

RESOLUTION NO. 24-XXX

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL DECLARING TO
BECOME A VISION ZERO COMMUNITY AND ADOPTING A VISION
ZERO ACTION PLAN WITH THE CLEAR GOAL OF ELIMINATING
TRAFFIC FATALITIES AND SEVERE INJURIES ON CITY STREETS BY THE
YEAR 2040**

WHEREAS, according to data from the National Highway Traffic Safety Administration, each year, approximately 40,000 people are killed in traffic collisions in the United States; and

WHEREAS, in a study comparing 19 peer nations, the Center for Disease Control and Prevention found that the United States has the highest traffic death rate per person; and

WHEREAS, from 2012 to 2021, 9 people died and 74 suffered severe life changing injuries on City of Cupertino's streets; and

WHEREAS, from 2012 to 2021, 4 pedestrians died and 20 suffered severe life changing injuries on City of Cupertino's streets; and

WHEREAS, from 2012 to 2021, 4 cyclists died and 23 suffered severe life changing injuries on City of Cupertino's streets; and

WHEREAS, 81% percent of crashes where people were killed or seriously injured occurred at or near intersections and 19% percent occurred along a roadway segment; and

WHEREAS, the most common primary collision factor for crashes where people were killed or seriously injured was traveling at an unsafe speed followed by failure of motorist to yield the right of way; and

WHEREAS, the inappropriate actions of motorists were cited as the cause of 72% percent of crashes involving pedestrians as compared to 14% percent of these crashes being caused by the actions of pedestrians and 14% caused by party at fault that could not be determined; and

WHEREAS, the public has stated that their primary concern related to traffic safety is pedestrian safety and bicyclist safety followed by speeding; and

WHEREAS, the Fourth Guiding Principle of the City's General Plan: Community Vision 2015-2040, Enhance Mobility, states that Cupertino will ensure the efficient and safe movement of cars, trucks, transit, pedestrians, bicyclists and disabled persons throughout Cupertino to fully accommodate Cupertino's residents, workers, visitors, and students of all ages and abilities; and

WHEREAS, in Chapter 5 Mobility of the City's General Plan: Community Vision 2015-2040, Goal M-2 is the implementation of improvements to city streets that safely accommodate all transportation modes and persons of all abilities; and

WHEREAS, in the introduction of Chapter 7 Health and Safety of the City's General Plan: Community Vision 2015-2040, Cupertino commits to the protection of the community from risks to life associated with human-caused hazards; and

WHEREAS, Vision Zero is a public health-based traffic safety strategy to reduce and eventually eliminate traffic deaths and serious injuries using a data driven multi-disciplinary and safe systems approach that also increases safe, healthy equitable mobility for all; and

WHEREAS, Vision Zero recognizes that while human error will always occur, a combination of engineering, education and enforcement measures can reduce collisions and can prevent collisions from causing death or severe injuries; and

WHEREAS, one death or serious injury on City streets is one too many and City and departmental leadership are dedicated to strategies that aim to reduce and eliminate deaths and serious injuries on City streets; and

WHEREAS, increasing real and perceived safety for people walking and bicycling is a key step in enabling more people to choose these clean air-modes of transportation that will support the City's goal of promoting policies to help achieve state, regional and local air quality and greenhouse gas emission reduction targets; and

WHEREAS, the Federal Highway Administration has committed to eliminating fatalities and serious injuries on the nation's roadways using a data-driven interdisciplinary approach modeled after Vision Zero; and

WHEREAS, the California Department of Transportation (Caltrans) has adopted the goal of moving toward zero deaths with a focus on using proven effective strategies and countermeasures; and

WHEREAS, the Federal Highway Administration identifies six principles that form the basis of the Safe System approach: deaths and serious injuries are unacceptable, humans make mistakes, humans are vulnerable, responsibility is shared, safety is proactive, and redundancy is crucial; and

WHEREAS, Vision Zero aims to design and operate roads to create a Safe System by implementing features appropriate for the intended and actual road use and speed environment, by reducing the likelihood of human error and reducing the consequences of error.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby:

1. Adopts as policy direction the tenants of Vision Zero with the expressed goal of reducing the number of fatal and serious injury crashes along all roadways under the jurisdiction of the City to zero by the year 2040; and
2. Encourage all City Departments, leadership, and staff to proactively encourage and support Vision Zero in all facets and aspects of their mission, administration, and service delivery.
3. Direct the City Manager to:
 - i) Develop procedures and programs to further the goals and objectives of Vision Zero and take data-driven actions to achieve zero fatal and serious injury crashes based on available crash data and community input and includes the “seven E’s” of engagement, equity, engineering, encouragement, education, enforcement, and evaluation; and
 - ii) Propose as part of the annual budget process to prioritize funding and availability of staff resources for implementing Vision Zero projects and programs; and
 - iii) Adopt and proactively encourage the application of the Federal Highway Administration’s list of Proven Safety Countermeasures; and
 - iv) Revise design criteria for new roadways and existing roadways to achieve a Desired Operating Speed appropriate for the context, that are sustainable and self-enforcing or self-encouraging, that are reflective of the current state of the practice for context-sensitive, people-centric

- designs that are to human scale and recognizes desire lines between people-centric origins and destinations, and assert context-sensitive, people-centric judgement over numerical warrants; and
- v) Review laws, ordinances, rules, policies, procedures, and regulations for conflictive or contrary language and provide remedy through administrative, collaborative, or legislative action; and
 - vi) Develop and maintain effective partnerships with other agencies, entities, organizations, community groups, and stakeholders to further the goals of and support for Vision Zero; and
 - vii) Establish a Vision Zero Task Force to provide for ongoing evaluation and performance measurements and present to Council on a regular basis a report on the initial and ongoing status of achieving the goal of zero fatal and serious injury crashes by the year 2040.

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action of adopting a Vision Zero Policy and Action Plan would have no or only a de minimis effect on the environment. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Cupertino this 9th day of July, 2024, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<p>SIGNED:</p> _____ Sheila Mohan, Mayor City of Cupertino	 _____ Date
<p>ATTEST:</p> _____ Kirsten Squarcia, City Clerk	 _____ Date