

CC 05-03-2022

Study Session Item No. 1

FY 22-27 CIP Projects  
Report

Presentation

# **City Council – Study Session**

## **FY 22-27 CIP Projects Report**

May 3, 2022

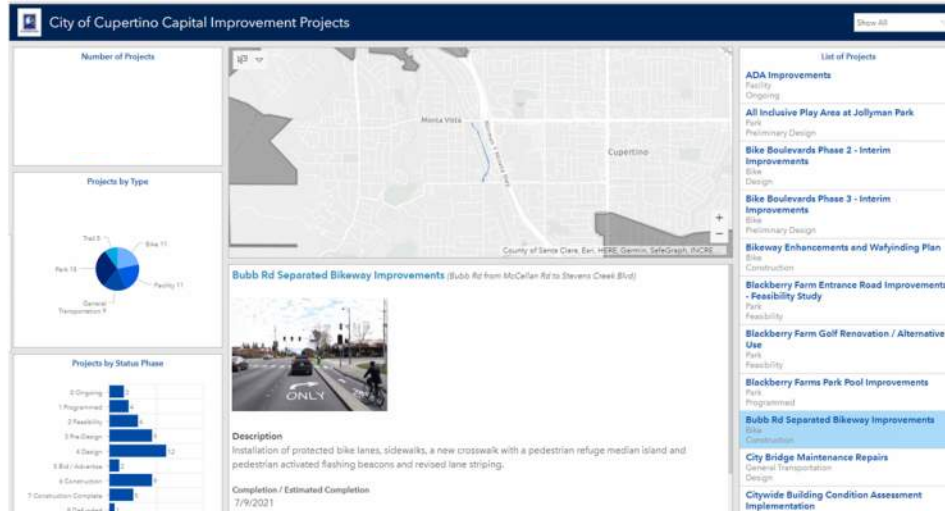


**CUPERTINO**

# CIP Dashboard

For more detail on the status of current CIP projects, refer to the City's CIP dashboard:

<https://gis.cupertino.org/webmap/cip/>



Navigation: Cupertino.org > Public Works > City Construction Projects (CIP) (on the left sidebar) > Interactive Dashboard

# FY 22-23 CIP Projects

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## Agenda

- The CIP Process
- Current CIP projects
- Proposed CIP projects
- Comments



# The CIP Process

# What is CIP?

The **Capital Improvements Program** (CIP) Administration Division provides **design and construction administration** for all capital improvement projects including streets, sidewalks, storm drainage, buildings, parks, bicycle and pedestrian improvements, and other public facilities. The Division ensures that all public improvements are designed and constructed in accordance with community expectations and City standards. The Division places safety of the public, City employees, and workers as the highest priority in the delivery of capital projects.

# What is a Capital Improvements Program (CIP) Project?

A Capital Improvement is something that:

- **Enhances** the unit of property; or
- **Restores or Prolongs** the useful life of the unit of property; or
- **Adapts** the unit of property to a new or different use.

Capital Improvements are **added** to the City's assets, and maintenance or repairs are **deductible** costs of operations.

A Capital Improvements project is typically **distinguished** from a Maintenance project by: (1) outside consultants are needed and/or (2) the implementation budget exceeds +/- \$60,000.

# What is the difference between CIP and CWP?

The **City Work Program** (CWP) Projects manifest the **Goals and Policies** established by the City Council, and thus, the Community. The CWP guides some of the major efforts of the City for the upcoming fiscal year, ensuring that staff efforts are aligned with those goals. The City Manager's Office (CMO) directs these projects.

The **Capital Improvements Program** (CIP) Projects emanate from the need to **improve our City's Assets**, like streets, storm drains, buildings, parks, and trails. Public Works (PW) department directs these projects.



# How do we choose the CIP projects?



City Staff are asked to submit Project Proposals to CIP: field staff have the best sense of “what’s broken and needs fixing”, especially critical **Health and Safety** issues.



