

CC 04-05-2022

Item No. 12

City Work Program Goals  
and Prioritization

Presentation

# FY 2022-2023 City Work Program

April 5, 2022



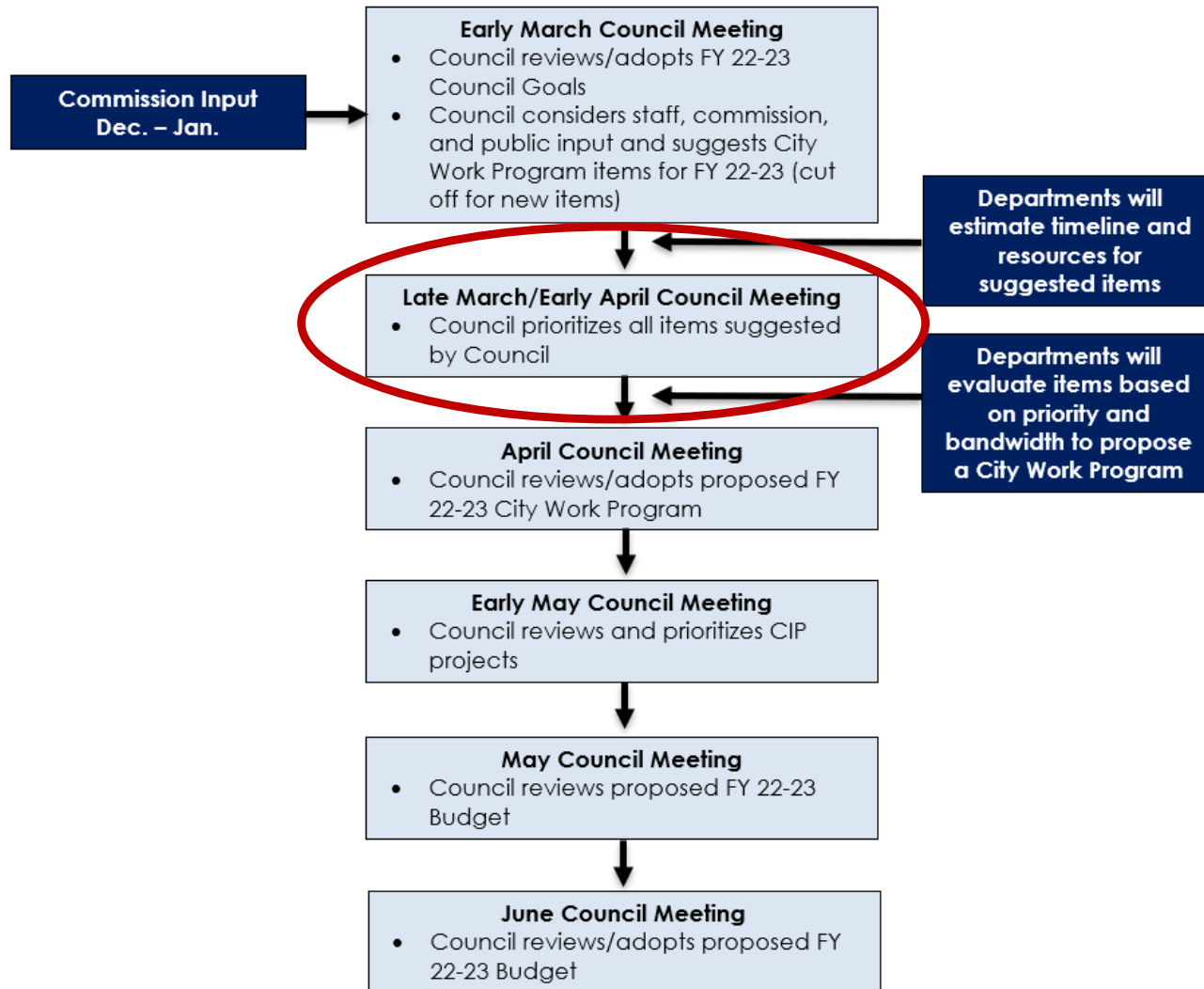
**CUPERTINO**



## **Presentation Outline**

- 1. FY 22-23 Strategic Planning Process**
  - 2. Council Goals**
  - 3. Preliminary Prioritization Process (March 8)**
  - 4. Items in Priority Order after March 8 Special Meeting**
  - 5. Recommendation and Next Steps**
-

# FY 22-23 Strategic Planning Process



# Council Goals

## Public Engagement and Transparency

Creating and maintaining key conversations and interactions with the Cupertino Community.

