



FREMONT UNION HIGH SCHOOL DISTRICT

Cupertino High School | Fremont High School | Homestead High School | Lynbrook High School | Monta Vista High School | Adult School

CC 3/19/19
SS #1

March 19, 2019

Dear Honorable Cupertino Councilmembers,

Thank you so much for all your services, which make Cupertino a great city for our students and families.

Recently, we heard that parents are becoming increasingly concerned about the significant rise in e-cigarette usage by teenagers. Our district has hosted workshops at our school sites to inform parents about this issue. At one such workshop, we heard that parents are particularly concerned about retailers located close to our school sites that sell e-cigarettes, which might encourage students to become more interested in using tobacco and other nicotine delivery products.

We would like to request that the City of Cupertino consider passing an ordinance to prohibit retailers near schools from selling e-cigarettes. We hope that you take this under consideration, as we feel strongly that it will benefit our students and keep them from developing habits and behavior that may be harmful to their health.

As an example of the communications we are having with our families, please see the attached message that Fremont High School sent to all parents regarding the use of e-cigarettes.

Thank you in advance for your consideration. Please do not hesitate to contact us should you have any questions.

Best regards,

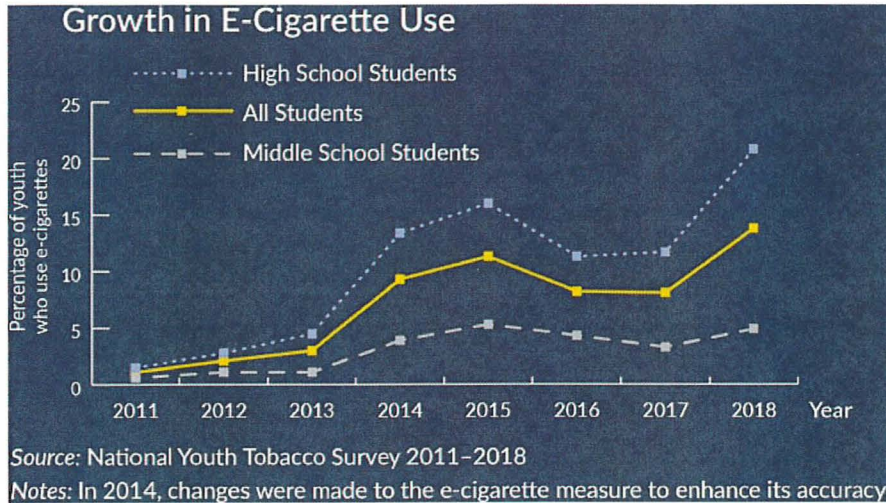
Polly Bove
Superintendent

Roy Rocklin
Board President

Dear Fremont Families,

CC 3/19/19
SS #1

We hope this letter finds you all doing very well. We wanted to inform you about a current issue facing our teenagers in High Schools across the nation. The Surgeon General along with the Center for Disease Control and Prevention have reported a statistically significant rise in e-cigarettes usage in teenagers to the point where they are referring to the problem as an epidemic. The statistics are indeed alarming. According to the Surgeon General, 20% of high school students across the country are using those e-cigarettes. Assuming the numbers are accurate, that would mean that for high school of 2200 students, have about 450 students who are using those devices. Usage of e-cigarettes and vapes has increased by 78% from last year.



The graph on the left shows the growth in vape usage among students in the USA. The year 2018 saw a significant spike in usage.

Unfortunately, the e-cigarettes/vapes are very addictive. There are different types of those e-cigarettes with some containing THC, nicotine, or other harmful chemicals. THC is the chemical that is found in cannabis/marijuana which leads to the “high” feeling. Manufacturers of some types of e-cigarettes are flavoring the drugs (nicotine or THC) with sweet tasting molecules to mimic the sweetness found in sugar. The companies prey on young adults’ preference of sweet flavors. This creates a much more addictive situation for our young students who have brains that are still developing. The e-cigarettes/vapes come in different shapes and sizes making them very subtle. The CDC and Surgeon General has examples of what you could look for online.