We consider the stated **Council Priorities about Capital Improvements** from direct messaging, CMO directives, and/or Council meeting discussions and Community feedback.



The City’s **Master Plans** and General Plan have many stated goals and policies that affect the generation of CIP projects. We review the directives found there and from the Commissions’ stated priorities.



We evaluate what is the most **Fiscally responsible** use of City resources, including staff time and funding. If projects have secured (or could secure) outside funding, that is also considered.



# What are the next steps?

Tonight, Council is asked to:

- Comment on the proposed FY22-23 CIP program, and
- Comment on the projects presently listed in the FY23-27 CIP programs

Next Steps:

- **May 17**, City Council meeting: Review/Comment on the Fiscal Year (FY) 2022-23 Proposed Budget
- **June 21**, City Council meeting: Fiscal Year (FY) 2022-23 Budget Adoption

# Current CIP Projects



# CIP Projects

40 active projects: 12 Parks & Rec, 16 Bike/Ped, 5 Streets & Grounds, and 7 Facilities

1. All-Inclusive Play Area (External Funding)
2. Annual Playground Replacement (Multi-year)
3. Blackberry Farm Golf Renovation / Alternative Use Study
4. Blackberry Farm Pool Improvements
5. Citywide [Satellite] Community Garden
6. Full-sized Outdoor Basketball Court (External Funding)
7. Lawrence-Mitty Park - Master Plan
8. Memorial Park – Amphitheater Improvements
9. Memorial Park – Pond Repurposing
10. Memorial Park – Specific Plan Design
11. Park Amenity Improvements (Multi-year)
12. Tree Inventory - Stevens Creek Corridor
13. Bicycle Blvd Interim Improvements, Ph. 2
14. Bicycle Blvd Interim Improvements, Ph. 3
15. Civic Center Parking Analysis
16. Homestead/DeAnza - Construction
17. Homestead/De Anza – Design (External Funding)
18. I-280 Trail - Central Segment (External Funding)
19. I-280 Trail - East Segment (External Funding)
20. McClellan Rd Sep. Bike Corridor, Ph. 3 (External Funding)
21. Regnart Creek Trail Fencing
22. School Walk Audit Implementation (External Funding)
23. Stelling and Alves Crosswalk Installation
24. Stevens Creek Blvd & Bandlely Dr. Signal Upgrades (Ext'l Fund)
25. Stevens Creek Blvd Class IV Bikeway Ph. 2 - Design
26. Stevens Creek Blvd Class IV Bikeway Ph. 2A – Construction
27. Stevens Creek Blvd Class IV Bikeway Ph. 2B – Construction (External Funding)
28. Traffic Calming
29. Pumpkin and Fiesta Storm Drain project, Phase 1 and 2
30. Regnart Road Improvements
31. Retaining Wall Repair - Cordova Road
32. Sidewalk Improvements - Orange and Byrne Avenues (External Funding)
33. Street Light Installation - Annual Infill (Multi-year)
34. ADA Improvements (Multi-year)
35. City Hall and Community Hall Improvements (Programming and Feasibility)
36. City Hall Annex (10455 Torre Avenue Improvements)
37. Citywide Building Condition Assessment Implementation
38. Electric Vehicle Parking Expansion (External Funding)
39. Library Expansion Project
40. QCC Multi-Site Sustainable Infrastructure Upgrade (External Funding)

\*Green = Parks & Rec

\*Blue = Bike Ped

\*Red = Streets & Grounds

\*Orange = Facilities

# CIP Projects

20 projects in Design phase, 6 projects in RFQ/RFP, 6 projects in Construction, and 8 projects are Ongoing or Feasibility Studies