## Transportation

Providing access to an efficient, safe multi-modal transportation system for our community, and advocating for effective, equitable mass transit in the greater region.

- Improving Traffic Flow and Alleviating Congestion

## Housing

Contributing meaningfully and in a balanced manner to the housing inventory in support of our community needs, including affordable housing (from extremely low-income to moderate-income level housing) and addressing homelessness.

## Sustainability & Fiscal Strategy

Continuing Cupertino's commitment to building a sustainable and resilient community for future generations.

## Quality of Life

Furthering the health and well-being of all Cupertino community members.

- Air Quality and Noise
- Public Safety
- Recreation
- Access to Goods and Services

## Preliminary Prioritization Process (March 8)

- Goals and Proposed Items reviewed by Council
- Council motioned to prioritize all 69 proposed items
  - Up to five 5's, up to thirteen 3's, up to thirteen 1's
- 14 of the original proposed items received no ratings and were removed
- Councilmembers proposed 14 new items
- Similar/duplicate items were consolidated into one item
- After removing, adding, and consolidating items, there are now 56 items for Council to consider today

## Items in Priority Order after March 8 Special Meeting

(All information, including resource considerations, can be found in Attachment B)

1. **Consider options to develop ELI and BMR Housing...** (Housing Commission)
2. **Memorial Park Improvements** (Parks and Rec Commission)
3. **Dogs Off Leash Area** (Parks and Rec Commission)
4. **Vision Zero** (Bike Ped Commission)
5. **Lawrence Mitty** (Parks and Rec Commission)
6. **Cupertino Store Implementation** (Fine Arts Commission, Councilmember Proposal)
7. **Development Accountability** (Planning Commission)
8. **Homeless Jobs Program** (Housing Commission)
9. **RHNA related General Plan updates and rezoning (Housing Element)** (Planning Commission)
10. **Residential and Mixed-Use Residential Design Standards** (Planning Commission)
11. **Sign Ordinance Update** (Planning Commission)
12. **Economic Development Strategy**
13. **Electrification Study** (Sustainability Commission)
14. **Lehigh and Stevens Creek Quarry**
15. **Senior Strategy**
16. **License Plate Readers** (Public Safety Commission, TICC)
17. **5G Ordinance** (Planning Commission)
18. **City Plan to End Homelessness** (Housing Commission)
19. **Review and Update General Plan and Municipal Code** (Planning Commission as Objective Standards)

\* If a commission is noted, it indicates that the commission recommends the item

## Items in Priority Order after March 8 Special Meeting

(All information, including resource considerations, can be found in Attachment B)

- |   |  |
|---|--|
| <b>20. 10455 Torre Avenue Improvements</b>  | <b>29. Shuttle Bus Pilot Program Implementation</b>  |
| <b>21. Analyze Potential Revenue Measures</b>   | <b>30. Student Internship Program</b> (Councilmember Proposal)   |
| <b>22. Artwork at the Library/Exhibits/Poetry and Art Day</b> (Library Commission)                | <b>31. Support for the Unhoused (Combining Homeless Jobs Program and City Plan to End Homelessness)</b> (Councilmember Proposal) |
| <b>23. Bicycle Facilities</b>   | <b>32. Youth and Teen Social Media Engagement</b> (Teen Commission)  |
| <b>24. Housing Program for De Anza College Students</b> (Housing Commission Proposal)             | <b>33. Community Engagement on Alt. Transportation and Parking</b> (Library Commission)  |
| <b>25. Integrated Plan for Community Engagement</b> (Councilmember Proposal)                      | <b>34. Labyrinth Program or Similar</b> (Parks and Recreation Commission)  |
| <b>26. Lawrence Mitty - Master Plan (...with supplemental direction)</b> (Councilmember Proposal) | <b>35. Municipal Water System</b>  |
| <b>27. Resident Engagement</b> (Councilmember Proposal)   | <b>36. Blackberry Farm Golf Course Needs Assessment</b>  |
| <b>28. Safe Gun Storage Ordinance</b> (Public Safety Commission )                                 | <b>37. Catalytic Converter Theft Prevention</b>  |

\* If a commission is noted, it indicates that the commission recommends the item