From a parental/guardian perspective, it is a good idea to speak with your teenagers about those devices. It is best when parents/guardians are calm about the topic but it is critical to stress how negative the vapes can be on young people’s health. Tell your students that you are concerned about their health and that they are not better than cigarettes in any way. The chemicals found in those vapes are still considered carcinogens in addition to leading to long term addiction.

This information was extracted from <https://e-cigarettes.surgeongeneral.gov/> Please feel free to access this link if you would like more information on the dangers of vapes and e-cigarettes.

For parents and guardians, if you would like tips, this link provides this information → https://e-cigarettes.surgeongeneral.gov/documents/SGR_ECig_ParentTipSheet_508.pdf

Lauren Sapudar

From: Sudha Kasamsetty
Sent: Tuesday, March 19, 2019 4:37 PM
To: Steven Scharf; Liang Chao; Darcy Paul; Jon Robert Willey; Rod Sinks
Subject: Request to include fine arts programs to city council agenda

Dear city council members,

Looking forward to seeing you all at today's agenda meeting.

I have been talking to several residents of Cupertino and neighboring cities to collect all the different ideas and also different initiatives each city is offering. Will share my collection to you in separate email. I have prioritized from the list the following three initiatives that I sonar to request you all to look into to include in your agenda today and approve any additional budget to accomplish the following:

1. Paint the city kick off program where we would hold a contest to come up with a theme and paint in unexpected places and not just the utility boxes
2. Buy signage gifts to people who are busting city hall for the first time which would reflect our cultural diversity
3. Decorate our city hall conference rooms with paintings and other wal hangings. They are very dull currently

Let me know if you need any additional details and we will work to get those for you

Thanks

Sudha Kasamsetty

Vice chair, fine arts commission

Get [Outlook for iOS](#)

Cyrah Caburian

From: Marilyn Monreal
Sent: Monday, March 18, 2019 7:55 AM
To: Cyrah Caburian
Subject: FW: Item 1 on March 19th Agenda - Work Plan - Please include Bird Safe Design and Dark Sky policies in City Work Program for FY 2019-20
Attachments: ATT00001.htm; 190317_Cupertino Birds.pdf



Marilyn Monreal
Senior Office Assistant
City Manager's/ City Clerk's Office
MarilynM@cupertino.org
(408) 777-1374



From: shani kleinhaus [mailto:shanibirds@gmail.com]
Sent: Sunday, March 17, 2019 6:12 PM
To: Steven Scharf <SScharf@cupertino.org>; Liang Chao <LiangChao@cupertino.org>; Darcy Paul <DPaul@cupertino.org>; Rod Sinks <RSinks@cupertino.org>; Jon Robert Willey <JWilley@cupertino.org>
Cc: City Clerk <CityClerk@cupertino.org>
Subject: Item 1 on March 19th Agenda - Work Plan - Please include Bird Safe Design and Dark Sky policies in City Work Program for FY 2019-20

Honorable Mayor Scharf, Vice Mayor Chao and Cupertino Councilmembers,

In the attached letter, Santa Clara Valley Audubon Society asks that you prioritize the protection of migratory birds in Cupertino, and include in the work plan the development of policies that promote bird safe design, lights-out programs, and reducing light pollution through dark-sky policies. Such policies will contribute not only to the protection of nature in the city, but also to environmental health and the well-being of residents.

Please feel free to contact me if you have questions,

Thank you,

*Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society
22221 McClellan Rd. Cupertino 95014
Tel. (650) 868 2114*

From: shanibirds@gmail.com

My Spam Blocking Level: High

Medium (75): Pass

Low (90): Pass

[Block](#) this sender

[Block](#) gmail.com

This message was delivered because the content filter score did not exceed your filter level.