## DESIGN:

1. All-Inclusive Play Area
2. Blackberry Farm Pool Improvements
3. Citywide [Satellite] Community Garden
4. Full-sized Outdoor Basketball Court
5. Lawrence-Mitty Park - Master Plan
6. Memorial Park – Pond Repurposing
7. Bicycle Blvd Interim Improvements Ph. 3
8. Homestead/De Anza – Design
9. I-280 Trail - Central Segment
10. I-280 Trail - East Segment
11. McClellan Road Separated Bike Corridor, Ph. 3
12. Stevens Creek Blvd and Bandlely Dr. Signal Upgrades
13. Stevens Creek Blvd Class IV Bikeway, Ph. 2 - Design
14. Stevens Creek Blvd Class IV Bikeway Ph. 2A – Construction
15. Stevens Creek Blvd Class IV Bikeway Ph. 2B – Construction
16. Pumpkin and Fiesta Storm Drain project, Ph. 1 and 2
17. Regnart Road Improvements
18. Retaining Wall Repair - Cordova Road
19. Sidewalk Improvements - Orange and Byrne Avenues
20. Citywide Building Condition Assessment Implementation

## RFQ/RFP:

1. Memorial Park – Amphitheater Improvements
2. Memorial Park – Specific Plan Design
3. Homestead/DeAnza - Construction
4. City Hall Annex (10455 Torre Ave Improvements)
5. Electric Vehicle Parking Expansion
6. QCC Multi-Site Sustainable Infrastructure Upgrade

## CONSTRUCTION:

1. Park Amenity Improvements
2. Annual Playground Replacement
3. Bicycle Blvd Interim Improvements Ph. 2
4. Regnart Creek Trail Fencing
5. Stelling and Alves Crosswalk Installation
6. Library Expansion Project

## ONGOING/FEASIBILITY:

1. Blackberry Farm Golf Renovation / Alternative Use Study
2. Tree Inventory - Stevens Creek Corridor
3. Civic Center Parking Analysis
4. School Walk Audit Implementation
5. Traffic Calming
6. Street Light Installation - Annual Infill
7. ADA Improvements
8. City Hall & Comm. Hall Impr (Programming and Feasibility)

\*Green = Parks & Rec

\*Blue = Bike Ped

\*Red = Streets & Grounds

\*Orange = Facilities

# CIP Projects

9 completed projects, 6 deferred (on hold) projects

## FY21-22 COMPLETED PROJECTS:

1. Lawrence-Mitty Park – Annexation\*\*
2. Bicycle Wayfinding Signage
3. Bubba Road Separated Bikeway
4. Carmen Road Bridge Right-of-Way
5. Mary Avenue Protected Bikeway
6. Regnart Creek Trail
7. Quinlan Preschool Shade Structure
8. City Lighting LED Transition Assessment
9. Stevens Creek Bank Repair Concept
10. Street Light Replacement – Citywide (Labor)

## DEFERRED PROJECTS:

1. Stevens Creek Corridor Park Chain Master Plan
2. Sports Center Community Needs Analysis
3. I-280 Trail - West Segment
4. McClellan Road Separated Bike Corridor - Byrne Ave to Imperial Ave, Phase 4
5. Interim City Hall
6. City Bridge Maintenance Repairs

*\*\*Lawrence-Mitty Park – Acquisition was reported Complete last year. However, Annexation was recently completed.*

\*Green = Parks & Rec

\*Blue = Bike Ped

\*Red = Streets & Grounds

\*Orange = Facilities

# CIP Project Funding

ACTIVE PROJECTS	\$53,140,762
COMPLETED PROJECTS	\$5,653,645
DEFERRED PROJECTS	\$3,242,700
<b>TOTAL FUNDING</b>	<b>\$62,037,107</b>

<b>TOTAL ACTIVE PROJECTS FUNDING</b>	<b>\$53,140,762</b>
ACTIVE PARKS & REC PROJECTS	\$15,813,485
ACTIVE BIKE PED PROJECTS	\$14,553,535
ACTIVE STREETS & GROUNDS PROJECTS	\$8,561,834
ACTIVE FACILITIES PROJECTS	\$14,211,908