## Items in Priority Order after March 8 Special Meeting

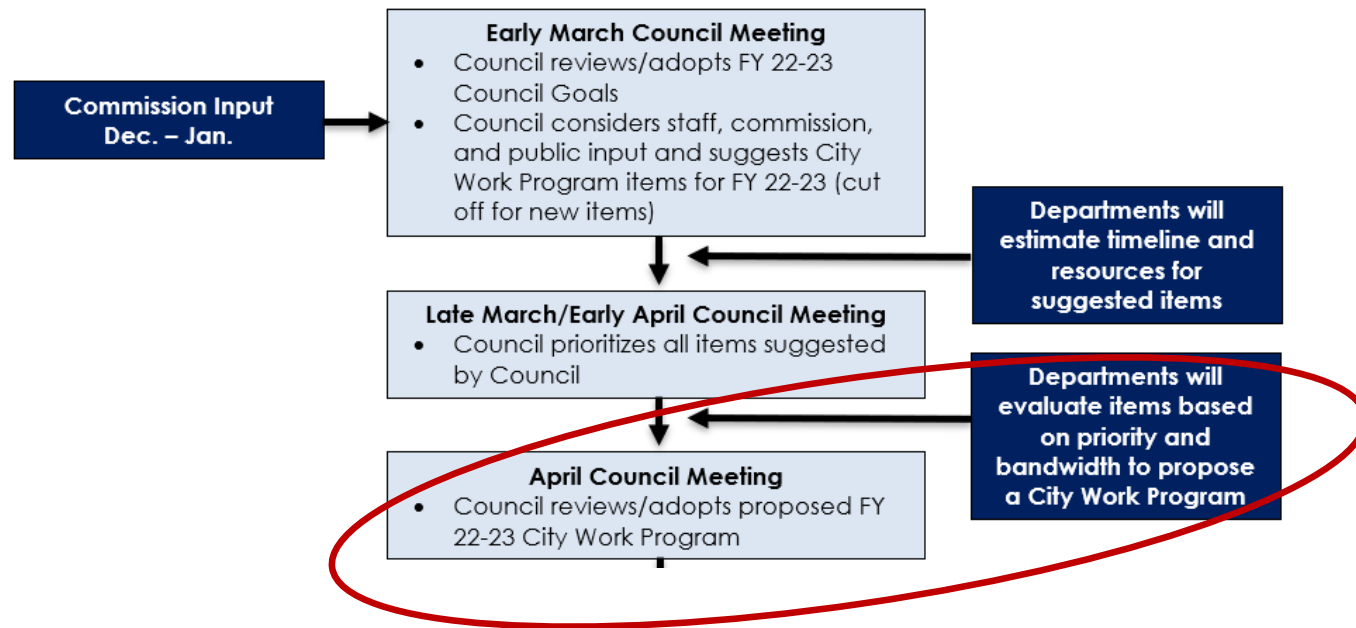
(All information, including resource considerations, can be found in Attachment B)

- |  |   |
|--|---|
| <b>38. Hybrid Meetings for City Council and Commission Meetings</b> (Councilmember Proposal) | <b>47. Youth Who Work</b> (Councilmember Proposal)                                      |
| <b>39. Impacts to Schools</b> (Planning Commission)  | <b>48. Caltrans Adopt-a-Highway Program</b>   |
| <b>40. Intergenerational Engagement</b> (Councilmember Proposal)                             | <b>49. Cybersecurity Public Education</b> (TICC)  |
| <b>41. Lawson Middle School Bikeway</b>  | <b>50. Privately-Owned EV Chargers</b> (Sustainability Commission)                      |
| <b>42. Mental Health Support</b> (Councilmember Proposal)                                    | <b>51. Volunteer Engagement Strategy</b> (Public Safety Commission)                     |
| <b>43. Seismic Retrofits and Upgrades to Existing City Hall</b>                              | <b>52. Festival... by Fine Arts Commission</b> (Fine Arts Commission)                   |
| <b>44. Senior Outreach Project</b> (Councilmember Proposal)                                  | <b>53. Long-Term Strategic Plan</b> (Parks and Rec Commission)                          |
| <b>45. Single Use Plastics and Mayor's Cup Challenge</b> (Councilmember Proposal)            | <b>54. Regional Transformative Transit Projects Initiative</b> (Councilmember Proposal) |
| <b>46. Visitor's Center</b> (Councilmember Proposal)   | <b>55. Solar Generation Maximization</b> (Planning Commission Proposal)                 |
|  | <b>56. Young Artist Scholarships</b> (Fine Arts Commission)                             |

\* If a commission is noted, it indicates that the commission recommends the item

