



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: 3/9/2021
TO: Councilmembers
FROM: City Manager
SUBJECT: COUNCIL Q&A FOR FEB 23, 2021 REGULAR COUNCIL MEETING

Minutes

The 2/23 meeting, in the section about future agenda items, PARC commissioner discussion:

- “Disciple” should be “discipline” throughout
- “Relative” should be “relevant”

Noted

Page 6, half way down the page, there is a space between the “T” and the “t” in the work “it.”

Noted

Agenda Item 1:

- According to SVCE’s timeline, this project will largely be completed by the time of the Council decision. How has the project been paid for up until now without the grant having been available to the Youth Commission?

The Environmental Subcommittee is still accepting submissions until next Monday the 15th. The funds will be used to purchase frames and plaques for winners once the art has been judged. No funds have been needed to this point.

Agenda Item 3:

- Who / how was the decision made to expand the scope of this project beyond its budget? Who made the approval? If a project runs over budget or is expanded in scope, at what point does that decision get made by a department head? City Manager? Council?

The Engineering Services Director made a recommendation to the City Manager to exceed the contract amount in this case because it provided an opportunity to immediately address an unanticipated problem and save the City money in the long-run (since the contractor was already mobilized), while staying within the project budget. Although the amount over contract was \$25K, all project costs came in under budget by \$18K. City Council approved the contract exceedance and the scope change the pushed the work over the contract budget on September 22, 2020. For further

details, the 9/22/20 staff report can be viewed at https://los-altos.granicus.com/MetaViewer.php?view_id=7&clip_id=1676&meta_id=65968.

Decisions like this are rare and made on a case-by-case basis. Any changes to a contract valued at \$75K or more ultimately require approval by the City Council. Department heads have approval authority for up to \$50K and the City Manager up to \$75K.

- What are the consequences if the Council does not approve this resolution (or, generally, if the council doesn't ratify staff's decision to expand a budget/scope of a project)?

If Council does not approve the resolution, staff will not be able to release the 10% retention (~\$127K) owed to the contractor. Generally speaking, if Council does not approve scope of work and costs that respectively change and exceed the contract scope and cost, the contractor would not be paid for the additional work.

Agenda Item 4:

The last Whereas in the Resolution has a typo, the election will be in 2021 not 2022

Noted

Can the Cupertino School District provide us with data or survey information that shows the likelihood that it will pass. The last time in November in 2020 it was unsuccessful.

CUSD - We did not conduct a feasibility study for this measure as we knew that after our last failed measure we need about a 6-7% increase in support to pass. We have spent more time as a district educating our community as to the long-term benefit. - Jeff Bowman, Ed.D.

- First WHEREAS: Delete "the district" after the word ("State").
- Eighth WHEREAS: Delete the word "to" between "closures" and "due".
- Ninth WHEREAS: Correct the sentence to read ". . . parcel tax with a new parcel tax of \$98 per year. . . ."
- Last WHEREAS on the first page of Attachment 1: Add a space between "XIII" and "A."
- Final WHEREAS: The word "Board" is not defined earlier in the document. I think it should be replaced with "the Board of Education of the Cupertino Union School District"
- Final WHEREAS: Delete "in the judgment of."

Noted

Agenda Item 5 & 6:

- Is there a contract for us (and the community) to review?

The City Council does not review contracts such as these as they are highly technical and thoroughly reviewed by the City's legal team. The current agreements with Eide Bailly are attached and include those services being provided by Eide Bailly.

- Is the City Manager's office satisfied with the performance of Eide Bailly to date?

Yes, the City is satisfied with the performance of Eide Bailly.

- Is there either a financial or a quality-of-services benefit to the city not to extend this contract and instead look for an alternate vendor?

Upon the announcement of the pending departures of the former Administrative Services Director and the former Financial Services Manager, Staff spent an extensive amount of time researching firms and options to provide these services to the City and determined that Eide Bailly was the best option for the City. As such, Staff does not see a financial or a quality-of-services benefit to explore alternative options.

Agenda Item 9:

- What issue(s) is the two-way bike lane on Almond supposed to address?