\*Green = Parks & Rec

\*Blue = Bike Ped

\*Red = Streets & Grounds

\*Orange = Facilities



# Proposed CIP Projects

CUPERTINO CIVIC CENTER



# Multi-Year/Annual CIP Projects

1. ADA Improvements (Annually funded): \$95,000
2. Annual Playground Replacement (Year 3 of 5): \$300,000
3. Park Amenity Improvements (Year 3 of 5): \$200,000
4. Street Light Installation - Annual Infill (Annually funded): \$75,000

# Additional Funding for Current Projects

Some current CIP projects may require additional funding, due to the increased construction costs. All are pending construction bids, and expected in Q1 for FY-22-23:

- Citywide [Satellite] Community Garden (FY22-23: Wilson Park)
- Regnart Road Improvements
- Full-sized Outdoor Basketball Court (Wilson Park)
- Sidewalk Improvements - Orange & Byrne

# Unfunded/Future CIP Projects

1. Bollinger Road Bike Improvements
2. Carmen Road Bridge - Design
3. Carmen Road Bridge - Construction
4. Stevens Creek Blvd Separated Bikeway, Phase 3 - Design
5. Don Burnett Bridge LED Lighting Upgrade
6. Memorial Park Softball Field LED Lighting Upgrade
7. Regnart Road Improvements: Ph. 3 -6
8. ADA 2015 report Update/Dashboard
9. Citywide Building Condition Assessment Implementation
10. Community Hall Improvements
11. QCC skylight renovation
12. Blackberry Farm Bocce Ball Shade Structure
13. Blackberry Farms Golf Course Improvements
14. Jollyman Park Dog Off-Leash Area (DOLA) Pathway
15. Lawrence Mitty Park - Design & Construction
16. Linda Vista Park Picnic Area Shade Structure
17. Major Facilities [Results] - Programming and Design
18. Memorial Park - Design & Construction
19. Portal Park Picnic Area Shade Structure

\*Green = Parks & Rec

\*Blue = Bike Ped

\*Red = Streets & Grounds

\*Orange = Facilities

# FY 22-23 CIP Projects

## PROPOSED PROJECTS:

1. Blackberry Farms Pools Splash Pad
2. Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities
3. Major Recreation Facilities: Use and Market Analysis
4. De Anza Boulevard Buffered Bike Lanes
5. City Lighting LED improvements
6. City Hall Renovation/Replacement and Library Parking Garage: Design and Construction
7. Stocklmeir, Byrne and Blesch: Inspection Reports and Analysis

# Blackberry Farm Pools Splash Pad



## **Proposed Scope:**

Design and construct a splash pad to replace the slide feature at the Blackberry Farm Pools.

**Proposed Budget:** \$500,000

# Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities



## **Proposed Scope:**

Design and construct a new adult-assistive bathroom facility adjacent to the All-Inclusive Play Area.

**Proposed Budget:** \$850,000

# Major Recreation Facilities: Use & Market Analysis



## **Proposed Scope:**

Commission a report to study possible locations for new major facilities: Aquatic, Fine Arts/ Performance and/or Recreation Facilities. Existing recreational and arts facilities will be reviewed, and a recommendation based on need, available locations, and financial investments required. The Market Analysis and Business Plan will be the first phase in the potential development of additional recreation facilities in the City.

**Proposed Budget:** \$350,000

# De Anza Blvd Buffered Bike Lanes



## **Proposed Scope:**

Restripe De Anza Blvd to include a painted buffered zone between the existing bike lane and the vehicle lanes.

**Proposed Budget:** \$525,000



# City Lighting - LED Improvements



## **Proposed Scope:**

Implement the transition of the City's streetlight infrastructure from induction and other fixtures to LED fixtures, to meet the "Dark Sky" Ordinance requirements and to reduce light pollution and energy costs.

**Proposed Budget:** \$1,300,000

# Stocklmeir, Byrne and Blesch: Inspection Reports and Analysis



**Proposed Budget:** \$50,000

## **Proposed Scope:**

Instigate property inspection reports and work with outside consultants to develop initial use and business strategies appropriate for the three residential properties owned by the City.