## Recommendation and Next Steps

- Adopt Fiscal Year 2022-2023 Council goals
- Prioritize items in Attachment B:
  - Up to five 5's, up to thirteen 3's, up to thirteen 1's



**Questions?**



CC 04-05-2022

Item No. 13

Teen Commission Term  
Cycles

Presentation

# Teen Commission Term Cycle

Cupertino City Council

April 5, 2022



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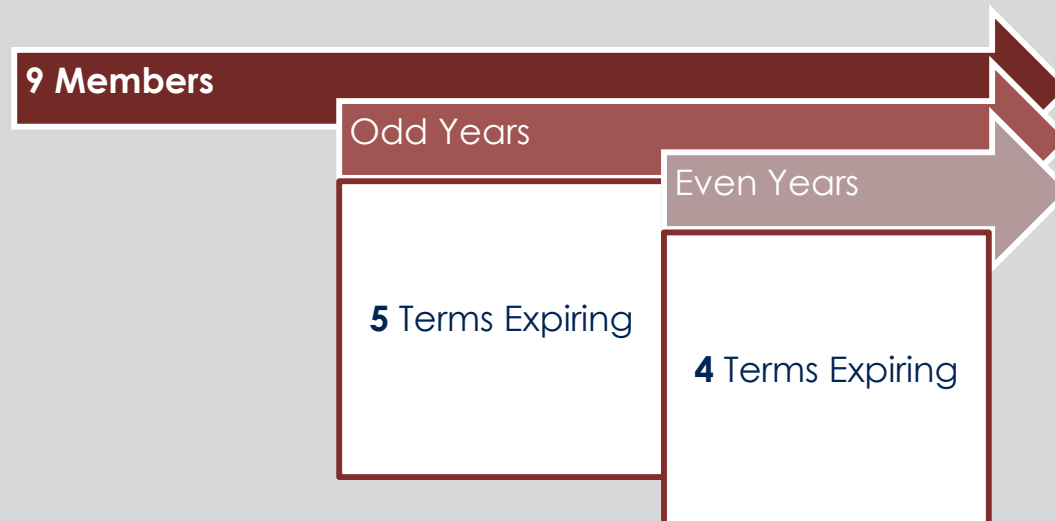


## CMC 2.95 Teen Commission

- Comprised of 9 Commissioners
- Term of office for 2 years
- Terms begin on September 1st and expire on August 31st
- 5 appointments made in odd-numbered years and 4 appointments in even-numbered years

# Terms of Office 2.95.020

## Staggered Terms



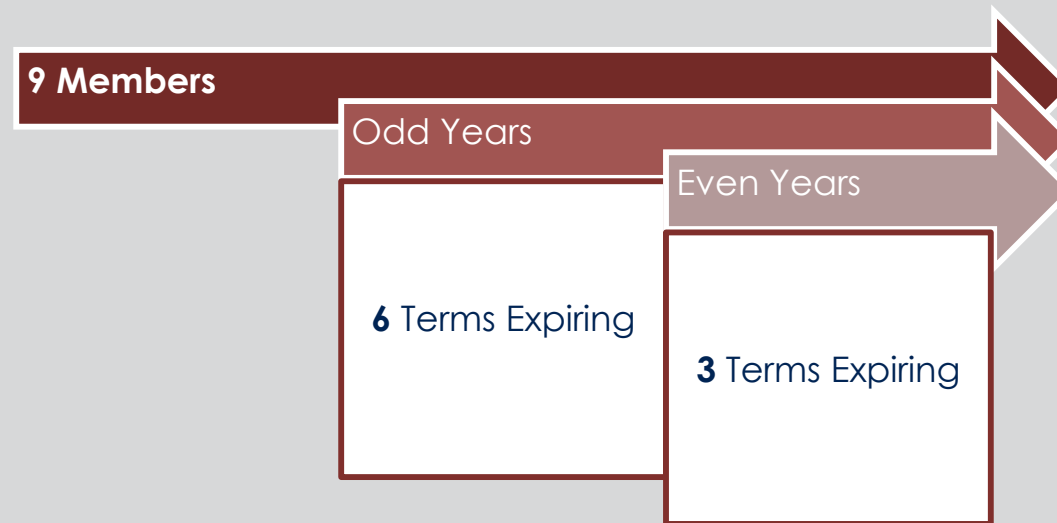


## Off-Balance Term Cycle

- In 2011, Council appointed 5 members to 2-year terms and chose not to include a 1-year term, resulting in 6 vacancies for the following appointment cycle



