Ratify Appointments of Councilmembers Made by Outside Agencies; Re-Ratify Appointment to Valley Transportation Authority (VTA) Policy Advisory Board and Cities Association of Santa Clara County (CASCC) Executive Board

Council Question: Would it be possible to provide an emended version to show that Nancy Smith is 1st Vice President of the League of California Cities Women's Caucus, not 2nd VP as shown. (Somehow the change was overlooked in the materials to date)

Staff Response: The update to IGR assignments for City Council has been amended to correctly reflect Councilmember Smith as 1st Vice President of the League of California Cities Women's Caucus. Copies will be made available for the public and on the dais for City Council on the evening of the meeting.

Agenda Item #: 2

Title: Proposed Project: Appeal by the Applicant of a decision by the Planning Commission to deny:

PEERY PARK SPECIFIC PLAN CONDITIONAL USE PERMIT: to consider a high school for 400 students (Summit School).

The project includes interior and exterior improvements of an existing industrial building for an educational use, the installation of a tri-level mechanical lift parking structure in the rear serving 22 parking spaces, and a request for adjustment to the minimum parking requirements.

Location: 824 San Aleso Avenue (APN: 204-02-006) File #: 2017-7986

Zoning: PPSP-NT - Peery Park Specific Plan – Neighborhood Transition

Applicant / Owner: Artik Art & Architecture (applicant) / 824 San Aleso, LLC (owner)

Environmental Review: The project is exempt from additional CEQA review per CEQA Guidelines section 15168(c)(2) and (4) and Public Resources Code Section 21094(c). The project is within the scope of the Peery Park Specific Plan Program EIR as no new environmental impacts are anticipated and no new mitigation measures are required.

Council Question: Does the school have a breakdown of approximately how many students use each of the following methods to arrive and leave at its current location in Sunnyvale: bike, walk, transit, dropped off by parent, carpool, drive? Also, does the school know how many students switch modes in the afternoon, such as arrive by car and leave by transit?

Staff Response: Summit does not have a four-grade high school in Sunnyvale. They have temporary facilities at St. Cyprian (grades 9-11). Without the grade 12 there is not good information on the possible number of students who drive to school. This question will be referred to Summit to provide information on the current 9-11 facility, as well as information on other high schools they operate in other cities.

Council Question: If approved, would the 15 MPH speed limit go into effect and would that have any material impact on the traffic in the area?

Staff Response: The 15 MPH speed limit for a school area is not automatic, it requires a study and Council adoption of a resolution.

Council Question: If denied, would the school qualify to make a Prop 39 request?

Staff Response: Summit Denali has their charter from the Santa Clara County Board of Education, and not from one of the local school districts. It would be highly speculative to comment on whether they could/would make such a request.

Council Question: I went by the site this Sunday. What is the development project that is planned/approved for directly south of the Summit Site? It looks like there is a large housing project.

Staff Response:

- 728-760 San Aleso Ave. (4 parcels) is approved for 118 multi-family development (Planning application 2016-7962).
- 370 San Aleso Ave. (1 parcel) is approved for 65 multi-family development (Planning application 2018-7315)

See attached map.

Council Question: The mechanical parking devices. It looks like these are three levels to a unit (Ground, level 2, level 3). Is this correct? So, that it holds three cars. I assume it works by, car A arrives first. Car B arrives, elevate car A and car B pulls in. Car C arrives and you elevate cars A and B to pull in Car C. How long do we estimate it would take to pull out car C to a temporary spot, lower and pull out car B to a temporary spot, then lower and pull out car A. Then put car B and Car C back into the parking mechanism? How many temporary spots are defined to be available for re-arranging cars?