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction



## **Proposed Scope:**

Design and Construction of the City Hall and Library Parking Garage project. The City Hall scope which includes structural upgrades, renovation of mechanical/electrical and life-safety infrastructure, improvements to workplace and accessibility, and purposeful construction of the emergency operations center (EOC). The Library Parking garage will be a 3-story above-ground structure in the SE corner of the existing parking lot.

**Proposed Budget:** \$4,000,000

For FY22-23 funding/scoping, we propose initiation of the Design and Management Consultant services only.

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

## *Council Review of Civic Center Projects*

- **December 2012:** Analysis of City Hall presented to Council as part of the Civic Center Master Plan
- **July 2015:** Civic Center Master Plan presented to Council, including City Hall Renovation/Replacement
- **December 2015:** Report presented to Council indicating that City Hall Renovation/ Replacement project would exceed \$40M.
- **February 2018:** Civic Center Master Plan revisited; City Hall project was not supported by Council. Alternatively, Library Expansion Project was approved and subsequently funded in October 2018.
- **May 2021:** Council approved funding for Torre Avenue/City Hall Annex project & City Hall Feasibility Study.

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

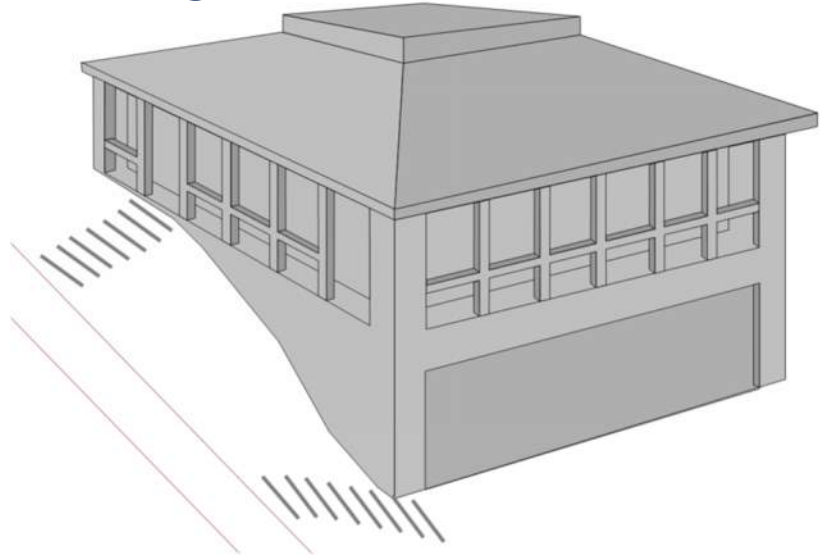
## *Building Condition / Status*

- **Critical life safety issues and the need for operational continuity** in the event of an earthquake make this the **top CIP priority recommendation**
- Seismic and other issues have been documented in multiple reports provided to the City Council in 2011, 2012, 2014 and 2021
- **2021 structural analysis:** *“Based on a review of the existing design.....the current building is very vulnerable to seismic damage...The building relies on concrete shear walls for lateral load and resistance and a combination of concrete walls and isolated concrete columns to support gravity load. These elements do not have sufficient ductility to resist seismic lateral displacements without sustaining significant damage. Damage to these critical gravity load-resisting elements could result in collapse of the roof structure. The life safety and economic risk could be substantial.”*

