

CC 11-16-2021

Study Session Item No. 1

Housing Element Update

Presentation

# Housing Element Update: Sites Inventory & Upcoming Community Engagement



CUPERTINO

Council Meeting November 16, 2021



## Presentation

- Sites Inventory, Background & Discussion.
- Community Engagement.
- Next Steps.
- Council Feedback.



## Sites Inventory - Background

Sites are suitable for residential development if zoned appropriately and available for residential use during the planning period (2023-2031). **If there are not enough existing sites to accommodate the RHNA for each income category, the City must identify additional sites.** Rezoning and/or adopting programs and policies may be necessary to accommodate the full amount of housing needs allocated with RHNA.

# Regional Housing Needs Allocation

	Cupertino		Santa Clara County		Bay Area	
Income Group	Units	Percent	Units	Percent	Units	Percent
<b>Very Low Income</b> (<50% of AMI)	<b>1,193</b>	26%	32,316	25%	114,442	26%
<b>Low Income</b> (50%-80% of AMI)	<b>687</b>	15%	18,607	14%	65,892	15%
<b>Moderate Income</b> (80%-120% of AMI)	<b>755</b>	17%	21,926	17%	72,712	17%
<b>Above Moderate Income</b> (>120% of AMI)	<b>1,953</b>	43%	56,728	44%	188,130	43%
Total	<b>4,588</b>	100%	129,577	100%	441,176	100.0%



## Sites Inventory - Discussion

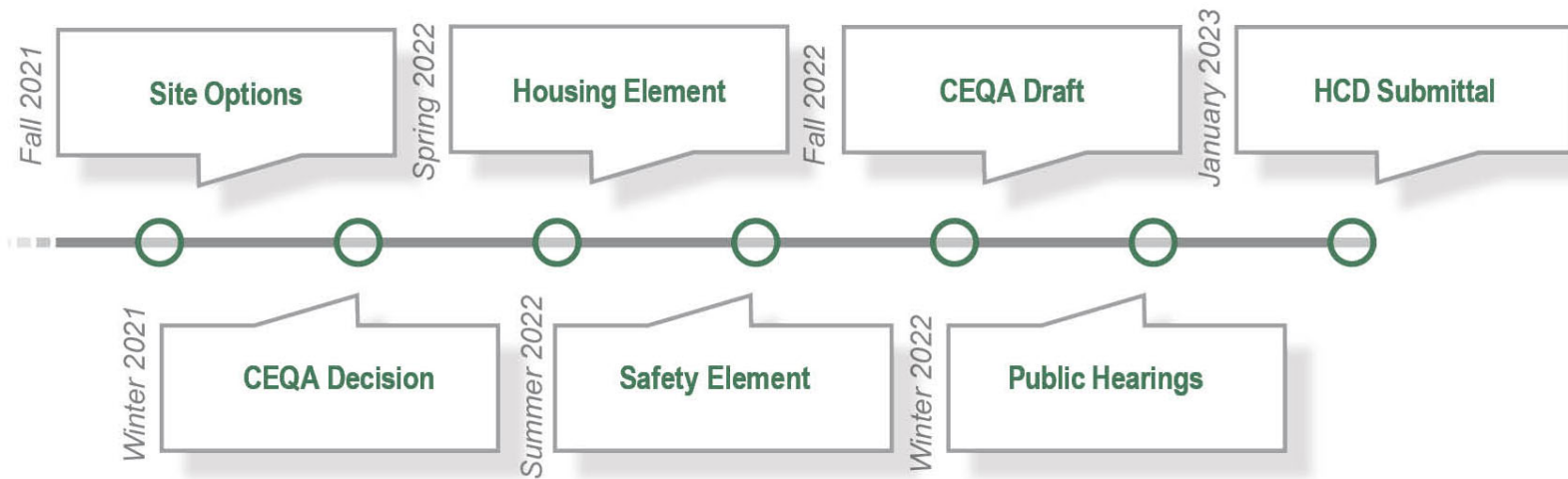
- Identification of sites.
- Sites to accommodate low and very low-income RHNA.
- Capacity analysis.
- Non-vacant sites.
- Determination of adequate sites.



## Ways to Participate

- Public Meeting Comments.
- Website interaction:
  - Surveys/ polls/ comments/ more.
  - Mapping exercises.
- Community Workshops.
- Stakeholder representation.

# Milestone Schedule







## Next Steps

- List of potentially eligible property owners.
- Heart of the City Specific Plan update.
- December 9<sup>th</sup> Housing Commission.
- December 9<sup>th</sup> virtual workshop
- Stakeholder ad-hoc group selection.



## 12/9 Community Workshop: 7 – 9 pm

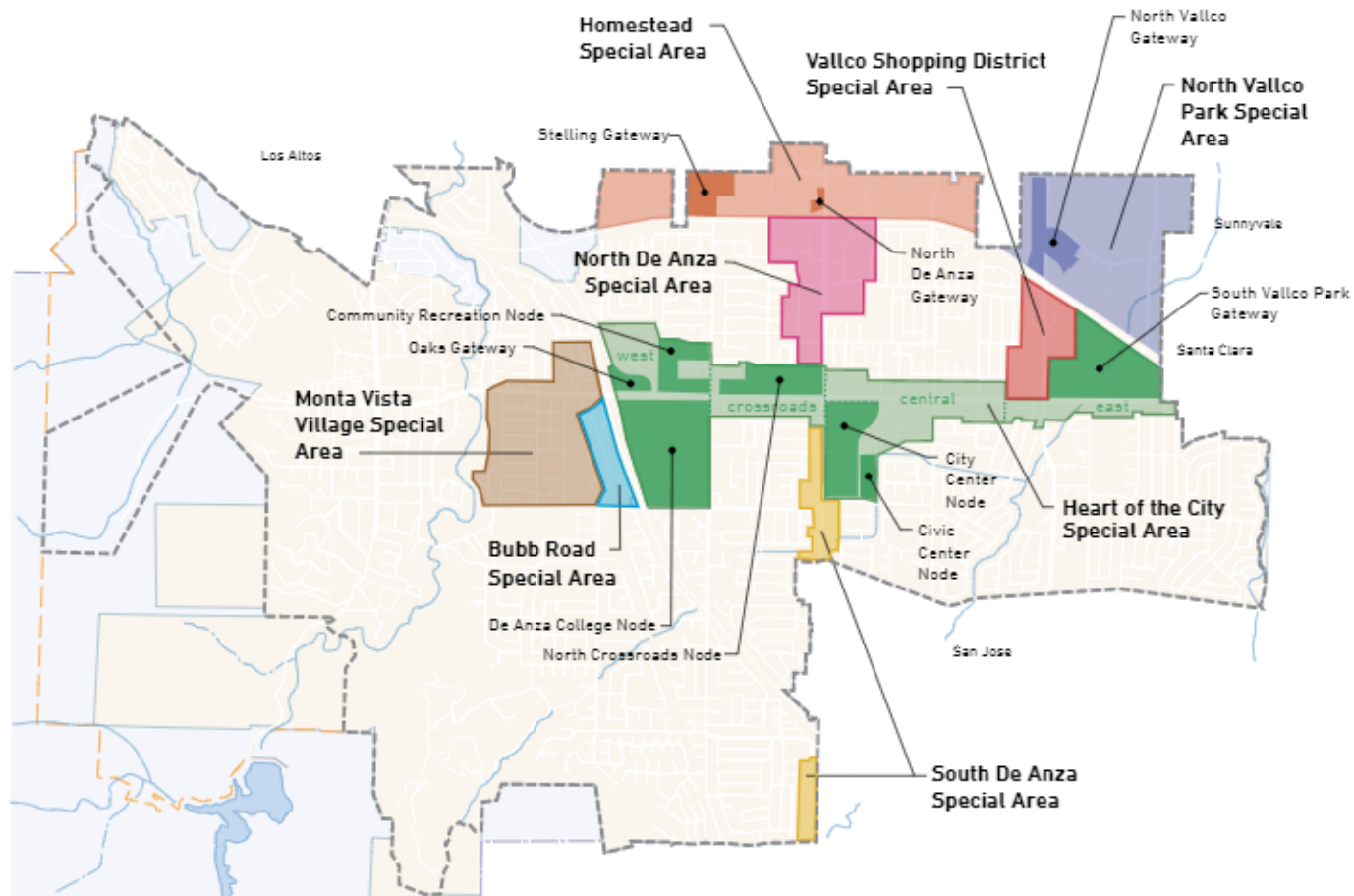
What: Brief introduction to Housing Element update process & Sites Inventory analysis.

