



City of Sunnyvale

Notice and Agenda - Final Bicycle and Pedestrian Advisory Commission

Thursday, November 19, 2020

6:30 PM

Telepresence Meeting: City Web Stream

TELECONFERENCE NOTICE

Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, the meeting of the Sunnyvale Bicycle and Pedestrian Commission (BPAC) on November 19, 2020 will take place by teleconference, as allowed by Governor Gavin Newsom’s Executive Order N-29-20.

- *Watch the BPAC meeting at:*

<http://youtube.com/SunnyvaleMeetings>

- *Submit written comments to the BPAC up to 4 hours prior to the meeting to BPAC@sunnyvale.ca.gov or by mail to City Clerk, 603 All America Way, Sunnyvale, CA 94086.*

- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone)*

- Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/97997417379>

- Meeting call-in telephone number: 833-548-0282 | Meeting ID: 979 9741 7379

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment, contact the City at least 2 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. For other special assistance; please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. ADA contact: Ralph Garcia may be reached at (408) 730-7415 or rgarcia@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

CALL TO ORDER

Call to Order via teleconference.

ROLL CALL

PRESENTATION

- A [20-0979](#) Proposed Maude Avenue Bicycle Improvements

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address the Sunnyvale Bicycle and Pedestrian Advisory Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Bicycle and Pedestrian Advisory Commission to take action on an item not listed on the agenda. If you wish to address the Bicycle and Pedestrian Advisory Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

- 1A. [20-0955](#) Approve the Bicycle and Pedestrian Commission Meeting Minutes of October 15, 2020.

Recommendation: Approve the Bicycle and Pedestrian Commission Meeting Minutes of October 15, 2020 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes.

- [20-0974](#) Report and Discussion of Recent Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) Meeting

[20-0975](#) Review and Approve BPAC 2021 Master Work Plan

Recommendation: Approve 2021 Master Work Plan

[20-0976](#) Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

-Staff Comments

INFORMATION ONLY REPORTS/ITEMS

[20-0977](#) Bicycle and Pedestrian Advisory Commission 2020 Annual Work Plan

[20-0978](#) Active Items List - November 2020

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents distributed to members of this meeting body regarding any item on this agenda will be made available for public inspection in the originating department or can be accessed through the Office of the City Clerk located at 603 All America Way, during normal business hours and in the Council Chamber on the evening of the Bicycle and Pedestrian Advisory Commission Meeting, pursuant to Government Code §54957.5.

Agenda information is available by contacting Ralph Garcia at pubworks@sunnyvale.ca.gov or (408) 730-7415. Agendas and associated reports are also available on the City's website at sunnyvale.ca.gov or at the One-Stop Desk, City Hall, 456 W. Olive Ave., Sunnyvale, CA, (408) 730-7580 and at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting.



City of Sunnyvale

Agenda Item

20-0979

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Proposed Maude Avenue Bicycle Improvements

LinkedIn Representatives Orlando White, Head of Community Development, and Katie Ferrick, Senior Director of Community Development and Sustainability, and Thaddeus Wozniak, Director of Engineering at Nelson\Nygaard will present the proposed bicycle improvements on Maude Avenue between West City Limits and Mathilda Avenue.



City of Sunnyvale

Agenda Item

20-0955

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Approve the Bicycle and Pedestrian Commission Meeting Minutes of October 15, 2020.

RECOMMENDATION

Approve the Bicycle and Pedestrian Commission Meeting Minutes of October 15, 2020 as submitted.



City of Sunnyvale

Meeting Minutes - Draft Bicycle and Pedestrian Advisory Commission

Thursday, October 15, 2020

6:30 PM

Telepresence Meeting: City Web Stream

CALL TO ORDER

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Chair Mehlinger called the meeting to order at 6:43 p.m. via teleconference.

ROLL CALL

Present 7 - Chair Richard Mehlinger
Vice Chair Leia Mehlman
Commissioner John Cordes
Commissioner Arwen Davé
Commissioner Dan Hafeman
Commissioner Timothy Oey
Commissioner Scott Swail

Nancy Smith, Council Liaison, Dennis Ng, Transportation and Traffic Manager, and Ralph Garcia, Senior Transportation Engineer attended via teleconference.

PRESENTATION

A [20-0890](#) Vision Zero Plan Progress Update

Ralph Garcia, Senior Transportation Engineer, presented on the Vision Zero Plan Progress Update. Mr. Garcia highlighted the following:

- Sunnyvale Vision Zero Plan Development
- What is Vision Zero
- Citywide Collisions between 2012-2016
- Elements of the Vision Zero Plan
- Vision Statement
- Guiding Principles

- Accomplishments and Achievements
- Completed Projects
- Near-term Projects
- Active Transportation Plan
- Roadway Safety Plan
- Collision Trends
- Future Projects

Chair Mehlinger asked Mr. Garcia to explain why it's called "Vision Zero". Mr. Garcia explained that the goal is to have zero traffic related fatalities.

Commissioner Oey commented and asked about the following:

- Measure B

Mr. Garcia addressed the comments.

Vice Chair Mehlman commented and asked about the following:

- Measure B
- Online first person point of view video courses
- Traffic data

Mr. Garcia addressed the comments.

Commissioner Hafeman commented and asked about the following:

- How are projects prioritized during the year
- Safety over efficiency meaning

Mr. Garcia addressed the comments.