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

## *Cost & Scope Scenarios*

SEISMIC  
ADA/ACCESSIBILITY  
MECH, ELECT, PLUMBING & IT  
PROGRAMMING (INTERIOR)  
FUTURE-PROOFING / + STORY  
PARKING



**Existing Building** 24,140 SF

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

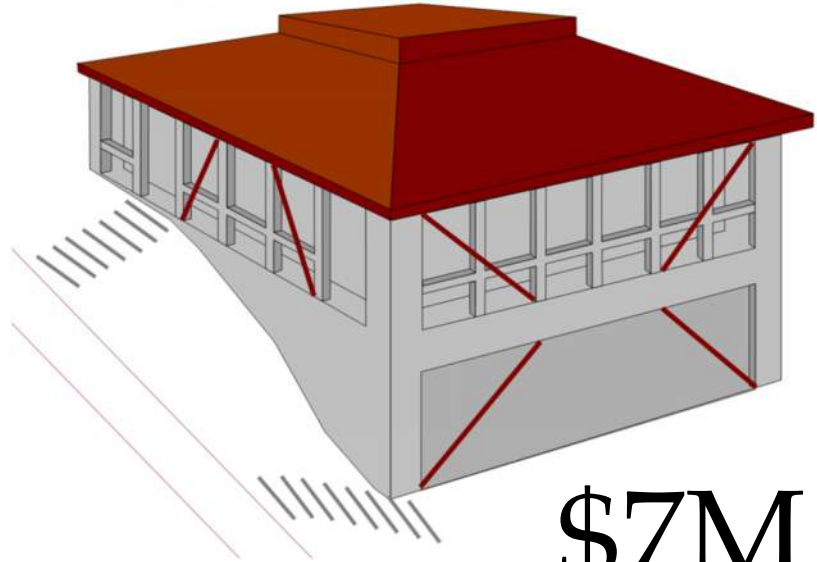
*Cost & Scope Scenarios*

## SEISMIC

ADA/ACCESSIBILITY

MECH, ELECT, PLUMBING & IT  
PROGRAMMING (INTERIOR)

FUTURE-PROOFING / + STORY  
PARKING



**\$7M**

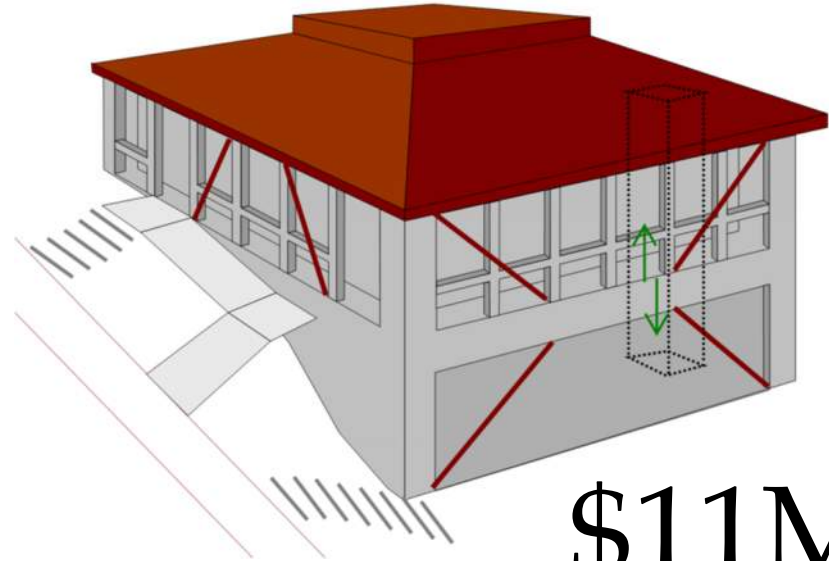
SEISMIC RETROFIT ...**triggers Full Accessibility** for the building

