



## CITY ATTORNEY'S OFFICE

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## CITY COUNCIL STAFF REPORT

Meeting: June 17, 2025

### Subject

Introduce Municipal Code amendments to Cupertino Municipal Code, Title 2, Chapter 2.96, Sections 2.96.010 Established-Composition and 2.96.020 Terms of Office, pertaining to the Economic Development Committee.

### Recommended Action

1. Conduct the first reading of Ordinance 25-\_\_\_\_\_ "An Ordinance of the City Council of the City of Cupertino Amending City Code Title 2 Chapter 2.96 Economic Development Committee, Section 2.96.010 Established-Composition and Section 2.96.020 Terms of Office."
2. Find that the proposed actions are exempt from CEQA.

### Reason for Recommendation

#### *Background*

On April 15, 2025, the City Council approved Ordinance 25-2269 reestablishing the Economic Development Committee ("EDC"). It was determined that the following would be advisable: (a) replacing the Sustainability Commission representative on the EDC with a representative from the Planning Commission, and (b) clarifying term lengths for Commissioners and Councilmembers to ensure alignment with the terms of their respective Commissioner or Councilmember offices, and (c) clarifying term lengths for industry sector representatives to stagger their four-year terms.

This proposed Ordinance would update the City's Municipal Code to achieve all three objectives as follows:

1. Given the Committee's role in advising the City Council on economic development policy, replacing the Sustainability Commissioner with a

Planning Commissioner is advisable. The Planning Commission activities such as land use and zoning regulations play a role in shaping the city's economic environment, making its representative a more relevant contributor to the Committee's mission. In contrast, the Sustainability Commission's scope is narrower, focusing on advising policies related to Cupertino's Climate Action Plan and the General Plan's Environmental Resources/Sustainability Element, with an emphasis on sustainability. (See CMC 2.94.080). The EDC will benefit from the Planning Commissions broader scope as it makes recommendations to the City Council on a broad range of strategic matters applicable to the City's economic development goals.

2. Updating Committee Members terms for the EDC representatives from the City Council and the Commissions is necessary to ensure that the terms of these EDC members conclude when their terms with the other City bodies conclude.
3. Updating the industry sector representatives' initial terms such that their terms do not all conclude in the same year. Rather, two industry sector representatives' terms will be two years, expiring January 30, 2027, and three of their terms will be four years, expiring January 30, 2029.

#### Next Steps:

If the ordinance is not adopted, a Sustainability Commissioner will be chosen to serve on the EDC and the terms for each commissioner and councilmember will not be aligned with their terms in the other City bodies. This may cause confusion and will not ensure Committee members rotate off the EDC when their other Commission or City Council terms conclude. Additionally, four committee members' terms will end simultaneously, which may impact operational stability.

#### Sustainability Impact

No sustainability impact.

#### Fiscal Impact

There are no fiscal impacts associated with these updates.

#### City Work Program Item/Description

None

Council Goal

Public Engagement and Transparency

California Environmental Quality Act

Not applicable.

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Prepared by: Floy Andrews, City Attorney

Reviewed by: Daniel Degu, Economic Development Manager

Approved for Submission by: Tina Kapoor, Acting City Manager

Attachments:

A – Draft Ordinance – redline

B – Draft Ordinance – clean