Commissioner Cordes commented and asked about the following:

- Dedicated funding source for Vision Zero
- Funding for El Camino/Henderson improvements
- Contact person for more funding for DPS Pedestrian Decoy Operations

Mr. Garcia addressed the comments.

Chair Mehlinger commented and asked about the following:

- Additional collision analysis
- KSI trends and course of action

Mr. Garcia addressed the comments.

Commissioner Davé commented and asked about the following:

- Access to records of Vehicle Miles Traveled (VMT)

Mr. Garcia addressed the comment.

Commissioner Oey commented on the following:

- Bicycle skills program offered by Real Kids
- Online courses by Cycling Savvy
- In person courses where people are learning on the bike

Vice Chair Mehlman commented and asked about the following:

- Mary Avenue Crossing Project

Mr. Garcia addressed the comment.

Commissioner Swail commented and asked about the following:

- Clarification on the recent Tasman incident

Vice Chair Mehlman and Chair Mehlinger addressed the comment.

ORAL COMMUNICATIONS

Chair Mehlinger opened for Public Comment.

Chair Mehlinger closed for Public Comment.

CONSENT CALENDAR

Commissioner Hafeman moved and Commissioner Mehlinger seconded to approve amended item 1.A.

The amendments were made by Commissioner Hafeman who stated on page 7 that Commissioner Davé commented that she is concerned about removing too much parking that is needed on that corridor. Commissioner Hafeman requested to rephrase the statement to say "Commissioner Davé is concerned about removing too much parking that is needed on that corridor near the soccer field at Challenger School." The second amendment Commissioner Hafeman requested to change was his comment on page 10 that states "Lowered speed limit on El Camino Real".

Commissioner Hafeman requested to change the statement to say "Lowered speed limit on El Camino Real is a good thing".

The motion carried the following vote:

Yes 7 - Chair Mehlinger
Vice Chair Mehلمان
Commissioner Cordes
Commissioner Davé
Commissioner Hafeman
Commissioner Oey
Commissioner Swail

No 0

- 1A.** [20-0883](#) Approve the Bicycle and Pedestrian Commission Meeting Minutes of September 17, 2020.

Approve the Bicycle and Pedestrian Commission Meeting Minutes of September 17, 2020 as amended.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [20-0889](#) Report and Discussion of Recent Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) Meeting

Dave Simons, VTA BPAC Representative, gave the meeting summary reports regarding the following topics:

- VTA selection of BPAC Chair and Vice Chair
- Level of Service (LOS) VS Vehicle Miles Traveled (VMT)
- Virtual Central Bikeway Studies Outreach Meetings on October 28 & October 29. These meetings can be found on the VTA website.
- Measure B update
- Board Enhancement Committee recommendations
- Capital Projects spending

Chair Mehlinger opened for Public Comment.

Chair Mehlinger closed for Public Comment.

Commissioner Cordes and Chair Mehlinger thanked Mr. Simons for all his years of service representing Sunnyvale on the VTA BPAC.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

- 3 [20-0891](#) Sidewalk and Bike Lane Creation on Tasman Drive from Fair Oaks to Lawrence Expwy (Potential Study Issue)

Ralph Garcia, Senior Transportation Engineer stated that a vote could be taken by the BPAC to make the potential study issue a proposed study issue which would then go on proposed study issue list. Mr. Garcia stated that tonight's BPAC meeting is the last night to vote for sponsorship of a study issue for the next year.

Vice Chair Mehlman explained the Sidewalk and Bike Lane Creation on Tasman Drive that she proposed as a Potential Study Issue. Vice Chair Mehlman provided the history behind the Potential Study Issue on Tasman Drive.

Chair Mehlinger opened for Public Comment.

Dave Simons, member of the public, stated that there are VTA staff currently working on the Tasman Drive Complete Streets Corridor Study.

Chair Mehlinger closed for Public Comment.

Commissioner Oey asked if a multi-use path is a possibility. Vice Chair Mehlman stated anything that would allow pedestrians to have safe access for the length of the block should be considered.

Commissioner Cordes asked if a Class I route was possible instead of a Class IIB route. Vice Chair Mehlman said she would support a Class I route.

Chair Mehlinger stated he would consider swapping the sidewalk and the bike lane which would allow protective bike lanes without a lot of space dedicated to buffered bike lanes.

MOTION: Commissioner Oey moved and Commissioner Cordes seconded to put the Potential Study Issue on the Proposed Study Issue list.

Commissioner Oey commented on the following:

- The neighborhood on Tasman Drive needs excellent bike and pedestrian and

access

- Very strongly in favor of this potential study issue

FRIENDLY AMENDMENT: Vice Chair Mehlman proposed a friendly amendment to rephrase the title and content of the Potential Study Issue from "Sidewalk and Bike Lane Creation on Tasman Drive" to "Bicycle and Pedestrian Facility Creation on Tasman Drive" so that the study is not limited to bike lanes and can include bike paths. Commissioner Oey and Commissioner Cordes accept the friendly amendment.

Commissioner Mehlman commented on the following:

- Concerns of traffic congestion on Tasman Drive

Commissioner Hafeman asked about the following:

- Staff comments on the removal of the Heritage trees is not a consideration. If it was a consideration could there be a bike lane/pedestrian sidewalk without taking out a traffic lane.