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

*Cost & Scope Scenarios*

## SEISMIC ADA/ACCESSIBILITY

MECH, ELECT, PLUMBING & IT  
PROGRAMMING (INTERIOR)  
FUTURE-PROOFING / + STORY  
PARKING



# \$11M

SEISMIC + ACCESSIBILITY



# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

*Cost & Scope Scenarios*

**SEISMIC**

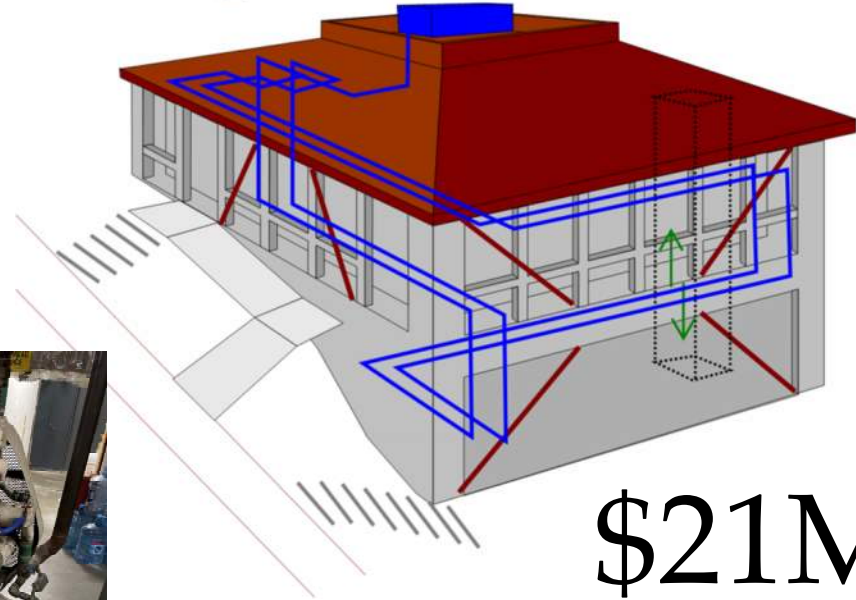
**ADA/ACCESSIBILITY**

**MECH, ELECT, PLUMBING & IT**

PROGRAMMING

FUTURE-PROOFING / + STORY

PARKING



**\$21M**

SEISMIC + ACCESSIBILITY + MEP



# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

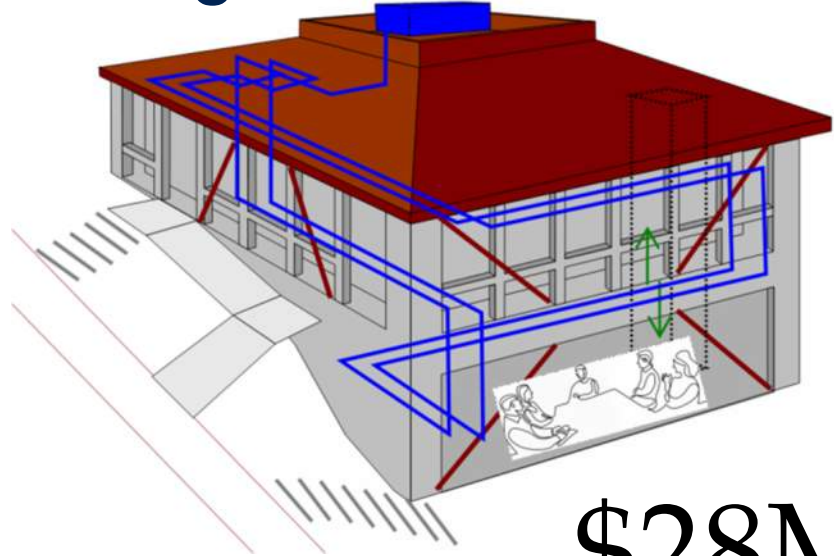
*Cost & Scope Scenarios*

**SEISMIC**

**ADA/ACCESSIBILITY**

**MECH, ELECT, PLUMBING & IT  
PROGRAMMING (INTERIOR)**

FUTURE-PROOFING / + STORY  
PARKING



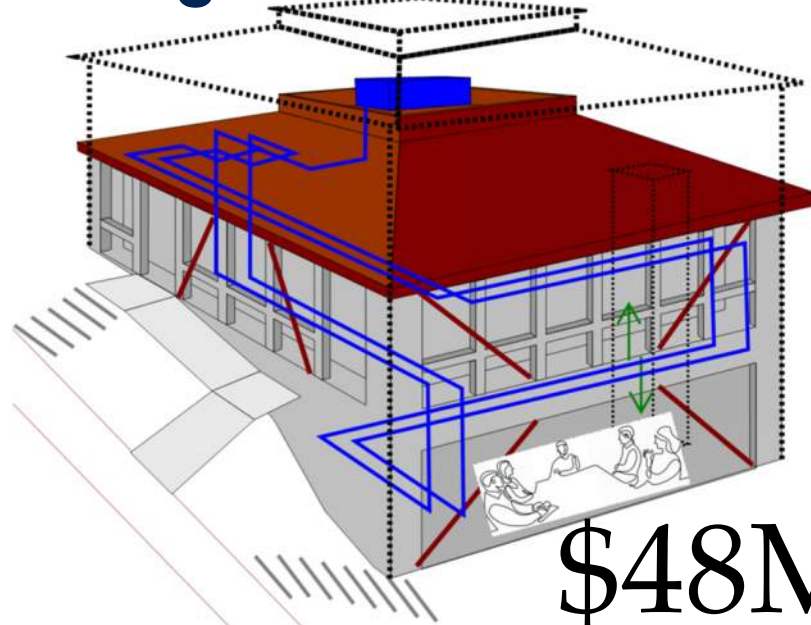
**\$28M**

SEISMIC + ACCESSIBILITY + MEP + INTERIOR/PROGRAMMING

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

*Cost & Scope Scenarios*

SEISMIC  
ADA/ACCESSIBILITY  
MECH, ELECT, PLUMBING & IT  
PROGRAMMING (INTERIOR)  
FUTURE-PROOFING / + STORY  
PARKING



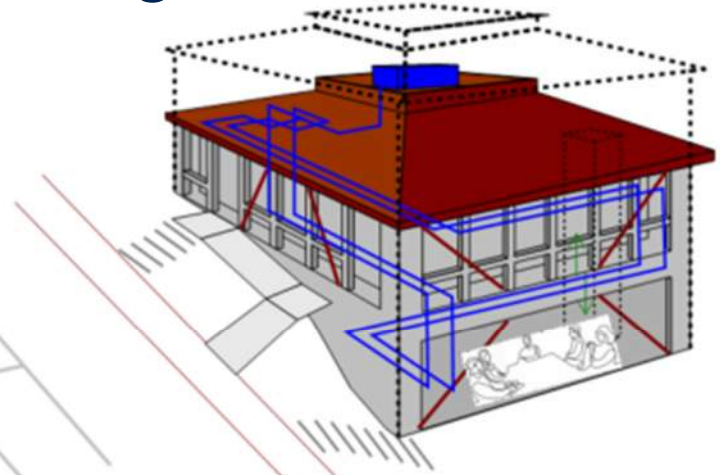