Why now: Description of timeline and why we need to focus on sites first in our process.

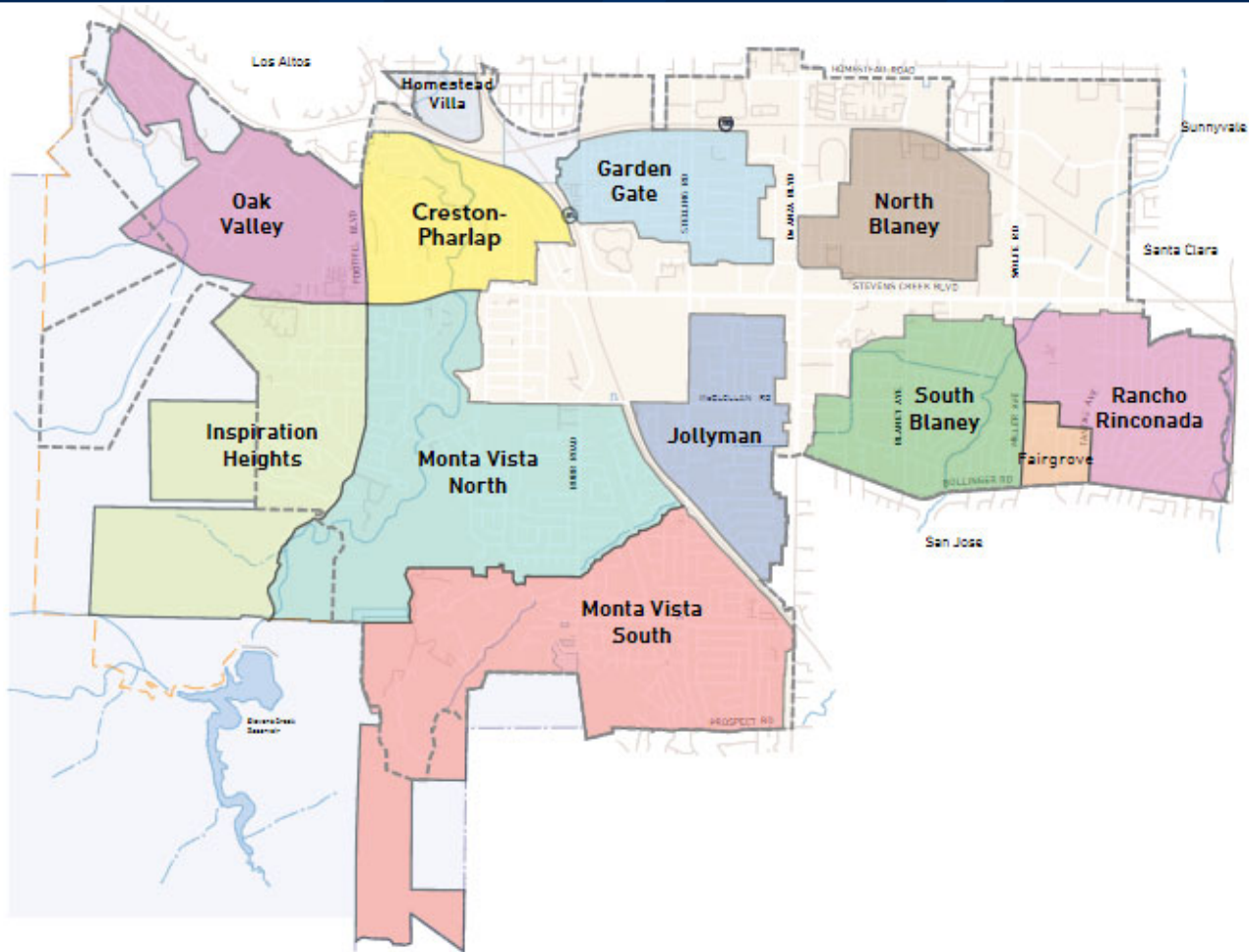
Where: Begin conversation about distribution for future housing.

How: Invitation to participate in Balancing Act mapping exercise.

# SPECIAL AREAS



# NEIGHBORHOODS





## Council Feedback

Requested changes to the initial mapping exercise?

Considerations for future iterative mapping exercises?

CC 11-16-2021

Study Session Item No. 2

Climate Action Plan  
(CAP) Update

Presentation

# Climate Action Plan (CAP) Update Draft Measures

November 16, 2021



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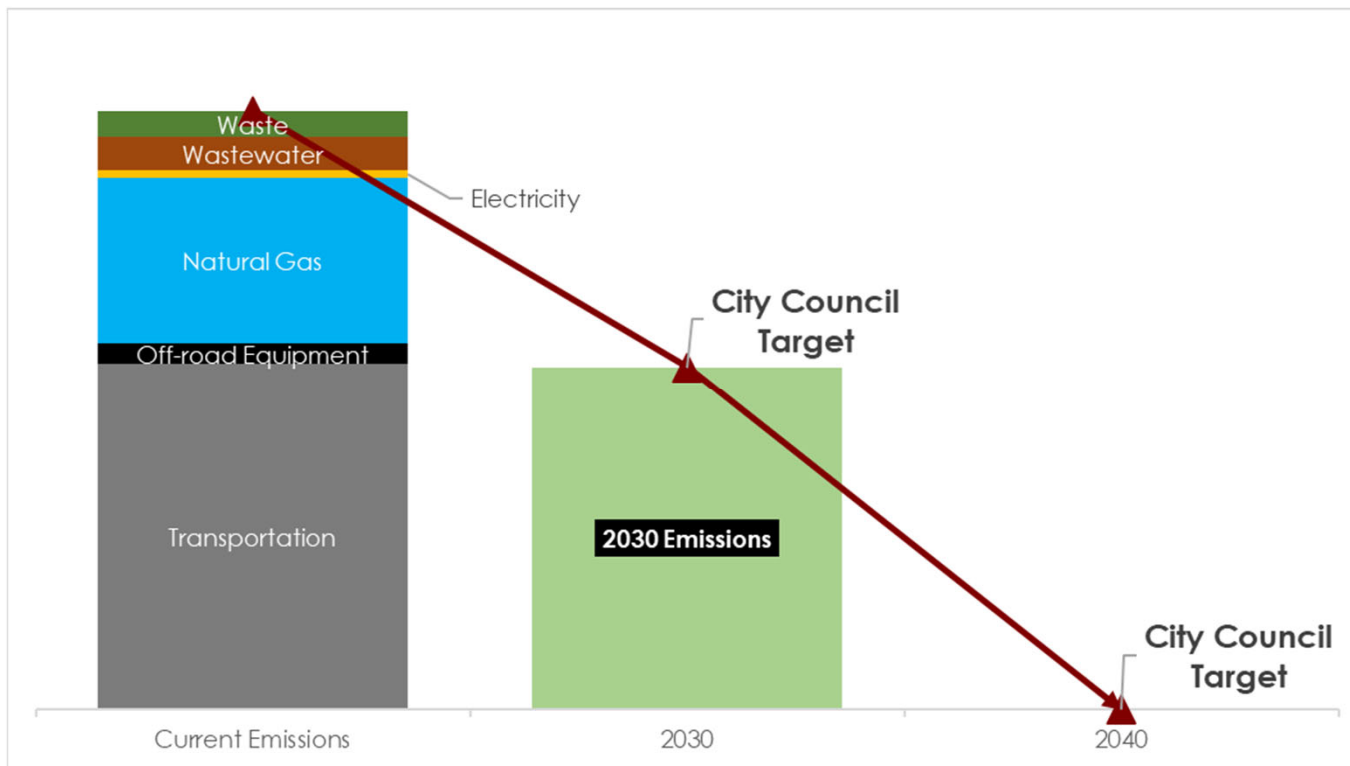


## Background

- **Dec 2020:** Council sets 2040 draft carbon-neutral date
- **May 2021 – ongoing:** Emissions forecasting and measure modeling
- **Aug 2021 – ongoing:** Public engagement process
- **Oct 2021:** Sustainability Commission recommended this draft list of high-impact measures to the City Council