# Staggered Terms (Current)





# Consider Option 1

- (Retroactively) limit the term of a current Commissioner to 1 year expiring on August 31
- Authorize staff to proceed with annual recruitment
- Set application deadline and interview dates for four terms expiring:
  - 1.) Application deadline: 4:30 p.m., May 13; and
  - 2.) Interview dates: 5:30 p.m., Tuesday, May 24 and Wednesday, May 25



## Consider Option 2

- Direct staff to amend the Code to set the staggered terms at 6 appointments in odd-numbered years and 3 appointments in even-numbered years
- Authorize staff to proceed with annual recruitment
- Set application deadline and interview dates for three terms expiring:
  - 1.) Application deadline: 4:30 p.m., July 29; and
  - 2.) Interview dates: 5:30 p.m., Monday, August 8 and Tuesday, August 9



## Recommended Action

- Consider making corrections to the current Teen Commission staggered term groups to return the Commission back to the term cycle that is specified by Cupertino Municipal Code, Chapter 2.95 Teen Commission;
- Approve option(s) or provide direction to staff as to other measures to ensure compliance with Cupertino Municipal Code Chapter 2.95

CC 04-05-2022

Item No. 14

Single-Use Plastics

First Reading

Presentation

# **Single-Use Plastics Ordinance First Reading**

**April 5, 2022**

**Ursula Syrova, Environmental Programs Manager**



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# Background

- Concerns:
  - Foodware litter, chemical migration, microplastics, ingestion, challenging recycling markets
- 2013: Cupertino banned single-use plastic carryout bags
- 2014: Cupertino banned use of EPS foam foodware
- 2017: Zero Waste Policy adopted - supports reusable over single-use, reducing unnecessary single-use foodware & packaging
- 2020: Single-Use Plastics Ordinance - City Work Program item
- 2021 & 2022: Sustainability Commission input
- March 1, 2022: Council Study Session