Vice Chair Mehlman stated it could be possible.

FORMAL AMENDMENT: Commissioner Hafeman proposed a formal amendment that the Heritage trees could be considered for removal as part of this Potential Study Issue. The motion fails due to a lack of a second.

Commissioner Cordes commented on the following:

- Tasman Corridor Study by VTA

FRIENDLY AMENDMENT: Commissioner Cordes proposed to change item 1 to say "Implement traffic calming measures to achieve a vehicle speed reduction to lower than 30 miles per hour on average with speed enforcement indicators".

Commissioner Oey accepted the friendly amendment.

Chair Mehlinger commented on the following:

- Supports the Potential Study Issue
- Tasman Drive extremely unsafe road
- Very valuable and long overdue study issue
- Emphasize the "and" in Bicycle and Pedestrian Facilities

Commissioner Oey commented on the following:

- Supports the Potential Study Issue
- Tasman Drive needs much better access
- Need travel mode shift
- Need to decrease Vehicle Miles Traveled (VMT)

Commissioner Swail stated he is in support of the Potential Study Issue.

Commissioner Cordes commented on the following:

- Agreed with Commissioner Oey in that Tasman Drive is dangerous
- Tasman Drive needs to be a high priority to fix

Commissioner Hafeman commented on the following:

- Agreed with everybody else and is in favor of the Potential Study Issue
- Safety more important than efficiency

The amendment carried the following vote:

Yes 7 - Chair Mehlinger
Vice Chair Mehلمان
Commissioner Cordes
Commissioner Davé
Commissioner Hafeman
Commissioner Oey
Commissioner Swail

No 0

4 [20-0892](#) BPAC 2020 Study Issue Sponsorship (Scenario 2)

MOTION: Commissioner Oey moved and Chair Mehlinger seconded to put the Potential Study Issue on the Sponsored list as a Study Issue.

Commissioner Oey commented on the following:

- Re-route on Elko Road perfect for cars
- Lane reduction is very fair and just

The motion carried the following vote:

Yes 7 - Chair Mehlinger
Vice Chair Mehلمان
Commissioner Cordes
Commissioner Davé
Commissioner Hafeman
Commissioner Oey
Commissioner Swail

No 0

5 [20-0893](#) BPAC 2020 Sponsored Study Issues (Scenario 1)

Chair Mehlinger opened for Public Comment.

Chair Mehlinger closed for Public Comment.

Chair Mehlinger called for a recess at 8:41 p.m. Chair Mehlinger reconvened the meeting at 8:46 p.m.

Chair Mehlinger commented on the following:
- Community driven ATP proposal

Commissioner Hafeman commented on the following:
- Hollenbeck bike lane not on ATP

Mr. Garcia addressed the comment.

Vice Chair Mehلمان asked about the following:
- Time line for the study issue with the community driven ATP amendment process

Mr. Garcia addressed the comment.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Commissioner Cordes commented on the following:
- Silicon Valley Bicycle Coalition is doing a forum on their network priority tool on Monday, October 19 from 6:00 - 7:00 p.m.

-Staff Comments

Ralph Garcia, Senior Transportation Engineer commented on the following:

- Bicycle Friendly Community Application was submitted on Sept 30, 2020. The application is included in the Info Only Items in the agenda packet.
- VTA Sunnyvale BPAC Appointment will be brought to City Council for appointment on Oct 27, 2020. If approved, VTA will forward our appointment to their Governance & Audit Committee for ratification.
- VTA Measure B Bike & Pedestrian Education & Encouragement Program. A list of projects and goals for measuring metrics were submitted for VTA to review. Coordinating with VTA to finalize the list and will share the list when it's available.
- There will be a joint BPAC Meeting with the City of Mountain View BPAC regarding the Bernardo Undercrossing tentatively scheduled for Wednesday, December 2 from 5 to 6:30 p.m.
 - Mountain View will host the meeting and it will be prior to the regularly scheduled Mountain View BPAC meeting at 6:30 p.m.
 - No formal vote will be needed at this meeting. This is considered a special meeting to introduce the project concepts and obtain initial feedback.
 - A follow-up email will be sent to the Sunnyvale BPAC to confirm availability so that a quorum is present.

INFORMATION ONLY REPORTS/ITEMS

[20-0894](#)

Bicycle and Pedestrian Advisory Commission 2020 Annual
Work Plan

Vice Chair Mehlman commented on the following:

- Phase II Fair Oaks Avenue Bike Lanes and Streetscape

Mr. Garcia addressed the comment.

[20-0895](#)

Active Items List - October 2020

Chair Mehlinger commented and asked about the following:

- Update on the Caltrain Grade Separation.
- Online survey on the Mary Avenue Freeway OverCrossing

Mr. Garcia and Dennis Ng, Transportation and Traffic Manager, addressed the comments.

Vice Chair Mehlman commented on the following:

- Online survey on the Mary Avenue Freeway OverCrossing

[20-0896](#)

Bicycle Friendly Community Designation Application

ADJOURNMENT

Chair Mehlinger adjourned the meeting at 9:04 p.m.



City of Sunnyvale

Agenda Item

20-0974

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Report and Discussion of Recent Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) Meeting

Timothy Oey, Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) Sunnyvale Representative, provides updates on recent VTA BPAC meeting.