# Target Path to Carbon Neutrality



### **Draft High-Impact Measures (in order of highest to lowest impact)**

1. Achieve 35% of public and shared transit mode share by 2030 and 40% by 2040
2. Electrify 49% of existing residential buildings by 2030 and 86% by 2040
3. Electrify 24% of existing commercial buildings by 2030 and 49% by 2040
4. 35% of passenger cars are zero-emission vehicles by 2030, and 100% by 2040
5. 20% of commercial vehicles are zero-emission vehicles by 2030, and 100% by 2040
6. Reduce community-wide landfilled inorganics 35% by 2030 and 90% by 2040 compared to 2018 levels
7. Off-road equipment such as construction machinery and landscaping tools are 25% electric by 2030, and 100% electric by 2040
8. Reduce community-wide landfilled organics 80% by 2025 and 90% by 2040 compared to 2018 levels
9. Double the urban tree canopy by 2030 to absorb more carbon from the air and provide resiliency benefits
10. Reduce Silicon Valley Clean Energy (SVCE) opt-out rates to 2% for residential and 10% for commercial by 2030 and maintain through 2040
11. Achieve 15% of bicycle mode share by 2030 and 25% by 2040

## Building Energy

### Increase participation rates in Silicon Valley Clean Energy (SVCE)

Reduce SVCE opt-out rate to 2% for residential by 2030 and maintain through 2040

Reduce SVCE opt-out rate to 10% for commercial by 2030 and maintain through 2040

### Electrify existing buildings

Electrify 49% of existing residential buildings by 2030 and 86% by 2040

Electrify 24% of existing commercial buildings by 2030 and 49% by 2040



## Transportation

### Implement programs for active transit that reduce vehicle miles traveled (VMT)

Achieve 15% of bicycle mode share by 2030 and 25% by 2040

### Implement programs for shared transit that reduce VMT

Achieve 35% of public and shared transit mode share by 2030 and 40% by 2040

### Increase zero-emission vehicle (ZEV) adoption

35% of passenger cars are zero-emission vehicles by 2030, and 100% by 2040

20% of commercial vehicles are zero-emission vehicles by 2030, and 100% by 2040



## Waste

Reduce community-wide landfilled organics 80% by 2025 and 90% by 2040 compared to 2018 levels

Reduce community-wide landfilled inorganics 35% by 2030 and 90% by 2040 compared to 2018 levels



## Off-road

Off-road equipment such as construction machinery and landscaping tools are 25% electric by 2030, and 100% electric by 2040



*California*  
LEGISLATIVE INFORMATION

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[Bill Information](#)

[California Law](#)

[Publications](#)

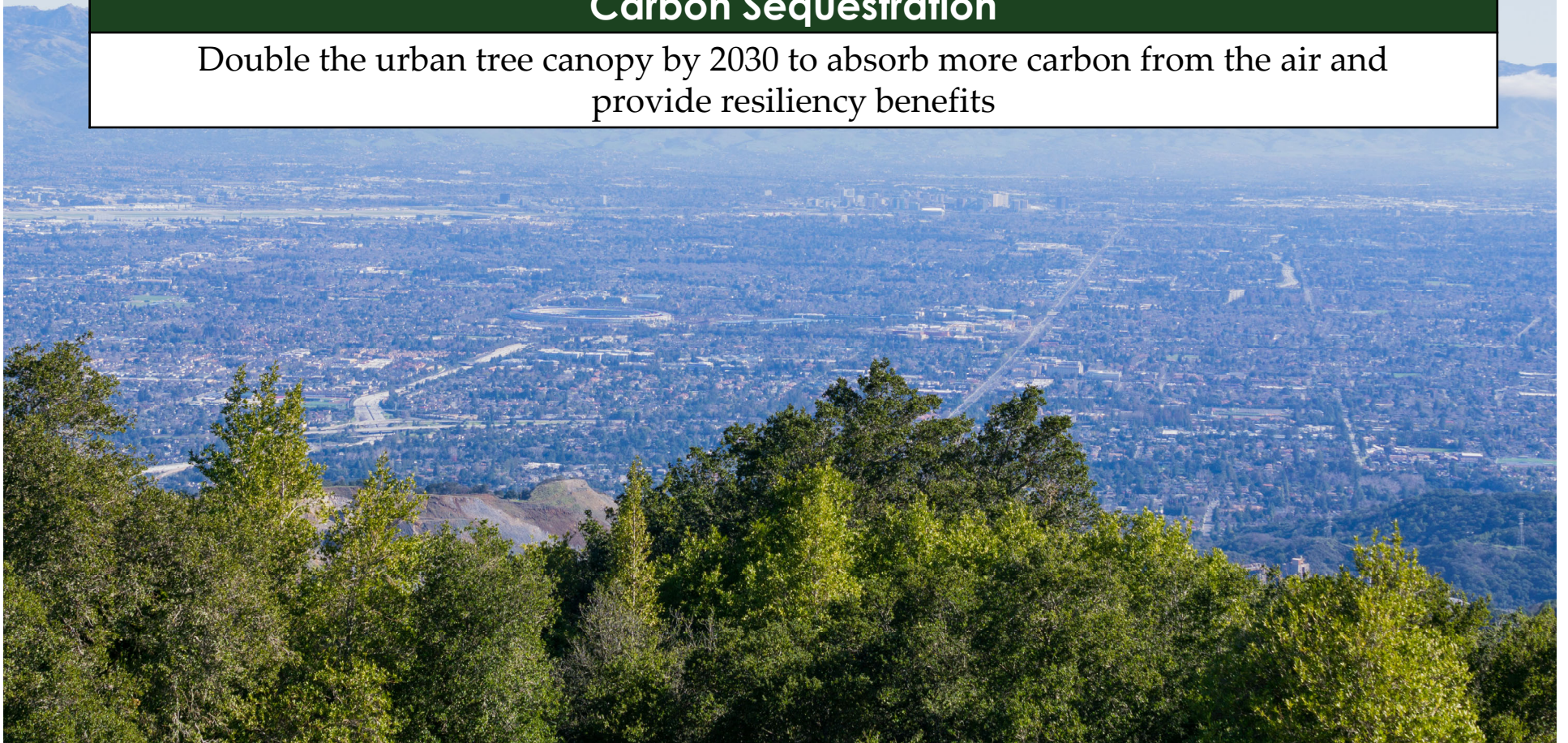
[Other Resources](#)

[Bill Information](#) >> [Bill Search](#) >> [Today's Law As Amended](#)

**AB-1346 Air pollution: small off-road engines.** (2021-2022)

## Carbon Sequestration

Double the urban tree canopy by 2030 to absorb more carbon from the air and provide resiliency benefits