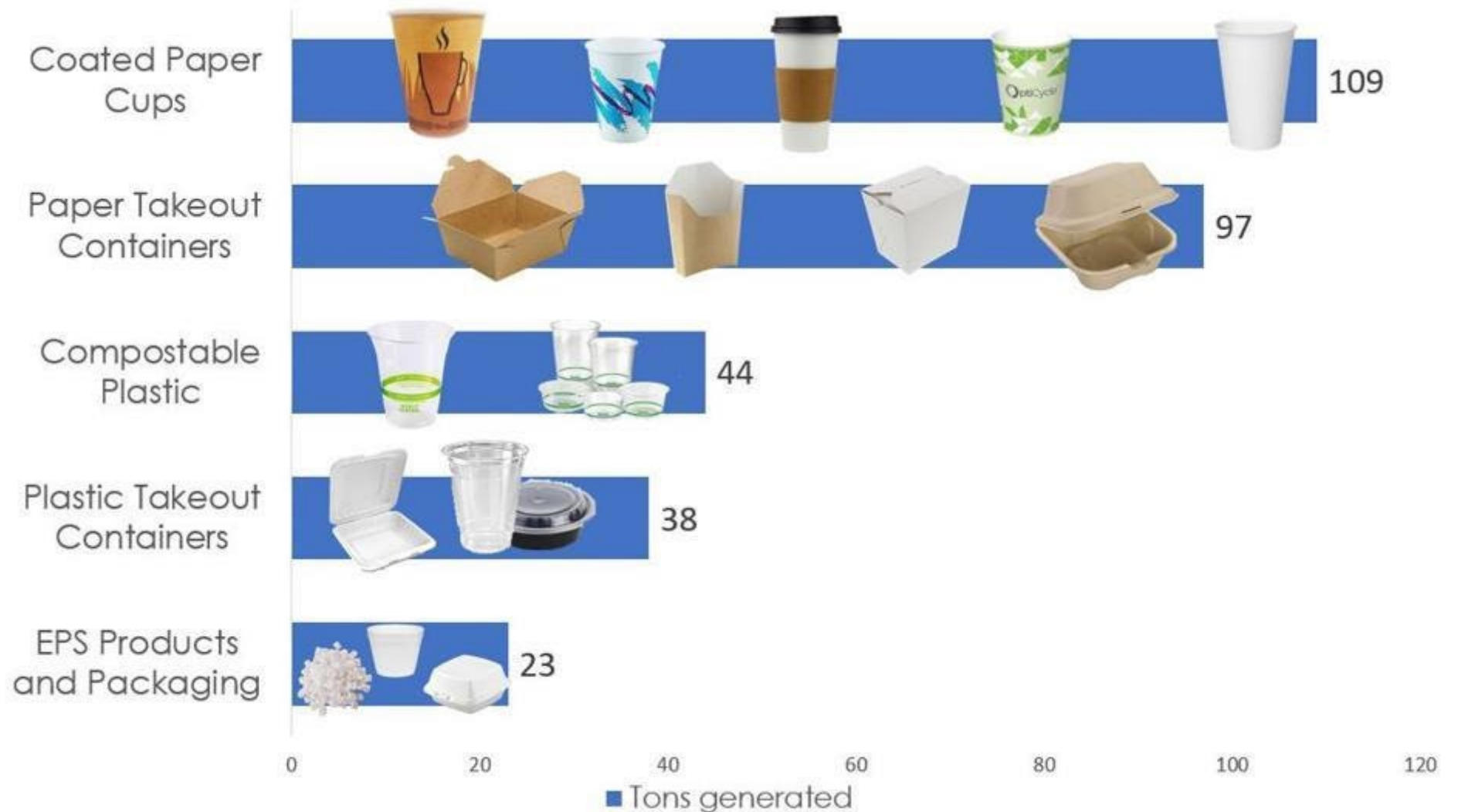
## Study Session Feedback

- Develop draft ordinance language
- Include temporary waivers to reduce impacts to businesses
- Explore collaboration with schools
- Reach out to larger corporate interests
- Explore a pilot of reusable foodware for takeout
- Explore coordinating efforts with surrounding cities
- Consider requiring compostable plastic produce bags
- Clarify concerns about bio-plastics
- Compare the GHG impact of plastic vs compostable foodware



# Tons of discarded takeout food packaging per year

300 tons  
per year  
pre-  
COVID



## **Foodware accepted as recyclable in Cupertino:**

- Plastic cups and containers if empty, clean, and dry
  - No utensils or straws or other tiny items
  - No expanded polystyrene
  - No compostable plastics
- Aluminum containers (empty, clean, and dry) and clean foil

## **Foodware accepted as compostable in Cupertino:**

- Fiber-based cups, containers, utensils
  - No compostable plastic (except BPI-certified compostable bags for collecting food scraps)

# Ordinance – Recommended Elements

## June 1, 2022

**Ask First:** Accessories only on request (per AB1276)

- Businesses must ask customers if they want straws, utensils, condiment packets, spill plugs, stir sticks, etc.



# Ordinance – Recommended Elements

## June 2023

- No single-use plastic cups, containers, utensils
- No compostable plastic foodware
- Require fiber-based: paper, wood, bamboo
- Allow aluminum foil-based items
- Require reusables for dine-in
- No local sale of:
  - Expanded polystyrene foam items
  - Compostable plastic foodware



# Ordinance – Single-Use Carryout Bags

## June 2023:

- Amend our plastic bag ordinance:
  - No single-use plastic bags for takeout food orders



## Now:

- Code Cleanup to match State law:
  - Require retailers (not restaurants) to charge \$0.10 for reusable carryout bags. CMC currently allows reusable bags to be given at no charge, but that is not in alignment with State law. In practice in Cupertino this is already happening.



## Temporary Exemptions:

- Additional time needed to comply
- Significant economic hardship
- Unique packaging hardship
- Plastic straws available as an accommodation to people with disabilities who request them to enjoy equal access to food and beverage services within the City.



## Additional Recommendations:

- Pilot reusable to-go foodware in Cupertino
- Offer technical and financial assistance to businesses
  - Studies show switching to reusables pays off
  - Help with the initial investment if needed?