City of Sunnyvale

Agenda Item

20-0975

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Review and Approve BPAC 2021 Master Work Plan

The 2021 Master Work Plan includes the BPAC Annual Calendar with agenda items for each meeting. Projects anticipated to be presented during a BPAC meeting in 2021 without a specific schedule are listed in "Additional items yet be scheduled."

RECOMMENDATION

Approve 2021 Master Work Plan

2021 Master Work Plan

Bicycle and Pedestrian Advisory Commission

Annual Calendar

MEETING DATE	AGENDA ITEM/ISSUE
January 21	<ul style="list-style-type: none"> Ranking of 2021 Study Issues
February 18	<ul style="list-style-type: none"> Discussion of Utility Bill Concepts Discussion of TDA Funding
March 18	<ul style="list-style-type: none"> Maude Avenue Bike Lanes – Post Study El Camino Real Specific Plan Utility Bill Concept Designs TDA Funding Recommendation Annual Slurry Seal List (Information item) Council Ranking of Study Issues (Information item)
April 15	<ul style="list-style-type: none"> Annual reporting on collisions involving pedestrians and cyclists (Presentation)
May 20	<ul style="list-style-type: none"> Review Recommended Budget
June 17	<ul style="list-style-type: none"> Recognition of Service Utility Bill Stuffer Update (Information item)
July 15	<ul style="list-style-type: none"> Selection of Chair and Vice Chair
August 19	<ul style="list-style-type: none"> VTA Measure B Education and Encouragement Update (Presentation)
September 16	<ul style="list-style-type: none"> Study Issues Sponsorship (for Scenario 1)
October 21	<ul style="list-style-type: none"> Final month to Propose Study Issues Study Issues Sponsorship (for Scenario 2, if necessary) Review Sponsored Study Issues Write-up (for Scenario 1 only)
November 18	<ul style="list-style-type: none"> Approve 2022 Master Work Plan Climate Action Playbook Progress Update (Presentation)
December 16	<ul style="list-style-type: none"> Final month to Approve 2022 Master Work Plan Final month for Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials

Additional items yet to be scheduled:

- Study Issues may be proposed at any meeting throughout the year

- Lawrence Station Area Sidewalks and Bicycle Facilities
- Active Transportation Program Grant – Safe Route to School Project
- Bernardo Avenue Bicycle/Pedestrian Undercrossing
- Caltrain Grade Separation (Mary Avenue and Sunnyvale Avenue crossings)
- Homestead Road Full-time Bike Lane Study
- Java Drive Road Diet
- Mary Avenue Freeway Overcrossing
- Moffett Park Specific Plan Update
- Stevens Creek Trail Extension Project



City of Sunnyvale

Agenda Item

20-0976

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials

BPAC shall vote to acknowledge they have read and will obey the 2020 Code of Ethics and Conduct for Elected and Appointed Official.



City of Sunnyvale

2020 Code of Ethics and Conduct for Elected and Appointed Officials

"Conduct is three-fourths of our life and its largest concern."

-- Matthew Arnold

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For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Policy Purpose

The Sunnyvale City Council has adopted a Code of Ethics and Conduct for members of the City Council and the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

A. ETHICS

The citizens and businesses of Sunnyvale are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Sunnyvale Commitment to Excellence, the effective functioning of democratic government therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Sunnyvale City Council has adopted a Code of Ethics and Conduct for members of the City Council and of the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. The Ethics section of the City's Code of Ethics and Conduct provides guidance on ethical issues and questions of right and wrong.

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Sunnyvale and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Sunnyvale City Council, boards and commissions.
2. Comply with both the spirit and the letter of the Law and City Policy. Members shall comply with the laws of the nation, the State of California and the City of Sunnyvale in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Sunnyvale City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.
3. Conduct of Members. The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff or public.
4. Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by the City Council and board and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

5. Conduct of Public Meetings. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
6. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. Communication. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.
8. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
9. Gifts and Favors. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
10. Confidential Information. Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
11. Use of Public Resources. Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
12. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
13. Advocacy. Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do.

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Councilmembers and board and commission members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, board/commission meetings, or other official City meetings.

14. **Policy Role of Members.** Members shall respect and adhere to the council-manager structure of Sunnyvale City government as outlined by the Sunnyvale City Charter. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except as provided by the City Charter, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.
15. **Independence of boards and commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.
16. **Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

B. CONDUCT

The Conduct section of the City's Code of Ethics and Conduct is designed to describe the manner in which Councilmembers and board and commission members should treat one another, City staff, constituents, and others they come into contact with in representing the City of Sunnyvale. It reflects the work of a Council Policy and Protocol Subcommittee that was charged with defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. The Subcommittee also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected and appointed officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers and board and commission members to do the right thing in even the most difficult situations.

1. Elected and Appointed Officials' Conduct with One Another

"In life, courtesy and self-possession, and in the arts, style, are the sensible impressions of the free mind, for both arise out of a deliberate shaping of all things and from never being swept away, whatever the emotion, into confusion or dullness."

-- William Butler Yeats

For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.

Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may "agree to disagree" on contentious issues.

1(a). In Public Meetings

Use formal titles

Elected and appointed officials should refer to one another formally during public meetings, such as Mayor, Vice Mayor, Chair, Commissioner or Councilmember followed by the individual's last name.