# Recommended Action:

Provide input on Climate Action Plan Update draft measures





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#15

First Quarter Financial  
Report

Presentation

# FIRST QUARTER FINANCIAL REPORT

FISCAL YEAR 2021-22



CUPERTINO

# Agenda



Budget Reporting Cycle



How We Ended FY 2020-21



Amended Budget as of September 30, 2021



General Fund Update



Recommended Adjustments



Staffing



City Manager Discretionary Fund



American Rescue Plan Act of 2021

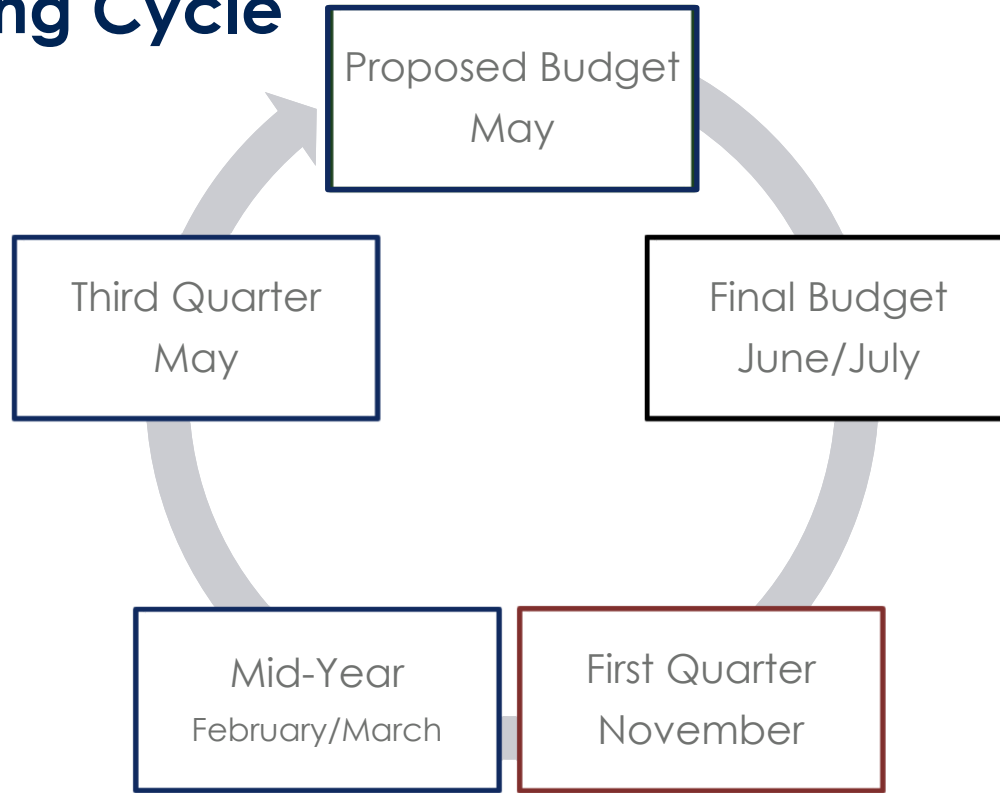


Recommendations and Next Steps

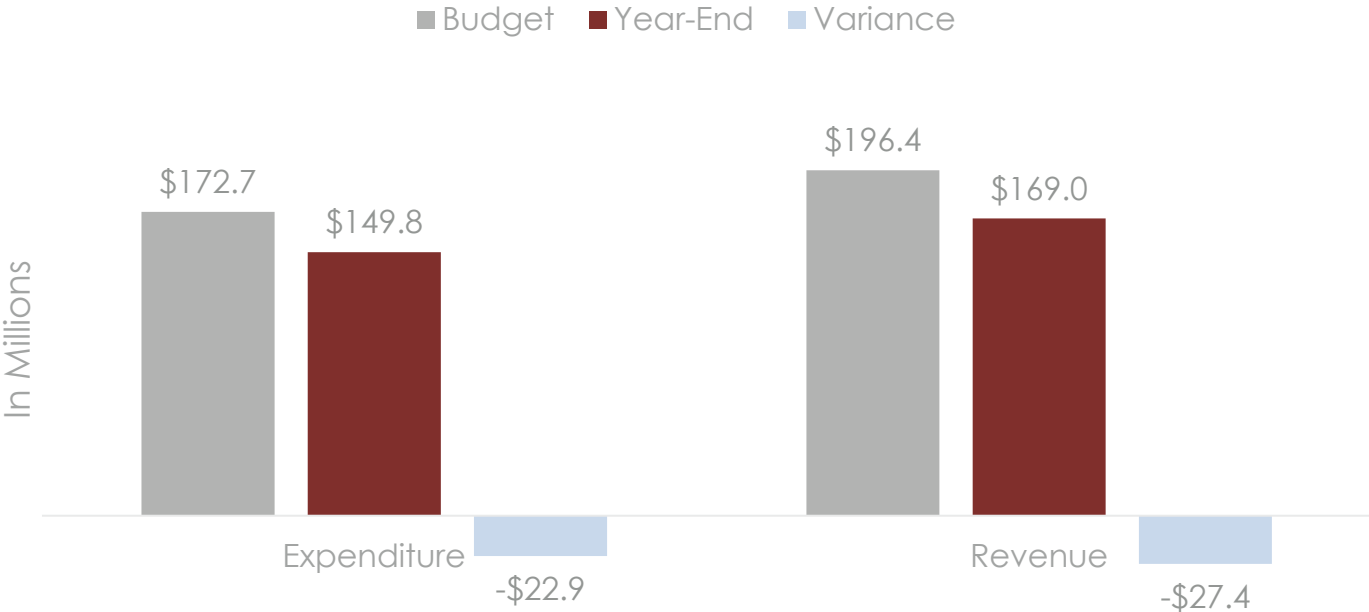


Transparency and Engagement

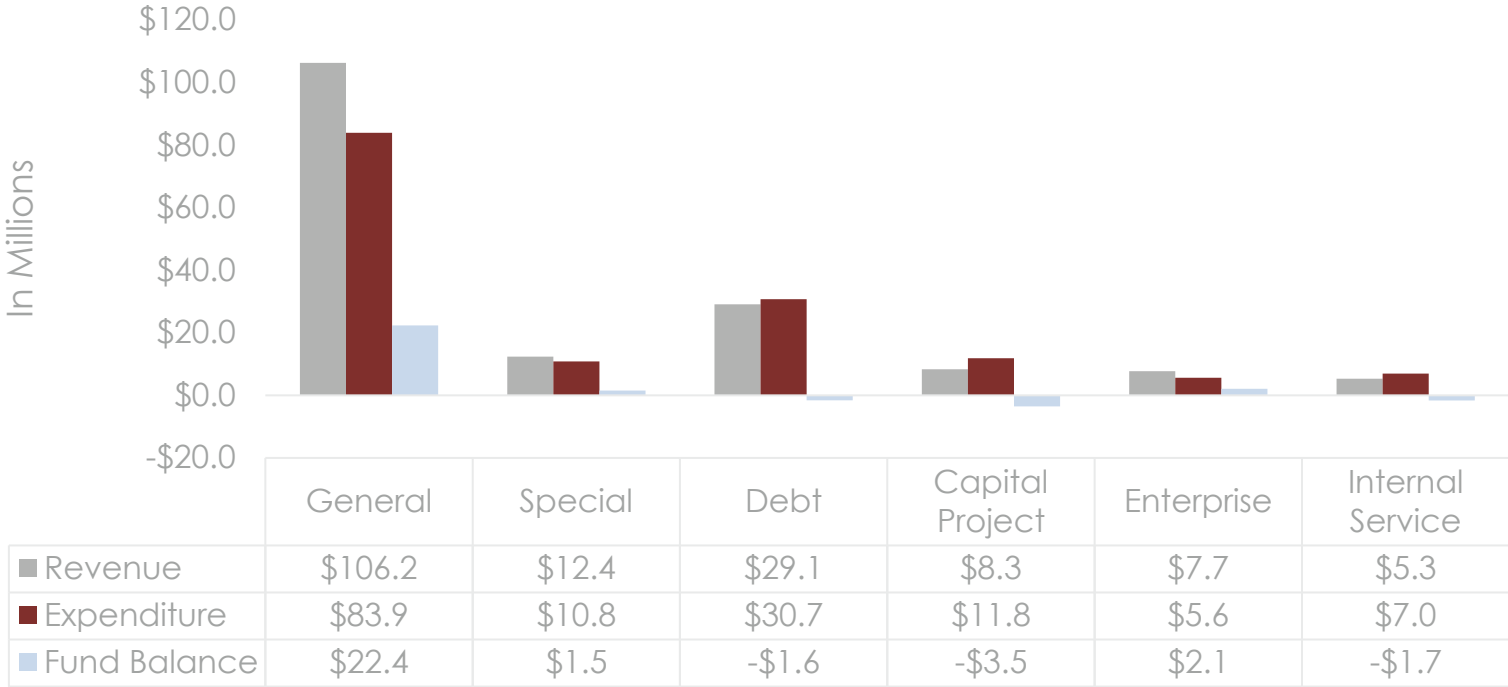
# Budget Reporting Cycle



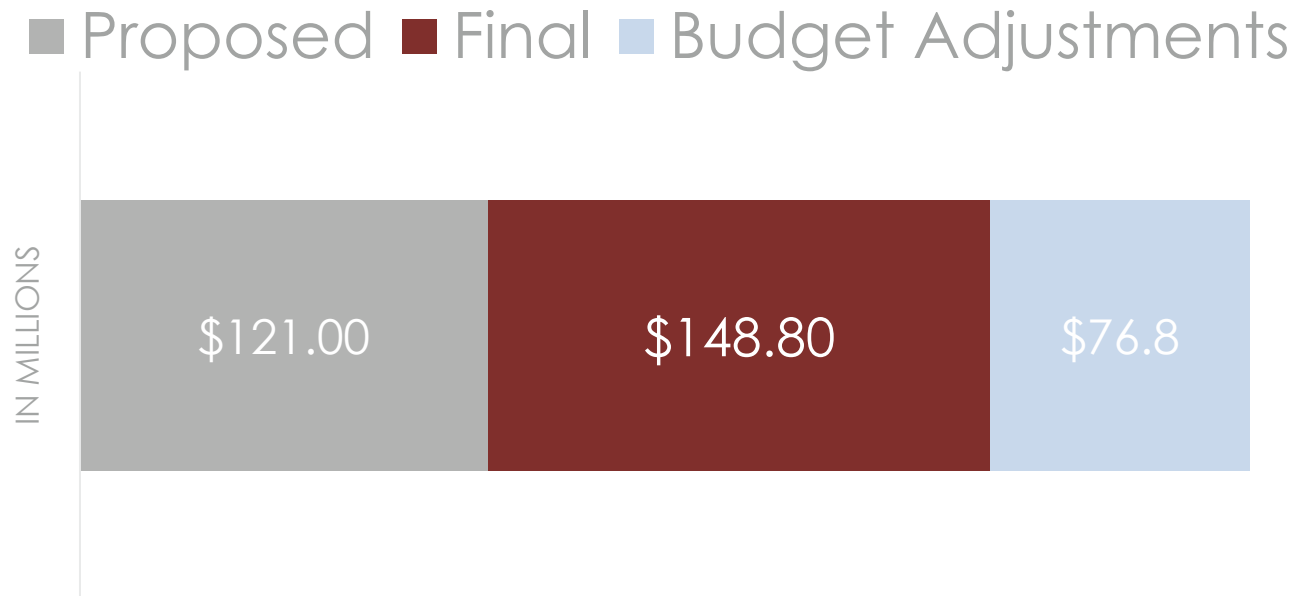
# FY21 Year End Actuals vs. Budget All Funds