The City resurfaced Almond Avenue (San Antonio to El Monte) in the Summer 2020. Starting in the Fall 2019 the City began a community outreach process to inform residents of the upcoming resurfacing work and invite them to identify opportunities to improve walking and biking, given the school traffic from Los Altos High School and Almond Elementary School. Heavy pedestrian and biking activity was the main issue between San Antonio and Valencia Drive. The Los Altos PD also noted it was a regular practice for students to ride in the parking lane within this stretch of road in the “wrong way” (i.e., against traffic on Almond) going to school in the morning as the crosswalk across San Antonio at Almond is on the north side of the intersection. The “wrong way” riding was a safety concern when vehicles were parked on the street in that stretch, and overall the behavior was a normal practice. The two-way bicycle cycle track was perused in response to formalize a practice that was already existing. The two-way cycle track design does require the removal of parking along the north side of the street, the plan adds “new” parking on the south side of the street to augment the parking lost on the north side. The City held several community meetings on the proposed cycle track and City staff went door-to-door to the five residents living between San Antonio and Valencia to encourage their participation in the outreach process.

The two way cycle track was approved for implementation in two phases in the Spring 2020 so that on-going community outreach could continue and to allow additional discussion with the Complete Streets Commission (CSC) regarding design of the cycle track. The initial City staff recommendation was to start the cycle track without any vertical elements within the 2-FT buffer zone that separates the two-way cycle track from the adjacent westbound vehicle lane on Almond Avenue, consistent with the current field practice, so that additional observations could be made and the appropriate elements for addition to the buffer zone could be determined later.

During the December 2020 CSC meeting, Commissioner Ambiel requested a vertical element immediately upon implementation with the cycle track. Accordingly, staff returned with a recommendation in January 2021 to include 22-inch, green color flexible post (aka bollards) within the buffer zone. Residents from the five households on Almond Ave between San Antonio and Valencia participated in the January meeting expressing concerns with the vertical elements and the cycle track, and expressing concerns that the community outreach process excluded their participation. Given the concerns expressed by residents, the CSC agreed to staff’s initial recommendation to begin the cycle track without any vertical elements, along with safety observations and data gathering once student physically return to attending classes at the high school. This is one of the work items in the scope of work of the proposed striping contract with Crisp Company that Council will consider awarding.

The two-way cycle track design also includes green bicycle pavement markings beginning at San Antonio & Almond to guide bicyclists towards the cycle track facility. The project also includes a traffic signal modification at San Antonio & Almond to introduce bicycle signals and dynamic No

Right Turn blank-out signs that further enhance the operation of the cycle track and provide safer access for bicyclists through the intersection. The signal modification materials are procured, but installation will be delayed pending City Council's action on the striping contract.

- Are the bicycle lanes situated so that cyclists are following the same traffic rules as cars do?

The proposed two-way bicycle cycle track on Almond Avenue includes special design features to guide bicyclists and warn motorists regarding the facility. Bicyclists will be guided to the facility starting at San Antonio & Almond using green marking on the pavement. Bicyclists will be separated from motorists with a 2-FT buffer zone. It is the City's intention to monitor the two-way cycle track after installation to view bicyclists and motorist behavior to determine the appropriate type of vertical element, if any, that needs to be added within the 2-FT buffer zone space. The same green marking material is being provided at Valencia St and at each of the LAHS driveways to advise motorists regarding bicycle activity. Additional warning signage along Almond Avenue is also being provided to warn motorists to *Yield to Bicyclists*.

- Why does the Almond Avenue map still show green dots in the BBL? Originally these green dots indicated bollard locations.

Since the low bid is based on the plans that included the bollards, the drawings cannot be amended until after Council approves award of the bid. Otherwise, if the plans changed now, the bid process would have to be redone. After award, staff plans to remove the bollards through a change order. Crisp Company will continue to be the low bidder after the bollards are removed from the scope of work.

To be clear, vertical bollards are no longer proposed along Almond Avenue; they will not be installed. During the January 2021 Complete Streets Commission meeting, it was agreed to implement the proposed bicycle cycle track without any vertical elements (i.e., bollards). Staff is compiling low profile curb element options that can be installed on Almond later, if needed, and for future bicycle- and pedestrian-focused projects in the future as part of the Complete Streets Master Plan project. However, before those elements are considered for installation, they will be proposed to the Complete Streets Commission and residents will be notified of the opportunity to express their feedback at the CSC meeting and/or directly to staff.