Practice civility and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

Honor the role of the chair in maintaining order

It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

Avoid personal comments that could offend other members

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.

Demonstrate effective problem-solving approaches

Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Outside of official board or commission meetings, individual board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose. In private settings, board and commission members may communicate at any time and on any subject with individual members of the City Council, and may express to them individual viewpoints and opinions. In public, however, all members shall represent the official policies or positions of their board or commission, with the following exception. During a Council public hearing on any item addressed by the board or commission, any member may speak under standard time limits, but shall indicate whether their testimony represents an official position (majority opinion) or a minority opinion of the board/commission to which they belong. The chair shall represent the majority view of the board or commission, but may report on any minority views as well, including his or her own. When an official

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board or commission position differs from staff's recommendation on a particular policy issue, then at the Mayor's discretion additional time may be provided to the chair of the board or commission (or his/her designee) to explain the position of the board/commission or to rebut statements made by staff or the public. If new information is brought to light during a public hearing which was not shared previously with the board or commission, the Mayor may allow the board or commission chair to respond. If the Council deems the new information sufficient to warrant additional study, then by majority vote Council may remand the issue back to the board or commission for further study prior to taking other action itself.

Individual opinions and positions may be expressed by board and commission members regarding items that have not come before the particular board/commission to which they belong. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do.

Although a board or commission may disagree with the final decision the Council makes, the board or commission shall not act in any manner contrary to the established policy adopted by the Council.

1(b). In Private Encounters

Continue respectful behavior in private

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

Be aware of the insecurity of written notes, voicemail messages, and E-mail

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message were played on a speaker phone in a full office? What would happen if this E-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

Even private conversations can have a public presence

Elected and appointed officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

In private, board and commission members may communicate at any time and on any subject with the City Council, and may express to Council individual viewpoints and opinions.

2. Elected and Appointed Officials' Conduct with City Staff

*"Never let a problem become an excuse."
-- Robert Schuller*

Governance of a City relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and City staff who implements and administers the Council's

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policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Member questions/inquiries to City staff

1. General. Council and board/commission communications with City staff should be limited to normal City business hours unless the circumstances warrant otherwise. Responses to Council questions posed outside of normal business hours should be expected no earlier than the next business day.
2. Routine Requests for Information and Inquiries. Members may contact staff directly for information made readily available to the general public on a regular basis (e.g., “What are the library’s hours of operation?” or “How does one reserve a tee time at the golf course?”). Under these circumstances staff shall treat the member no differently than they would the general public, and the member shall not use their elected status to secure preferential treatment. The city manager does not need to be advised of such contacts.
3. Non-Routine Requests for Readily Available Information. Members may also contact staff directly for easily retrievable information not routinely requested by the general public so long as it does not require staff to discuss the issue or express an opinion (e.g., “How many traffic lights are there in the City?” or “Under what circumstances does the City lower its flags to half mast?”).
4. Non-Routine Requests Requiring Special Effort. Any member request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise) must be directed to the city manager, or to the city attorney, as appropriate (e.g., “How many Study Issues completed over the past five years have required 500 or more hours of staff time?”, or “What is the logic behind the City’s sign ordinances affecting businesses along El Camino Real?”). The city manager (or city attorney as appropriate) shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Councilmembers (if originating from a Councilmember), relevant board or commission members (if originating from a board or commission member), the city manager, the city attorney as appropriate and affected department directors.
5. Meeting Requests. Any member request for a meeting with staff must be directed to the city manager or city attorney, as appropriate.
6. Public Safety Restrictions. Under certain circumstances, requests for information regarding operations or personnel of the Department of Public Safety may be legally restricted. Applicable statutes include: The Peace Officers’ Procedural Bill of Rights (California Government Code Section 3300, et seq.), Confidentiality of Peace Officer Records (California Penal Code Section 832.5-7), and a number of exceptions to the California Public Records Act, defined in Government Code Section 6254. Providing information in response to such requests could violate the law, and might also violate due process rights that have been defined for peace officers in the State of

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California. Accordingly, it shall be the policy of the City of Sunnyvale to strictly comply with all applicable legal authorities governing the release of Department of Public Safety information and records.

Do not disrupt City staff from their jobs

Elected and appointed officials should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend City staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

Never publicly criticize an individual employee

Elected and appointed officials should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the city manager through private correspondence or conversation. Comments about staff in the office of the city attorney should be made directly to the city attorney. Appointed officials should make their comments regarding staff to the city manager or the Mayor.

Do not get involved in administrative functions

Elected and appointed officials must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. [See Code of Ethics] The Sunnyvale City Charter, Section 807, also contains information about the prohibition of Council interference in administrative functions.

Check with City staff on correspondence before taking action

Before sending correspondence, Councilmembers should check with City staff to see if an official City response has already been sent or is in progress. Board and commission members shall not send correspondence except as authorized under the City's policies governing volunteers. (Council Policy 7.2.19, Boards and Commissions.)

Limit requests for staff support

Routine secretarial support will be provided to all Councilmembers. The Council Executive Assistant opens all mail for Councilmembers, unless a Councilmember requests other arrangements. Mail addressed to the Mayor is reviewed first by the city manager who notes suggested action and/or follow-up items.