# FY21 Year-End Fund Balance Impact: +\$19.2M



## FY22 Amended Budget as of September 30, 2021 - \$225M

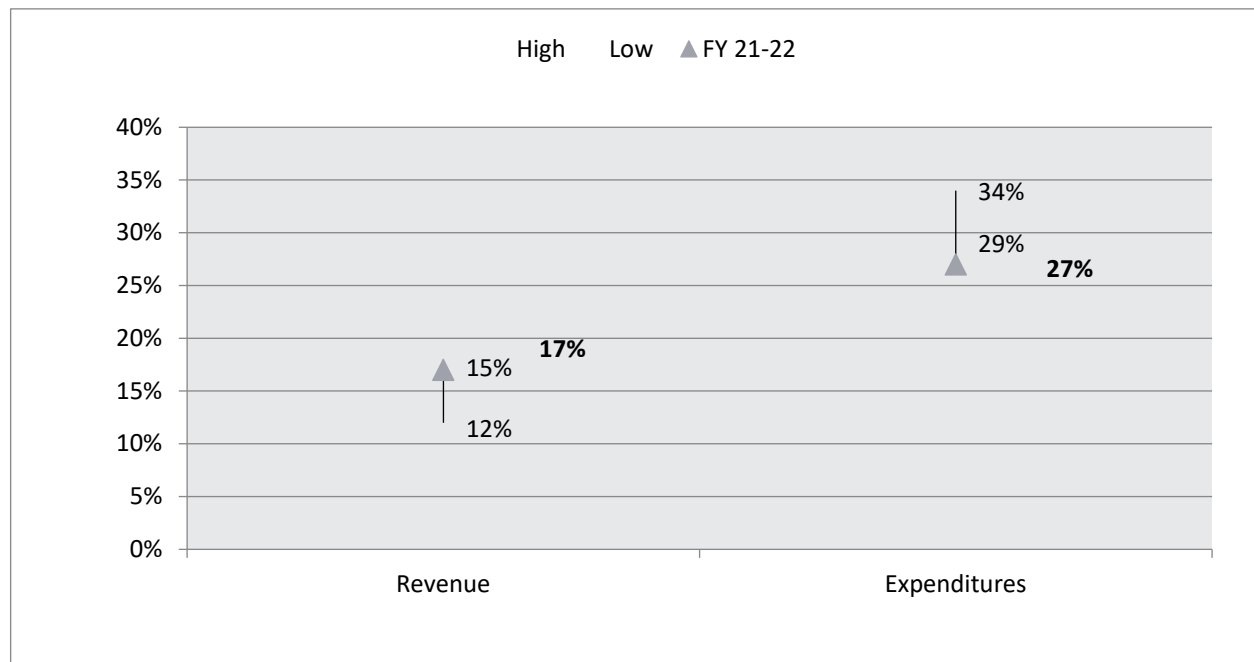


## FY22 Appropriation Changes since Adopted Budget

Fund	FY 21-22 Adopted	Carryovers	Encumbrances	Adjustments Approved in 1st Quarter	FY 21-22 Amended Budget as of September 30, 2021
<b>General</b>	\$ 89,767,034	\$ 22,657,533	\$ 4,906,141	\$ 5,959,987	\$ 123,290,695
<b>Special Revenue</b>	18,597,024	11,749,252	2,414,116	-	32,760,392
<b>Debt Service</b>	2,676,000	-	-	-	2,676,000
<b>Capital Projects</b>	19,540,048	18,540,682	9,149,571	-	47,230,301
<b>Enterprise</b>	9,417,117	855,369	189,833	26,400	10,488,719
<b>Internal Service</b>	8,848,012	60,790	208,700	-	9,117,502
<b>Total All Funds</b>	\$ 148,845,235	\$ 53,863,626	\$ 16,868,361	\$ 5,986,387	\$ 225,563,609



# General Fund Revenues & Expenditures - First Quarter Trends (3-year)



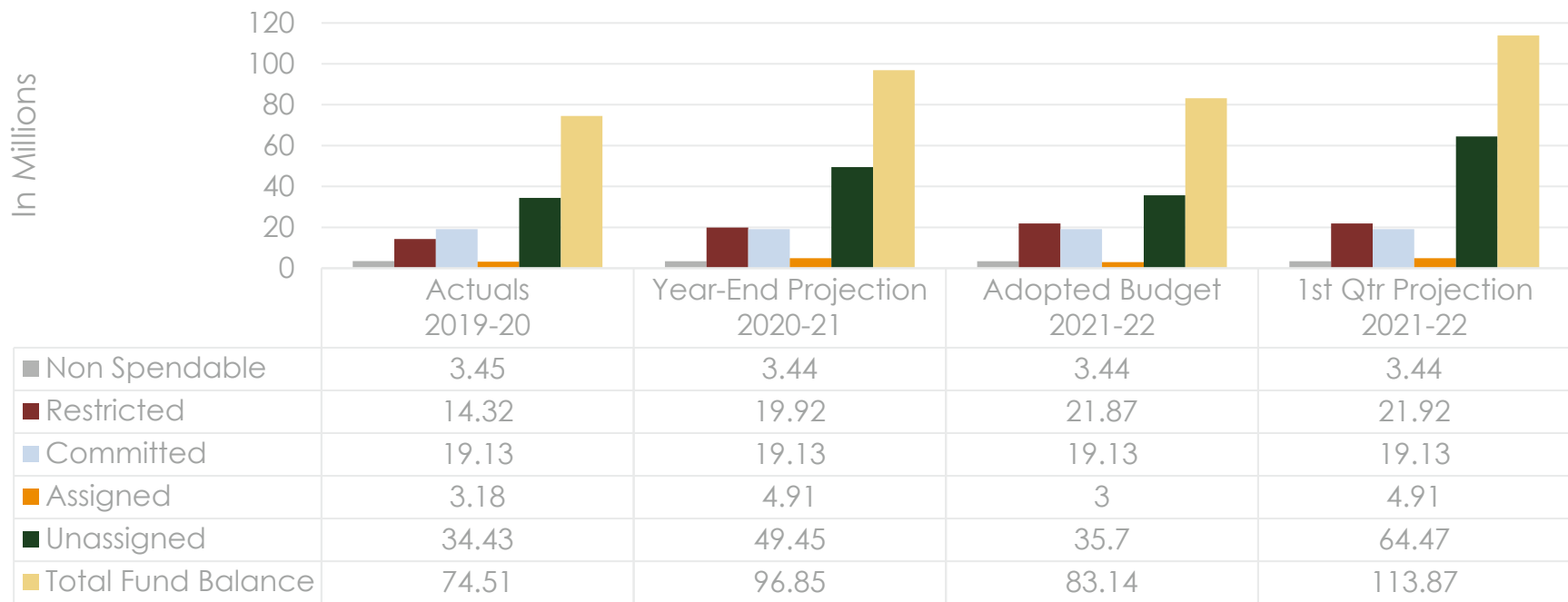
## General Fund Revenues - First Quarter FY21 vs. FY22