Total Control Panel

[Login](#)

To: cityclerk@cupertino.org

Message Score: 1

High (60): Pass

From: shanibirds@gmail.com

My Spam Blocking Level: High

Medium (75): Pass

Low (90): Pass

[Block](#) this sender

[Block](#) gmail.com

This message was delivered because the content filter score did not exceed your filter level.



March 17, 2019

Re: Item 1 on March 19th Agenda -

Please include Bird Safe Design and Dark Sky policies in City Work Program for FY 2019-20

Dear Mayor Scharf, Vice Mayor Chao and members of the Cupertino City Council,

The Santa Clara Valley Audubon Society is a Cupertino-based non-profit organization that promotes the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. From our base at McClellan Ranch Preserve we have supported the city of Cupertino in providing nature oriented programming for residents of all ages and participated in many planning efforts in the city—most recently serving on the Advisory Group for the City's Parks Master Plan.

We write this letter with the hope that Cupertino will prioritize quality of life and the protection of migratory birds in policies that promote bird safe structure design, lights-out programs, and reducing light pollution using dark-sky policies. Specifically, we propose that the City develop an ordinance that combines:

- Bird Safe Design – to provide guidelines to help reduce the risk of bird mortality from collision with hazardous building and structure elements or due to hazardous lighting design.
- Dark Sky / Lights Out - to protect the health of the environment and residents from light pollution and excessive illumination. Since most migratory birds fly at night, a Lights-out component can provide additional guidelines to help manage lighting programs during migration seasons.

Bird collision with glass is one of the most significant causes of bird mortality. Buildings and structures that are invisible to birds are estimated to claim a toll of between 350 million to 1 billion birds every year (Loss et. al. 2014) (1). Indeed, loss of habitat, collision with buildings and other man-made structures, and death by domestic cats are the three main reasons for the decline in populations of birds and other wildlife species. Sadly, a 2017 report conducted by the U.S. North American Bird Conservation Initiative (NABCI) (2) shows that 37% of all North American bird species need urgent conservation action, and many species are under severe threat of population loss and extinction. The report shows that even common migratory bird species have lost more than half of their global population over that past four decades. Taking action to reduce the toll is important if people wish to see birds in the future, and listen to them sing.

Cities around the world—including many in California—have taken action to reduce bird deaths by adopting bird safe design guidelines and ordinances. Some Bay Area leaders in bird safe design include San Francisco (3), Alameda (4), Sunnyvale (5), Richmond (6), Oakland (7), and Mountain View (8).

Solutions that help reduce bird collisions with buildings and structures are widely used. They focus on careful planning near important bird habitats, avoidance of the most hazardous building elements, provision of visual cues to make glass more visible to birds, and modifying lighting systems to avoid attracting migratory birds to their death.

A key aspect of Bird Safe Design is the mitigation of light pollution. For millions of years, Earth's species have evolved under natural cycles of light and dark. The circadian rhythms of nearly all living things, including humans, are regulated by light. Migratory birds can become attracted to light and collide with buildings and other structures. Their migratory flight paths can be altered, sometimes leading to death from exhaustion. Many species of nocturnal bats and amphibians will refuse to forage if there are in illuminated areas. Crucially, artificial light can have serious impacts on human beings. Disruptions of the circadian rhythm can impair the production of Human Growth Hormone in youth (9) and can be carcinogenic if the disruptions happen over a prolonged period of time, as was found by the International Agency for Research on Cancer (IARC) (10).

Recently, the City of Alameda adopted an ordinance combining bird safe design guidelines with light pollution mitigation. This combination of safe building design with city-wide lighting guidelines aims to create a comprehensive plan to protect birds, humans, and other living beings (4). Other California cities, including Malibu (11) and Ojai (12), have adopted Dark Sky Ordinances.