Requests for additional staff support – even in high priority or emergency situations – should be made to the city manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

Do not solicit political support from staff

Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private

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citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

3. Elected and Appointed Officials' Conduct with the Public

"If a man be gracious and courteous to strangers, it shows he is a citizen of the world, and that his heart is no island cut off from other lands, but a continent that joins to them."

-- Francis Bacon

3(a). In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness. While questions of clarification may be asked, the official's primary role during public testimony is to listen.

"I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family's daily life and my home. I was feeling a lot of emotion. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity."

Be fair and equitable in allocating public hearing time to individual speakers.

"The first thing the Mayor said to me was to be brief because the meeting was running late and the Council was eager to go home. That shouldn't be my problem. I'm sorry my item was at the end of the agenda and that there were a lot of speakers, but it is critically important to me and I should be allowed to say what I have to say and believe that the Council is listening to me."

The chair will determine and announce limits on speakers at the start of the public hearing process. Questions should not be asked for the express purpose of allowing one speaker to evade the time limit imposed on all others (e.g., "Was there something else you wanted to say?"). Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed ten. If many speakers are anticipated, the chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the chair requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the chair reopens the public hearing for a limited and specific purpose.

Give the appearance of active listening

It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the

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room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

Maintain an open mind

Members of the public deserve an opportunity to influence the thinking of elected and appointed officials. To express an opinion or pass judgment prior to the close of a public hearing casts doubt on a member's ability to conduct a fair review of the issue. This is particularly important when officials are serving in a quasi-judicial capacity.

Ask for clarification, but avoid debate and argument with the public

Only the chair – not individual members – can interrupt a speaker during a presentation. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

If speakers become flustered or defensive by questions, it is the responsibility of the chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by members to the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

No personal attacks of any kind, under any circumstance

Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

Follow parliamentary procedure in conducting public meetings

The city attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. The chair, subject to the appeal of the full Council or board/commission makes final rulings on parliamentary procedure.

3(b). In Unofficial Settings

Make no promises on behalf of the Council, board/commission or City

Members will frequently be asked to explain a Council or board/commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council or board/commission action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

Make no personal comments about other members

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other members, their opinions and actions.

Remember that despite its impressive population figures, Sunnyvale is a small town at heart
Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Sunnyvale. Honesty

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and respect for the dignity of each individual should be reflected in every word and action taken by members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

4. Council Conduct with Other Public Agencies

"Always do right. This will gratify some people and astonish the rest."
-- Mark Twain

Be clear about representing the City or personal interests

When representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint. Outside of official board or commission meetings, board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose.

When representing another organization whose position is different from the City, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Correspondence also should be equally clear about representation

City letterhead may be used when the Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the Council Executive Assistant to be filed in the Council Office as part of the permanent public record.

City letterhead should not be used for non-City business nor for correspondence representing a dissenting point of view from an official Council position.

5. Council Conduct with Boards and Commissions

"We rarely find that people have good sense unless they agree with us."
--Francois, Duc de La Rochefoucauld

The City has established several boards and commissions as a means of gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

If attending a board or commission meeting, be careful to only express personal opinions

Councilmembers may attend any board or commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a board or commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

Limit contact with board and commission members to questions of clarification

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It is inappropriate for a Councilmember to contact a board or commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact board or commission members in order to clarify a position taken by the board or commission.

Remember that boards and commissions serve the community, not individual Councilmembers

The City Council appoints individuals to serve on boards and commissions, and it is the responsibility of boards and commissions to follow policy established by the Council. But board and commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten board and commission members with removal if they disagree about an issue. Appointment and re-appointment to a board or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A board or commission appointment should not be used as a political "reward."

Be respectful of diverse opinions

A primary role of boards and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on boards and commissions, but must be fair and respectful of all citizens serving on boards and commissions.

Keep political support away from public forums

Board and commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support board and commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

6. Conduct with the Media

*"Keep them well fed and never let them know that all you've got is a chair and a whip."
-- Lion Tamer School*

Board and commission members are not authorized to represent the City outside of official board/commission meetings unless specifically authorized to do so.

Councilmembers are frequently contacted by the media for background and quotes.

The best advice for dealing with the media is to never go "off the record"

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the City on City positions.

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

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Choose words carefully and cautiously

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

C. SANCTIONS

*"You cannot have a proud and chivalrous spirit if your conduct is mean and paltry;
for whatever a man's actions are, such must be his spirit."
-- Demosthenes*

Model of Excellence

City Councilmembers, Board and Commission Members, and Council appointees who do not sign the Model of Excellence (Appendix A) shall be ineligible for intergovernmental assignments or Council subcommittees.

Ethics Training for Local Officials

City Councilmembers, Board and Commission Members, and Council appointees who are out of compliance with State- or City-mandated requirements for ethics training shall not represent the City on intergovernmental assignments or Council sub-committees, and may be subject to sanctions.

Public Disruption

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

Inappropriate Staff Behavior

Councilmembers should refer to the city manager any City staff or to the city attorney any City Attorney's staff who do not follow proper conduct in their dealings with Councilmembers, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

Councilmembers Behavior and Conduct

Compliance and Enforcement. The Sunnyvale Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Sunnyvale City Council, boards and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Mayor and Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

City Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Sunnyvale or with inter-government agencies) or have official travel restricted.