Staff Response: Summit School is proposing to utilize the “puzzle” parking solution by City Lift Parking. The retrieval time for cars is 45-180 seconds. There are 22 parking spaces total - 8 spaces on level one, 7 spaces each on the second and third levels (2 spaces open to be able to shift vehicles like a puzzle.) Please see document attached and video in link:

<https://cityliftparking.com/solutions/puzzle-mechanical-parking>

Council Question: Sidewalks. (Maybe this is the report and I missed it). Will the sidewalks be fixed and/or installed in from of the Summit School project and the Housing project to the South? How wide will these sidewalks be?

Staff Response: Yes, sidewalks are being installed for the housing developments to the south, in accordance with the recently adopted Peery Park Specific Plan (PPSP). If approved, the Summit site would be required to remove existing curb, gutter and sidewalk and install new 2' gutter, curb, and 6' wide sidewalk along the project frontage to maintain and accommodate existing street trees (to remain).

Council Question: Condition of Approval AT-1 stipulates a maximum student population of 400 and that changes to the site capacity shall require approval at a public hearing. What is the next largest number of students (in terms of site capacity) that the Applicant could apply for in the future before hitting some sort of limitation in the Municipal Code, assuming the currently proposed configuration of the site? For example, there would at some point be a site capacity limitation in the fire code for Maximum Occupancy.

Staff Response: The building and fire codes have maximum occupancy restrictions, based on the size and use of the rooms, and compliance with the provision of facilities (such as rest rooms) and exits. That maximum number of occupants has not been calculated for this proposed facility.

Council Question: If one of Sunnyvale's high school districts (e.g. FUHSD, SCUSD) were building a new high school for 400 students, what site size requirements would they have to meet under regulations of the California Department of Education or other relevant authority? For example, minimum site acreage, minimum building size, minimum open space requirement.

Staff Response: The state does not have prescriptive requirements for minimum size of school site, building, or open space. Guidelines have been developed—these are not requirements—however the smallest example school provided appears to be 1,200 students. Number of students, location, academic courses, and type of extracurricular activities will result in variations to the size of the site and building.

Council Question: Has a Phase I Environmental Site Assessment (ESA) been prepared? If not, when is it expected that an ESA would be prepared (if ever)? Page 43 of the Environmental Checklist (Attachment 5) states that an ESA would be subject to "City review". What does that mean and could it be stipulated in Condition of Approval MM-1 that the ESA (If forthcoming) be brought to City Council at a Public Hearing?

Staff Response: Yes, a Phase I ESA has been prepared. Both a Phase I & II were prepared for the project site and are referenced on the last page of the Environmental Checklist:

"PES Environmental Inc. 2017a (June). Phase 1 Environmental Site Assessment, 820 and 824 San Aleso Avenue, Sunnyvale, CA. Prepared by PES Environmental Inc. Novato, CA.

_____. 2017b (June). Phase 2 Environmental Site Assessment, 820 and 824 San Aleso Avenue, —, CA. Prepared by PES Environmental Inc. Novato, CA"

Although it reads as a condition, the project has already complied with the Peery Park EIR mitigation measure MM-1 (as the staff has already reviewed the reports which indicate no impacts—levels are below human risk levels for TCE, DDT, DDE, etc.—and no mitigation is required).

Agenda Item #: 4

Title: Adopt a Resolution to Accept Six Grant Awards from the California Public Utilities Commission's California Advanced Services Fund (CASF), Approve Budget Modification No 17 for a total of \$313,446 and Authorize the City Manager to Execute the Required Grant Documents for Each Grant Award

Council Question: This is a great program! I had more questions about the Comcast Internet Essentials piece that offers broadband services for \$10/month to families participating in the program. How long would families be able to have broadband at that rate? Is it time-limited or can families continue to renew service at the lower rate at an on-going basis?

Staff Response: Participants in the program will be required to provide documentation as proof of eligibility into the program. Once a family is enrolled in the program, they remain eligible provided they meet one of the following criteria:

- The family has a child eligible for the National School Lunch Program
- The family receives housing assistance through the Health and Urban Development (HUD) Department
- The household includes a low-income verified veteran
- The household includes a low-income senior
- Their Comcast account remains in good standing