We hope you prioritize the development of a Bird Safe Design/Dark Sky/Lights-out Ordinance for Cupertino in 2019/2020. Such an ordinance would combine Bird Safe Design Guidelines with Lighting Guidelines and include a crucial measure known as a Lights-Out Program, which conserves energy and mitigates light pollution by turning off lights that are unused after an established time at night (often around 10:30 pm). This would reduce any unnecessary artificial light that is generated by illuminated parking lots, buildings, and other structures in Cupertino. These measures will protect birds while reducing sky glow, allowing Cupertino residents to enjoy a healthy ecosystem and a clear view of the nighttime sky.

Respectfully,



Shani Kleinhaus, Ph.D.
Environmental Advocate

In-Letter References:

- 1) Loss et. Al. 2014: Glass windows and facades claim a toll of between 350 million to 1 billion birds every year https://www.audubon.org/sites/default/files/documents/loss_et_al_bird-building_collisions_condor_2014.pdf
- 2) North American Bird Conservation Initiative 2016, State of North America's Birds: 37% of all North American bird species need urgent conservation action <http://www.stateofthebirds.org/2016/overview/results-summary/>

- 3) San Francisco Ordinance: Standards for Bird Safe Buildings:
http://default.sfplanning.org/publications_reports/bird_safe_bldgs/Design%20Guide%20Standards%20for%20Bird%20Safe%20Bldgs_Final.pdf
- 4) Golden Gate Audubon Article Summarizing Alameda's Bird Safe Design Guidelines:
https://goldengateaudubon.org/wp-content/uploads/TheGull_Winter19.pdf
- 5) Sunnyvale Bird Safe Design Mandatory Guidelines:
<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23799>
- 6) Golden Gate Audubon Article Summarizing Richmond's Bird Safe Building Rules:
<https://goldengateaudubon.org/blog-posts/richmond-adopts-bird-safe-building-rules/>
- 7) Oakland Bird Safety Measures:
<https://goldengateaudubon.org/wp-content/uploads/Oakland-Bird-Safety-Measures.pdf>
- 8) Mountain View North Bayshore Precise Plan (Bird Safe Guidelines on page 125, pdf page 134):
<https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=15050>
- 9) Physiology of Growth Hormone Secretion During Sleep
<https://www.ncbi.nlm.nih.gov/pubmed/8627466>
- 10) Carcinogenicity of shift-work involving Circadian Disruption
https://firefightercancersupport.org/wp-content/uploads/2013/06/carcinogenicity_of_shiftwork_painting_and_firefighting.pdf
- 11) Malibu Dark Sky Ordinance: <https://www.malibucity.org/DocumentCenter/View/22417/Dark-Sky-Ordinance-Ordinance-No-434>
- 12) Ojai Dark Sky Ordinance:
https://docs.vcrma.org/images/pdf/planning/ordinances/Ojai_Valley_Dark_Sky_Public_Brochure.pdf

Other References:

- 13) National Audubon Lights out recommendations
<https://www.audubon.org/conservation/project/lights-out>
- 14) The International Dark Sky Association
<https://www.darksky.org/>
- 15) Menlo Park Biological Resources (Bird Safe Guidelines on page 22):
https://www.menlopark.org/DocumentCenter/View/10344/43_BiologicalResources?bidId=
- 16) Portland Bird Safe Design Guidelines + Portland Dark Sky Ordinance:
<https://www.portlandoregon.gov/bps/article/446308>
<https://multco.us/file/34011/download>
- 17) France's Decree on preventing light pollution country-wide
<https://www.legifrance.gouv.fr/eli/arrete/2018/12/27/TREP1831126A/jo/texte>

<https://www.darksky.org/france-light-pollution-law-2018/>

- 18) Campus Illumination: A road map to exterior lighting at the University of Washington Seattle Campus

<https://www.lightingdesignlab.com/sites/default/files/pdf/Campus-Illumination-Roadmap-final.pdf>

- 19) Mike Quigley (D-Ill.) reintroduced the [Bird-Safe Buildings Act of 2019](#) to the U.S. House of Representatives on January 30, 2019. The bipartisan bill requires that public buildings being constructed, acquired or altered significantly by the General Services Administration incorporate bird-safe building materials and design features.