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Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

Councilmembers should point out to the offending Councilmember infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Vice Mayor.

It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

Board and Commission Members Behavior and Conduct

Counseling, verbal reprimands and written warnings may be administered by the Mayor to board and commission members failing to comply with City policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective board or commission, the city clerk, the city attorney, the city manager, and the City Council. Written reprimands administered by the Mayor shall not be included in packets for public meetings and shall not be publicized except as required under the Public Records Act.

The City Council may impose sanctions on board and commission members whose conduct does not comply with the City's policies, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation. The Report to Council shall be distributed in accordance with normal procedures, including hard copies to numerous public facilities and posting online. Any Report to Council addressing alleged misconduct by a board or commission member shall be routed through the Office of the city attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

When deemed warranted, the Mayor or majority of Council may call for an investigation of board or commission member conduct. Should the city manager or city attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the city manager and/or the city attorney to investigate the allegation and report the findings.

The results of any such investigation shall be provided to the full Council in the form of a Report to Council, and shall be placed on the agenda of a noticed public meeting as "Information Only". Any such report shall be made public and distributed in accordance with normal procedures (i.e., hard copies to numerous public locations and posted online). Any report to Council addressing the investigation of board and commission members shall be routed through the Office of the City Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

It shall be the Mayor and/or the Council's responsibility to determine the next appropriate action. Any such action taken by Council (with the exception of "take no further action") shall be conducted at a noticed public hearing. These actions include, but are not limited to: discussing and counseling the

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individual on the violations; placing the matter on a future public hearing agenda to consider sanctions; forming a Council ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Council consideration.

Under the City Charter, the City Council also may remove members of boards and commissions from office. A violation of this Code of Ethics and Conduct shall not be considered a basis for challenging the validity of a Council, board or commission decision.

D. PRINCIPLES OF PROPER CONDUCT

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals ... respect for the validity of different opinions ... respect for the democratic process ... respect for the community that we serve.

E. CHECKLIST FOR MONITORING CONDUCT

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?

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- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

F. GLOSSARY OF TERMS

attitude	The manner in which one shows one's dispositions, opinions, and feelings
behavior	External appearance or action; manner of behaving; carriage of oneself
civility	Politeness, consideration, courtesy
conduct	The way one acts; personal behavior
courtesy	Politeness connected with kindness
decorum	Suitable; proper; good taste in behavior
manners	A way of acting; a style, method, or form; the way in which things are done
point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
point of personal privilege	A challenge to a speaker to defend or apologize for comments that a fellow member considers offensive
propriety	Conforming to acceptable standards of behavior
protocol	The courtesies that are established as proper and correct
respect	The act of noticing with attention; holding in esteem; courteous regard

G. IMPLEMENTATION

As an expression of the standards of conduct for members expected by the City, the Sunnyvale Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this document shall be included in the regular orientations for candidates for City Council, applicants to board and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City of Sunnyvale Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be annually reviewed by the City Council, boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.

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Adopted: RTC 08-113 (4/8/08), Update: RTC 09-036 (2/3/09); Updated: RTC 09-047 (2/24/09); Approved with no changes: RTC 10-078 (3/23/10); RTC 11-058 (3/29/11); RTC 12-067 (3/20/2012); Updated: RTC 13-060 (3/19/13); Approved with no changes: RTC 14-0211 (3/18/14); RTC 15-0050 (3/24/15); RTC 16-0360 (4/5/16); RTC 17-0161 (3/28/17); RTC 18-0036 (1/9/18); RTC 19-0185 (2/26/2019); RTC 20 0021 (3/17/2020)

Lead Department: Office of the City Manager

APPENDIX A - Model of Excellence Member Statement

MODEL OF EXCELLENCE

Sunnyvale City Council, Boards and Commissions

MEMBER STATEMENT

As a member of the Sunnyvale City Council or of a Sunnyvale board or commission, I agree to uphold the Code of Ethics and Conduct for Elected and Appointed Officials adopted by the City and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of Sunnyvale;
- Treat all people with whom I come in contact in the way I wish to be treated;

I affirm that I have read and understood the City of Sunnyvale Code of Ethics and Conduct for Elected and Appointed Officials.

Signature

Date

City Council Seat # ____

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City of Sunnyvale

Agenda Item

20-0977

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Bicycle and Pedestrian Advisory Commission 2020 Annual Work Plan

