

CC 02-21-2023

# 11

Amendments to City  
Committees

Presentation

# 2/21/2023 City Council Meeting Item #11



**CITY OF  
CUPERTINO**



# Objective

- Adopt Resolution to repeal and replace Resolution No. 18-010 regarding the Legislative Review Committee;
- Establish an Economic Development Working Group by the City Manager;
- Amend CMC to repeal Chapters 2.84, 2.90, and 2.96; to adopt Chapter 17.02, regarding local environmental review procedures; and to amend Chapters 2.32, 2.88, 9.20, 19.08, 19.12, 19.28, 19.104, and 19.124, regarding the duties of the Planning Commission, Audit Committee, and Local Assessment Committee.



# Agenda

1. Objective
2. Reasons for Recommendation
  1. Background
  2. Legislative Review Committee
  3. Economic Development Committee
  4. Environmental Review Committee
  5. Design Review Committee
  6. Audit Committee
3. Staff's Recommendation
4. Questions



## Background

- Item introduced at the January 17, 2023, City Council meeting and was continued
- Council held a study session on January 25, 2023
  - Council voted to direct staff to consolidate certain Commissions and Committees, to discontinue all previously formed Council subcommittees and to proceed with necessary ordinance amendments.
  - Council directed staff to provide an alternative to Economic Development Committee as part of the ordinance amendment analysis



# Legislative Review Committee (LRC)

## Background

- Legislative Advocacy Policy established in 2018 that delegated authority to LRC

## Recommendation

- Rescind Resolution 18-010
- Update Legislative Advocacy Policy
  - Requires full Council consideration of City positions on proposed legislation
  - Allow City Manager to act in a limited circumstances



# Economic Development Committee (EDC)

## Background

- CMC Section 2.96 enacted EDC in 2022

## Recommendation

- Repeal Ordinance entirely
- Establish Economic Development Working Group
  - Allow flexibility to pivot quickly to immediate interests
  - Serve as an advisory capacity to staff on as-needed basis, allowing tailored discussions
  - Include a broad array of business and business-serving agencies both locally and regionally



# Economic Development Committee (EDC) cont.

## **Economic Development Working Group**

- Group meeting to commence in Spring / Summer 2023
- Group to focus on assessing current programs and developing a holistic framework
- Staff to provide updates on discussion and recommendations regularly

No action by Council is required.

Alternatively, Council may direct staff to return with a different proposal for an economic development advisory body





# Environmental Review Committee (ERC)

## Background

- CMC Section 2.84 enacted ERC in 1990

## Recommendation

- Repeal Ordinance entirely
- Amending Chapter 9.20 (Review of Off-Site Hazardous Waste Facilities) to address ERC functions in that Chapter.
- Establishing a new Chapter 17.02 (California Environmental Quality Act) to ensure compliance with state CEQA Guidelines.



# Environmental Review Committee (ERC) cont.

## **Local Assessment Committee (LAC)**

- The jurisdiction of the Local Assessment Committee (“LAC”) would be clarified to state that scoping meetings for off-site hazardous waste facilities should include issues related to CEQA review. The LAC is not presently active.

*Under Ordinance No. 1555 (1991), the City Council may appoint a Local Assessment Committee to review applications for off-site hazardous waste facilities processed pursuant to Chapter 9.20 of the Municipal Code. Based on a review of City records, it is not clear if this authority has ever been exercised. Council's authority to appoint the LAC is unchanged by the proposed Code amendments.*



# Design Review Committee

## Background

- CMC Section 2.90 enacted Design Review Committee

## Recommendation

- Repeal Ordinance entirely
- Repealing section 19.12.050 (Authority of the Design Review Committee) and all references in the Municipal Code to the “Design Review Committee” in Title 19.
- Amending section 2.32.070(H) to remove the reference to the establishment of the DRC from the powers and functions of the Planning Commission.

## Design Review Committee cont.

Amending Title 19 to assign the current approval authority of the DRC as follows

Permit Type	Proposed Approval Authority
Exception Requests in R1 Zoning District	Planning Commission
Sign Exceptions	Planning Commission
Parking Exceptions with Minor Applications as Defined in Chapter 19.12.030	Administrative Hearing
Fence Exceptions (for height, location and/or security gates)	Administrative Hearing
Two Story Permits in R1-a Zoning District	Planning Commission
ASA Permits for Exposed or Visible Neon Signs	Administrative Hearing
ASA Permits for Decorative Statuary	Administrative Hearing



# Audit Committee

## **Background**

Audit Committee voted unanimously to recommend that the Council amend certain financial reporting requirements, including some requirements codified in the Municipal Code

## **Recommendation**

Audit Committee recommended Monthly Investment Reports be provided to Council via off-agenda memoranda and that the City Council amend the Committee's jurisdiction to review Quarterly Investment Reports before they are presented to Council



## Staff's Recommendation

- Adopt Resolution No. 23-\_\_\_\_, to repeal and replace Resolution No. 18-010, regarding the Legislative Review Committee.
- Conduct the first reading of Ordinance No. 23-\_\_\_\_, repealing Municipal Code Chapters 2.84, 2.90, and 2.96, adopting Municipal Code Chapter 17.02, and amending Municipal Code Chapters 2.32, 2.88, 9.20, 19.08, 19.12, 19.28, 19.104, and 19.124.
- Find the actions exempt from the California Environmental Quality Act.



**Questions?**