Revenue Category	First Quarter 2021	First Quarter 2022	Variance	% Change
05 - Sales tax	9,533,877	8,018,866	(1,515,011)	-16%
10 - Property tax	65,504	265,394	199,890	305%
15 - Transient occupancy	237,729	287,021	49,292	21%
20 - Utility tax	486,890	478,155	(8,735)	-2%
25 - Franchise fees	137,188	170,876	33,687	25%
30 - Other taxes	701,149	386,972	(314,177)	-45%
35 - Licenses and permits	900,111	1,137,359	237,247	26%
40 - Use of money and property	455,014	457,314	2,300	1%
45 - Intergovernmental revenue	468,275	2,786,645	2,318,370	495%
50 - Charges for services	2,589,194	3,035,050	445,856	17%
55 - Fines and forfeitures	16,453	36,578	20,126	122%
60 - Miscellaneous	126,875	236,900	110,025	87%
65 - Transfers in	15,000	4,862,387	4,847,387	32316%
70 - Other financing sources	78,952	0	(78,952)	-100%
<b>Grand Total</b>	<b>15,812,213</b>	<b>22,159,516</b>	<b>6,347,303</b>	<b>40%</b>

## General Fund Expenditures - First Quarter FY 21 vs. FY22

Expenditure Category	First Quarter 2021	First Quarter 2022	Variance	% Change
05 - Employee compensation	4,485,425	4,534,220	48,795	1%
10 - Employee benefits	2,297,198	2,374,179	76,981	3%
15 - Materials	832,909	951,929	119,020	14%
20 - Contract services	5,458,401	5,826,209	367,808	7%
25 - Cost allocation	2,618,385	2,987,016	368,631	14%
30 - Capital outlays	0	750	750	N/A
31 - Special projects	298,945	287,063	(11,883)	-4%
35 - Contingencies	0	0	0	N/A
45 - Transfer out	9,948,689	16,099,371	6,150,682	62%
50 - Other financing uses	72,778	139,096	66,318	91%
<b>Grand Total</b>	<b>\$26,012,730</b>	<b>\$33,199,832</b>	<b>\$7,187,102</b>	<b>28%</b>

# General Fund – Fund Balance



Fund	Department	Recommended Adjustments			Description
		Expenditure	Revenue	Fund Balance (Use of)	
<b>GENERAL FUND</b>					
100	Administration	332,074	-	(332,074)	Economic Development Functional Transfer
100	Administration	30,000	-	(30,000)	Economic Development Strategic Plan Research
100	Administrative Services	200,000	-	(200,000)	PLAN JPA - Premium and Settlement Costs
100	Community Development	(332,074)	-	332,074	Economic Development Functional Transfer
100	Community Development	20,228	23,262	3,034	Westport legal services
100	Community Development	80,000	123,077	43,077	Construction Plan Check
100	Public Works	3,149	-	(3,149)	Community Garden Lock Replacement
100	Public Works	54,966	-	(54,966)	McClellan Ranch Park Path Repairs
100	Public Works	14,400	-	(14,400)	QCC Tree Removal and Replacement
100	Public Works	31,950	-	(31,950)	Memorial Park Softball Fencing
100	Public Works	16,800	-	(16,800)	Blackberry Farm Main Line Break Repair
100	Public Works	20,000	-	(20,000)	Lawrence Mitty Site Fence Repairs
100	Public Works	25,000	-	(25,000)	Unhoused Encampment Cleanup
100	Public Works	5,042	-	(5,042)	Portable Restroom & Hand Washing Station
100	Public Works	120,000	-	(120,000)	City Hall HVAC Ventilation
100	Public Works	588	588	-	Library Bikeep Monthly Maintenance Fees
100	Public Works	19,000	19,000	-	Library Boiler Piping Improvements
100	Public Works	35,000	35,000	-	Library Cooling Repairs
100	Public Works	22,362	22,362	-	Library Security System Enhancements
100	Public Works	199,514	-	(199,514)	Service Center Automatic Gate Install
100	Public Works	9,120	-	(9,120)	Linda Vista Trail Lockdown
100	Public Works	80,000	72,000	(8,000)	Local Roadway Safety Plan
100	Public Works	160,000	-	(160,000)	Adaptive Traffic Signaling (CWP)
100	Non-Departmental	-	200,000	200,000	Transfer in from BMR Housing Special Revenue Fund (Homeless Encampment)
<b>TOTAL GENERAL FUND</b>		<b>1,147,119</b>	<b>495,289</b>	<b>(651,830)</b>	

Fund	Department	Recommended Adjustments			Description
		Expenditure	Revenue	Fund Balance (Use of)	
<b>SPECIAL REVENUE FUND</b>					
230	Public Works	8,706	-	(8,706)	CUSD Cost Share for School Field Areas
230	Public Works	3,975	-	(3,975)	Portable Water Meter and Service
265	Non-Departmental	200,000	-	(200,000)	Transfer out to General Fund (Homeless Encampment)
<b>TOTAL SPECIAL REVENUE FUND</b>		<b>212,681</b>	<b>-</b>	<b>(212,681)</b>	
<b>ENTERPRISE FUND</b>					
560	Parks & Recreation	64,900	-	(64,900)	Golf Course Netting Replacement
570	Public Works	10,000	-	(10,000)	Power Surge Breaker Replacement
570	Public Works	6,500	-	(6,500)	HVAC #4 Controls Repair
<b>TOTAL ENTERPRISE FUND</b>		<b>81,400</b>	<b>-</b>	<b>(81,400)</b>	
<b>INTERNAL SERVICE FUND</b>					
610	Innovation & Technology	150,000	-	(150,000)	CIP Management System
630	Public Works	40,045	-	(40,045)	Security Surveillance System for Lawrence Mitty Site
<b>TOTAL INTERNAL SERVICE FUND</b>		<b>190,045</b>	<b>-</b>	<b>(190,045)</b>	
<b>TOTAL ALL FUNDS</b>		<b>1,631,245</b>	<b>495,289</b>	<b>(1,135,956)</b>	

## Adjustments by Department

- Administration- \$362,074

Description	Revenue	Expenditure	Fund Balance
Economic Development Functional Transfer*	-	\$332,074	(\$332,074)
Economic Development Strategic Plan Research	-	\$30,000	(\$30,000)

\*On-going cost. Will be added to base budget for FY 22-23.

## Adjustments by Department

- Administrative Services- \$200,000

Description	Revenue	Expenditure	Fund Balance
PLAN JPA Liability Insurance Premiums*	-	\$200,000	(\$200,000)

\*On-going cost. Base budget will be adjusted for FY 22-23.



## Adjustments by Department

- Innovation & Technology- \$150,000

Description	Revenue	Expenditure	Fund Balance
CIP Management System*	-	\$150,000	(\$150,000)

\*\$75,000 on-going cost. Will be added to base budget for FY 22-23.

## Adjustments by Department

- Community Development- (\$231,846)

Description	Revenue	Expenditure	Fund Balance
Economic Development Functional Transfer*	-	(\$332,074)	\$332,074
Westport Legal Services	\$23,262	\$20,228	\$3,034
Construction Plan Check	\$123,077	\$80,000	\$43,077
<b>TOTAL</b>	<b>\$146,339</b>	<b>(\$231,846)</b>	<b>\$378,185</b>

\*On-going cost. Will be reflected in FY 22-23 Proposed Budget.

## Adjustments by Department

- Parks & Recreation- \$64,900

Description	Revenue	Expenditure	Fund Balance
Golf Course Netting Replacement	-	\$64,900	(\$64,900)

# Adjustments by Department

- Public Works- \$886,117

Description	Revenue	Expenditure	Fund Balance
Community Garden Lock Replacement	-	\$3,149	(\$3,149)
McClellan Ranch Park Path Repairs	-	\$54,966	(\$54,966)
<b>QCC Tree Removal and Replacement</b>	-	\$14,400	(\$14,400)
<b>Memorial Park Softball Fencing</b>	-	\$31,950	(31,950)
Blackberry Farm Main Line Break Repair	-	\$16,800	(\$16,800)
Lawrence Mitty Site Fence Repairs*	-	\$20,000	(\$20,000)

\*On-going cost. Will be added to base budget for FY 22-23.

## Adjustments by Department

- Public Works- continued

Description	Revenue	Expenditure	Fund Balance
Unhoused Encampment Cleanup	-	\$25,000	(\$25,000)
Portable Restroom & Hand Washing*	-	\$5,042	(\$5,042)
<b>City Hall HVAC Ventilation</b>	-	\$120,000	(\$120,000)
Library Bikeep Monthly Maintenance Fee*	\$588	\$588	-
Library Boiler Piping Improvements	\$19,000	\$19,000	-
<b>Library Cooling Repairs</b>	\$35,000	\$35,000	-

\*On-going cost. Will be added to base budget for FY 22-23.