2020 Master Work Plan

Bicycle and Pedestrian Advisory Commission

Annual Calendar

MEETING DATE	AGENDA ITEM/ISSUE
January 16	<ul style="list-style-type: none"> • Ranking of 2020 Study Issues • Safe Routes to School Coordinator Update (Presentation)
February 20	<ul style="list-style-type: none"> • Discussion of Utility Bill Concepts • Discussion of TDA Funding
March 19	Cancelled
April 16	<ul style="list-style-type: none"> • Active Transportation Plan (Presentation) • Utility Bill Concept Designs • TDA Funding Recommendation • Annual Slurry Seal List (Information item) • Council Ranking of Study Issues (Information item)
May 21	<ul style="list-style-type: none"> • Review Recommended Budget • Annual reporting on collisions involving pedestrians and cyclists (Presentation)
June 18	<ul style="list-style-type: none"> • Recognition of Service • Moffett Park Green Link (Presentation) • Active Transportation Plan • Utility Bill Stuffer Update (Information item)
July 16	<ul style="list-style-type: none"> • Selection of Chair and Vice Chair • Downtown Specific Plan Amendments
August 20	<ul style="list-style-type: none"> • City of Santa Clara Bicycle Master Plan Update impact on Lawrence Station Area (commissioner-led presentation) • Roadway Safety Plan
September 17	<ul style="list-style-type: none"> • Study Issues Sponsorship (for Scenario 1)
October 15	<ul style="list-style-type: none"> • Final month to Propose Study Issues • Vision Zero Plan Progress Update (Presentation) • Study Issues Sponsorship (for Scenario 2, if necessary) • Review Sponsored Study Issues Write-up (for Scenario 1 only) • Bicycle Friendly Community Designation Application (Information Item)
November 19	<ul style="list-style-type: none"> • Approve 2021 Master Work Plan

MEETING DATE	AGENDA ITEM/ISSUE
December 17	<ul style="list-style-type: none">• Lawrence Station Area Plan - Sense of Place Plan• Fair Oaks Avenue Bike Lanes and Streetscape – Phase 2• Climate Action Plan Progress Update (Presentation)• Final month to Approve 2021 Master Work Plan• Final month for Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials• Measure B Funding – Education & Encouragement Category (Information Item)

Additional items yet to be scheduled:

- Bernardo Avenue Bicycle/Pedestrian Undercrossing
- Caltrain Grade Separation (Mary Avenue and Sunnyvale Avenue crossings)
- East Sunnyvale Area Transportation Improvements
- Homestead Road Full-time Bike Lane Study
- Java Drive Road Diet
- Lawrence Station Area Bicycle Facilities Project
- Mary Avenue Freeway Overcrossing
- Maude Avenue Bike Improvement Project
- Moffett Park Specific Plan Update (Study Session)
- Peery Park Area Transportation Improvements
- Stevens Creek Trail Extension Project
- Note:
 - Study Issues may be proposed at any meeting throughout the year
 - Study Issues presentation dates will be added following approval by Council



City of Sunnyvale

Agenda Item

20-0978

Agenda Date: 11/19/2020

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

SUBJECT

Active Items List - November 2020

Active Items List

Item #	Item	PR	Due Date (Approx)	Status	Last Updated
1	Bernardo Caltrain Under-crossing	Garcia	TBD	Sunnyvale and Mountain View are collaborating with the project consultant to consider different project alternatives. These alternatives are intended to be presented for the upcoming Joint BPAC meeting and community public outreach. The project team is coordinating with the County and Caltrain to select a preferred alternative to present to the City Council for approval in 2021.	11/19/2020
2	East-West Channel Trail	Ng	Annual	Valley Water is working with resource agencies to get the necessary environmental permits. Once issued, Valley Water anticipates beginning construction by May 2021. Part of this process includes partnering with Google to enhance 1100' of the West Channel. This is part of Google's proposed site development Project at Caribbean Drive. Valley Water and Google are currently working on an Authorization Agreement for that part of the West Channel. This enhancement will provide mitigation opportunities for Valley Water. The trail project will begin after Valley Water has completed the flood control project.	10/15/2020
3	Bike to Work Day	Tsang	Annual	Bike to Work Day was cancelled for 2020. Silicon Valley Bike Coalition hosted "Bike to Wherever Days" campaign in September 2020.	10/15/2020
4	Utility Bill Insert	Tsang	Annual	The 2020 Utility Bill Insert was mailed out with the Utility Bill in July/August 2020.	9/17/2020
5	Maude Avenue Bike Lanes	Ng	2021	Construction has been completed as of August 1, 2020. Staff will monitor the improvements, and will re-evaluate six months after project completion to determine if the removal of on-street parking would result in parking impacts within the neighborhood. Based on the evaluation, staff will then determine if the bicycle lanes east of Sunnyvale Avenue should be permanently installed in the future. Staff plan to perform the evaluation and present the results to BPAC in March of 2021.	8/20/2020
6	Caltrain Grade Separation Feasibility Study	Tsang	TBD	The City is currently refining concept designs and undertaking preliminary traffic analysis related to grade separation at both Mary and Sunnyvale Avenues. Additional community meetings are planned for spring 2021.	8/20/2020
7	Homestead Road Bike Lanes Study	Garcia	2021	The City expects to release a Request for Proposals in fall 2020. The project is anticipated to begin in 2021.	7/16/2020
8	Stevens Creek Trail Extension	Ng	TBD	Sunnyvale partnered with Mountain View in the application of the Measure B Bike/Ped Competitive Grant for capital projects for the environmental study and design of the Stevens Creek Trail extension from the Dales/Heatherstone bike-pedestrian overcrossing to West Remington Drive/Mountain View High School. The application was accepted and the grant amount would be \$4.8 million. Sunnyvale also submitted an application for the segment between W. Remington Dr. and W. Fremont Avenue. The application for the environmental study and design phases were accepted and the grant amount would be \$3.5 million. For both applications, VTA is in the process of finalizing the grant allocation timeline.	7/16/2020
9	Road Overlay, Slurry, Reconstruction & Chip Schedule	T. Pineda	Annual	List was included in April 2020 BPAC meeting agenda packet.	4/16/2020