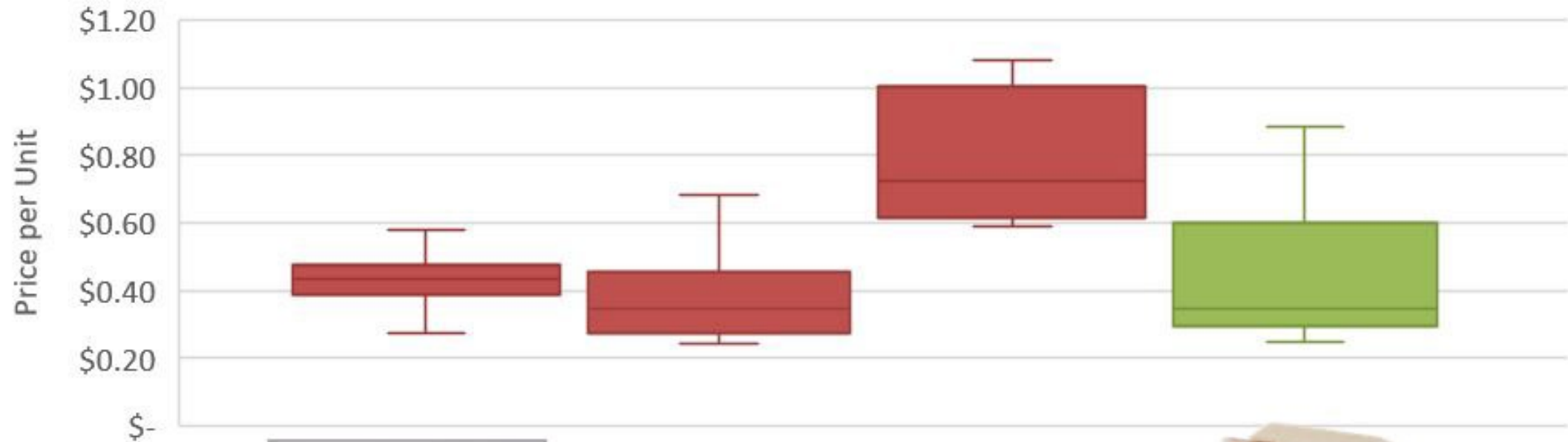


## Switching to Reusables:

- Restaurants that use all single-use foodware for dine-in save money switching to reusables according to case studies
- Might require additional dishwashing capacity, although the case studies find that to be rare, especially for smaller businesses
- Financial and technical assistance can help transition to reusables. 56.7% of businesses surveyed were interested in that idea.



# Impact on food providers:



Non-compliant  
paper/fiber



Plastic



"Compostable"  
plastic



Certified PFAS-  
free fiber

## Other jurisdictions:

- Requiring compostable fiber-based foodware
  - Mountain View
  - San Mateo County
  - City of Alameda







## Outreach to Businesses:

- Survey of food businesses in Summer 2021:
  - 100 businesses (88 in-person, 11 via email)
  - Cross-section of restaurant types (fast food, independently owned, dine-in, franchises, boba tea, coffee/café, grocery, dessert/bakery, small to large)
  - Main concerns:
    - Cost of alternatives
    - Concern about maintaining business operations (boba cup heat-sealing process, proper packaging of takeout foods, etc.)

## **Outreach to Special Interest Groups:**

- Youth - supportive
- Unhoused and low income – concern over any increased costs getting passed along
- Large corporate food providers – space for scaling up dishwashing, availability of labor
- Disability community – retain access to plastic straws, limited ability to wash dishes
- Schools – no dishwashers, supply chain, budget

## Outreach to Customers:

111 customers took a survey

- 61% supported moving away from plastic
- 35% are concerned about single-use generally
- 76.6% say it would be positive for the customer experience
- 87.7% said they've received unwanted utensils or napkins with takeout orders
- 91% worry about the waste from single-use

## Outreach for Awareness:

- Scene article, Mercury News
- Postcard mailed to all food businesses
- Emails to all survey respondents
- In-person postcard delivery to boba, coffee places
- Sustainability Commission
- Chamber of Commerce
- [engagecupertino.org/single-use-plastics](https://engagecupertino.org/single-use-plastics)



### CUPERTINO Single-use plastic ban weighed by City Council

Reusable food ware might be  
required at dine-in restaurants

By Grace Hane  
<https://www.mercurynews.com>

In an effort to cut back on the 300 tons of single-use food ware tossed out by restaurants and businesses each year, the Cupertino City Council is considering banning single-use plastics at food service establishments as soon as next summer.

The proposed law, which could go into effect June 2023, would follow the lead of neighboring cities like Mountain View and Palo Alto by banning plastic straws, utensils, containers and drink stirrers at local eateries. Instead, residents would have to use alternatives, such as paper, wood, aluminum, bamboo or other fiber-based compostables.

But Cupertino is looking to take its law even further and become the first city in Santa Clara County to require reusable food ware not just for take-out, but for dining in, as well.

Vignesh Iyengarathan, the chair of Cupertino's Sustainability Commission, said that while getting rid of single-use plastics may be daunting, it's just another step in helping the city reach its climate goals.