## Adjustments by Department

- Public Works- continued

Description	Revenue	Expenditure	Fund Balance
Library Security System Enhancements	\$22,362	\$22,362	-
<b>Service Center Automatic Gate Install</b>	-	\$199,514	(\$199,514)
Linda Vista Trail Lockdown*	-	\$9,120	(\$9,120)
Local Roadway Safety Plan	\$72,000	\$80,000	(\$8,000)
<b>Adaptive Traffic Signaling (CWP)</b>	-	\$160,000	(\$160,000)
CUSD Cost Share for School Field Areas*	-	\$8,706	(\$8,706)

\*On-going cost. Will be added to base budget for FY 22-23.

# Adjustments by Department

- Public Works- continued

Description	Revenue	Expenditure	Fund Balance
Portable Water Meter and Service	-	\$3,975	(\$3,975)
Power Surge Breaker Replacement	-	\$10,000	(\$10,000)
HVAC #4 Controls Repairs	-	\$6,500	(\$6,500)
<b>Security Surveillance for Lawrence Mitty</b>	-	\$40,045	(\$40,045)
TOTAL	\$148,950	\$886,117	(\$737,167)

## Adjustments by Department

- Non-Departmental- \$200,000

Description	Revenue	Expenditure	Fund Balance
Wolfe Road Encampment Transfer	\$200,000	\$200,000	-



# Staffing

- No recommended changes to staffing.

Fiscal Year	Employee Turnover Average <sup>1</sup>	Number of Recruitments <sup>2</sup>	Average Number of Vacancies
2019	10.4%	42	10.8
2020	6.4%	19 <sup>4</sup>	14.8
2021 <sup>3</sup>	14.7%	43	22.3

## City Manager Discretionary Fund

- \$75,000 Adopted Budget remains intact
- Staff anticipate using a portion of these funds to provide free feminine products in various restrooms throughout the City
- Staff will continue to report out on the use of this fund

# American Rescue Plan Act of 2021

Of the \$4.8M in funding, \$2.8M in revenues recognized

- Transportation Transfer - \$1,333,773
- Law Enforcement Services - \$972,987
- General Liability Insurance - \$182,112
- Administration Overhead - \$95,787
- CDD Customer Service Solution - \$42,180
- Climate Action Plan - \$40,466
- Municipal Water System - \$10,000
- General Plan and Muni Code Update - \$8,265

## Recommendations

- Accept the City Manager's First Quarter Financial Report for Fiscal Year 2021-22
- Consider Adopting Resolution No. 21-XXX approving Budget Modification #2122-167 increasing appropriations and revenues by \$1,631,245 and \$495,289, respectively.



## Next Steps

- FY 2021-22
  - Mid Year Report to Council March 2022
  - Third Quarter Report to Council May 2022



# Questions



CC 11-16-2021

#16

Westport Final Map

Presentation



# Westport Development Final Map – Tract No. 10579

21267 Stevens Creek Boulevard

November 16, 2021



CUPERTINO

## Location & Description



- Three-lot Subdivision
- Condominium purposes for up to 88 residential units



## Final Map Approval

- 9/7/21 - City Council approved Vesting Tentative Map.
- Substantially complies with Tentative Map and conforms to Subdivision Map Act.
- Ministerial Approval per Municipal Code and Government Code



## Recommended Actions

- Approve Final Map
- Accept Dedication & Easements; Abandon Redundant Easements
- Authorize City Engineer to Execute Subdivision Improvement Agreement
- Authorize City Manager to Execute BMR Agreement
- Consider Deferral Payment for Parkland Dedication In-Lieu Fees (\$9,210,000)

CC 11-16-2021

#17

Vista Drive and Merritt  
Drive On-Street Parking  
Removal

Presentation

# Lawson Middle School Separated Bike Lane Project

Vista Drive and Merritt Drive  
On-Street Parking Removal



**CUPERTINO**

November 16, 2021

## Staff Recommendation

- Conduct the first reading of Ordinance No. 21-XXXX: "An Ordinance of the City Council of the City of Cupertino Amending Table 11.24.150 of the Cupertino Municipal Code Relating to Prohibition of Parking Along Certain Streets
  - Vista Drive (west side), Forest Ave to Merritt Drive,
  - Merritt Drive (south side), Vista Drive to western end

## Lawson Middle School Separated Bike Lane

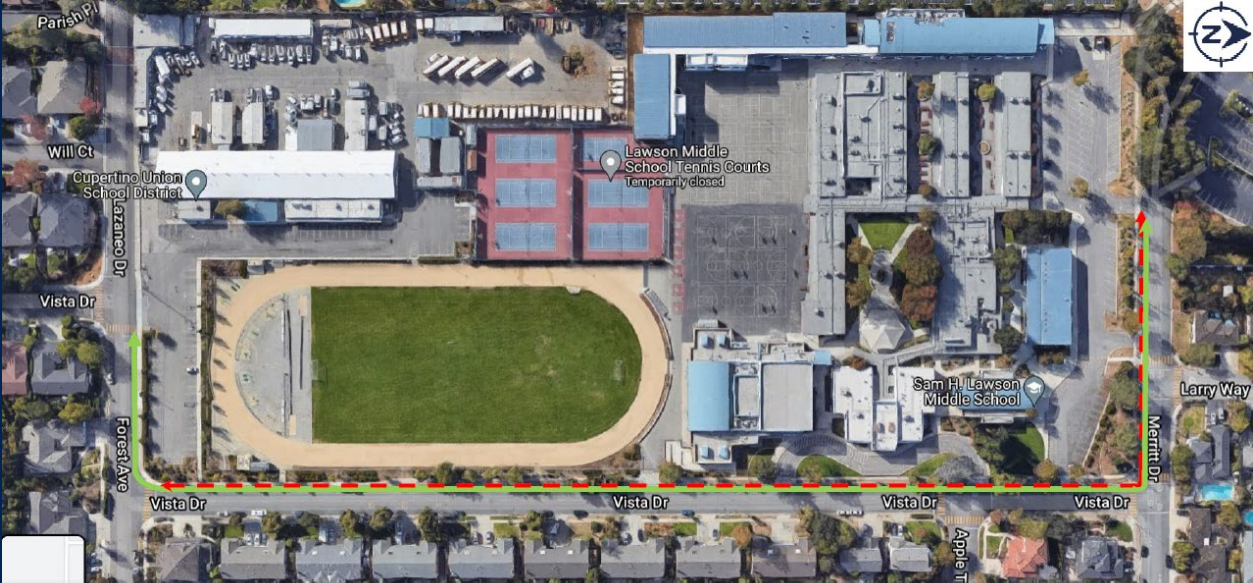
- Identified as part of School Walk Audit Project
- Installs two-way separated bike lanes along:
  - Forest Ave (north side), Vista Dr (west) to Vista Dr (east)
  - Vista Drive (west side), Forest Ave to Merritt Dr
  - Merritt Drive (south side), Vista Ave to western end
- Provides safe access to and from bike racks, separate from pedestrians and vehicles



## Lawson Middle School Separated Bike Lane

- Currently, on-street parking exists along both sides of Vista Dr. and Merritt Drive. Parking already prohibited along Forest Ave.
- To accommodate the bike lane and provide increased safety for cyclists, parking must be prohibited

# Lawson Middle School Separated Bike Lane



- ← → Two Way Bike Path Alignment.
- ← - - → Vista Dr and Merritt Dr, Proposed On-Street Parking Removal (Along the school side of the street only).