The commission has made several aggressive recommendations for the city to implement by 2024 — including banning the sale of bio-plastics at retail stores, charging customers for single-use food ware, piloting a reusable takeout food ware program at local restaurants and prohibiting plastic bags for takeout orders.

"It's going to have some growing pains," he said. "Some folks are going to be like, 'Dude, I thought we could all get cups and plates and buy them locally to have a pizza party in the park and then throw that all away in the local dumpster.' That's not something that Cupertino wants to support."

If the council decides to follow through with the recommendations, Cupertino would be the first in the county to change the single-use food ware and ban plastic bags for takeout orders.

But banning single-use plastics next year could prove challenging for some businesses — specifically boba tea shops, of

BAN • PAGE 2



## **Notable points:**

- Impact to boba places – allow unique packaging exemption for an additional year?
- Offer financial assistance as part of the technical assistance RFP?
- Plastic hot and cold lids are not included

# Next Steps

- **April 19, 2022**
  - Possible 2<sup>nd</sup> reading



# Questions?

CC 04-05-2022

Item No. 15

Economic Development  
Committee

Presentation

# Economic Development Committee

April 5, 2022



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# Background

- Economic Development Committee (EDC) has met informally.
- Council requested staff to amend the Muni Code to codify the EDC as part of the City Work Program.
- At the February 15, 2022 meeting, Council provided direction to staff:
  - Membership comprised of two members of the City Council and three members from the community representing retail, hospitality, and the technology industry.



## **EDC Historical Purpose**

Discuss items of importance pertinent to local businesses and to provide feedback to staff on business-related City initiatives or projects.

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## ED Committees or Commissions in Other Cities

City	Committee/Commission	Composition	Purpose
Mountain View	Downtown Committee	11 members: <ul style="list-style-type: none"> <li>• 4 property owners or downtown business reps</li> <li>• 2 community-at-large members who are residents</li> <li>• 4 business-at-large members with reps from:               <ul style="list-style-type: none"> <li>• 1 Downtown Business Association</li> <li>• 1 Chamber of Commerce</li> </ul> </li> <li>• 2 businesses not in the Downtown</li> </ul>	Encourage economic development specific to the downtown area.
San Jose	Community and Economic Development Committee	5 Councilmembers	Encourage a strong economy; ensure arts, cultural, & entertainment offerings; create healthy neighborhoods.
Santa Clara	Economic Development, Communication, and Marketing Committee	4 Councilmembers	Proactive economic development and effective communication, review marketing & branding strategies.
Fremont	Economic Development Advisory Commission	9 members: <ul style="list-style-type: none"> <li>• 5 reps: Business, Resident; Real Estate; Community College</li> <li>• 3 reps from Commercial / Industrial sector</li> <li>• 1 rep from the Chamber of Commerce</li> </ul>	Promote and facilitate economic development.
Milpitas	Economic Development and Trade Commission	7 members: <ul style="list-style-type: none"> <li>• 1 Councilmember</li> <li>• 1 Chamber of Commerce</li> <li>• 1 Real Estate</li> <li>• 1 Resident</li> <li>• 1 Milpitas Unified School District/Education</li> <li>• 1 Business</li> <li>• 1 Technology and Trade</li> </ul>	Advise on broad economic development and business issues, cultivate international trade relationships.



# Proposed EDC Purpose

Provide expertise and guidance on policy related to economic development, and actively promote Cupertino as a location of choice for current and prospective businesses by:

1. Making recommendations to City Council on a broad range of strategic matters broadly applicable to the City's economic development goals;
2. Serving as an ambassador to shed a positive light on the City by sharing economic development resources and information to prospective businesses and stakeholders, thus positioning the City as a location of choice; and
3. Encouraging public/private partnerships to further the City's economic development goals by identifying potential resources.

# Proposed EDC Membership

Seven (7) members including elected officials, industry sector representatives, and key partners:

1. City Councilmember
  2. City Councilmember
  3. Technology Sector Representative
  4. Retail/Small Business Representative
  5. Hospitality/Tourism Sector Representative
  6. De Anza College Representative
  7. President of the Chamber of Commerce or Designee
-

## Recommendation

1. Conduct the first reading of Ordinance No. 22-2240  
“An Ordinance of the City Council of the City of  
Cupertino Adding Chapter 2.96 of Title 2  
(Administration and Personnel) to Codify the  
Economic Development Committee”.
2. Find that the proposed actions are exempt from  
CEQA.

Questions?



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