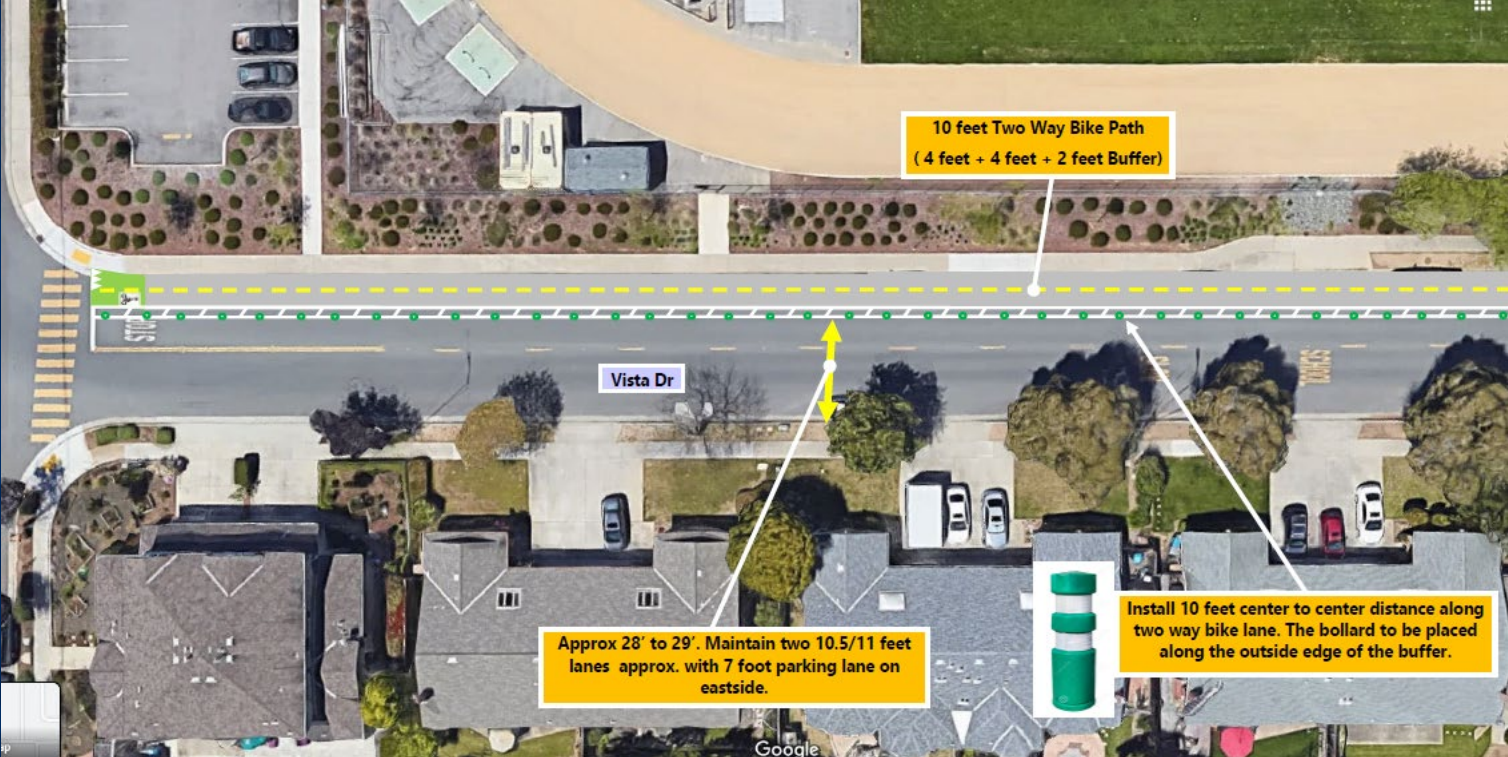
## Impacts to Residents and Vehicles

- No parking removal in front of homes; all along Lawson Middle School frontage
- No impact to traffic operations or emergency vehicle access
- Two letters mailed to 55 addresses
  - September 7<sup>th</sup>
  - October 26<sup>th</sup>
  - One response received opposing change

## Outreach and Coordination

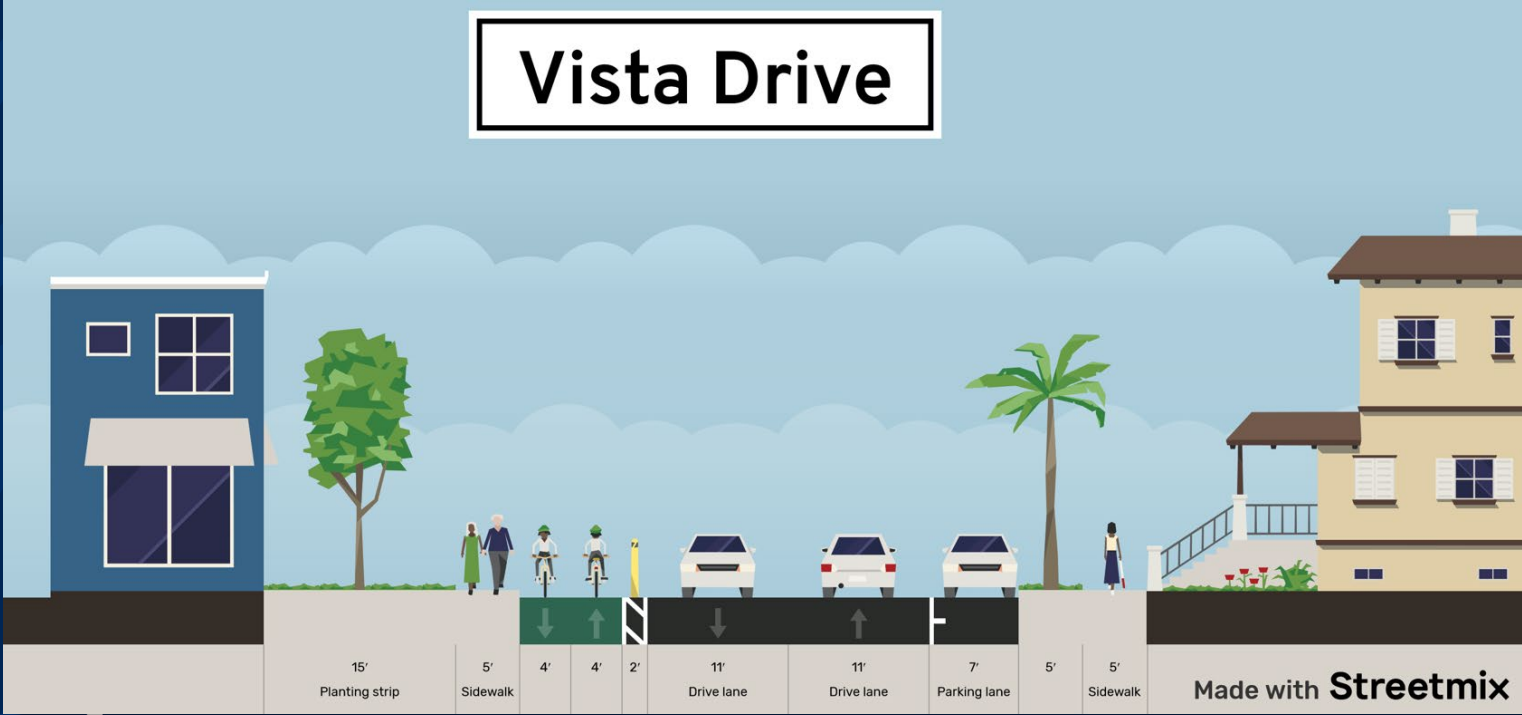
- Ongoing coordination since 2018 with:
  - Lawson staff
  - CUSD staff
  - Lawson PTA
  - Lawson parents
- Cupertino SR2S Working Group
- Lawson Principal's "Coffee Hour"

# Lawson Middle School Separated Bike Lane



# Lawson Middle School Separated Bike Lane

## Vista Drive



## Recommended Actions

- Conduct the first reading of Ordinance No. 21-XXXX: "An Ordinance of the City Council of the City of Cupertino Amending Table 11.24.150 of the Cupertino Municipal Code Relating to Prohibition of Parking Along Certain Streets"



**Questions?**



**END SLIDE**

**Lawson Middle School Separated  
Bike Lane Project**

Vista Drive and Merritt Drive  
On-Street Parking Removal



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November 16, 2021

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#18

Minor Municipal Code  
Amendments

Presentation

# Minor and Technical Amendments to Municipal Code

City Council  
November 16, 2021



**CITY OF  
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## Background

- Annual “code cleanup” to correct minor errors and revise outdated code sections
- Intended to address issues where little-to-no policy input required



## Summary of Code Revisions

- Standardize schedule of fines for certain code violations (e.g., “Animals Running at Large”)
- Standardize language for reimbursement of commissioner expenses
- Add Department of Innovation & Technology to Chapter 2.48



## Summary of Code Revisions

- Update attendance requirements for Technology, Information, and Communications Commission
- Conform Municipal Code to new state law provisions allowing for remote meetings during declared states of emergency
- Revise bid opening procedures for Public Works contracts to support electronic bid submission



## Summary of Code Revisions

- Allow fee for keeping a dangerous animal to be set by resolution
- Eliminate licensing and registration requirements for bicycles
- Correct references to Department of Community Development and Planning Division
- Minor changes to Chapter 16.52 to comply with revised FEMA requirements



## Recommendation

- Conduct first reading of ordinance to update Municipal Code





**Questions?**