**\$48M**

SEISMIC + ACCESSIBILITY + MEP + INTERIOR/PROGRAMMING + STORY

# City Hall Renovation / Replacement and Library Parking Garage: Design & Construction

*Cost & Scope Scenarios*

SEISMIC  
ADA/ACCESSIBILITY  
MECH, ELECT, PLUMBING & IT  
PROGRAMMING (INTERIOR)  
FUTURE-PROOFING / + STORY  
PARKING



**\$79.6M**

SEISMIC + ACCESSIBILITY + MEP + INTERIOR/PROGRAMMING + STORY + **PARKING**

# FY 22-23 CIP Projects

## PROPOSED PROJECTS:

1. Blackberry Farms Pools Splash Pad
2. Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities
3. Major Recreation Facilities: Use and Market Analysis
4. De Anza Boulevard Buffered Bike Lanes
5. City Lighting LED improvements
6. City Hall Renovation/Replacement and Library Parking Garage: Design and Construction
7. Stocklmeir, Byrne and Blesch: Inspection Reports and Analysis

Thank You!



**CUPERTINO**

CC 05-03-2022

Item No. 10

FY 22-23 Funding  
Allocations

Presentation

# FY 2022-23 City Housing & Human Services Grants Program Funding Allocations



**CUPERTINO**

Kerri Heusler, Housing Manager

May 3, 2022





# Timeline

Nov 10, 2021

Annual Notice of Funding  
Availability (NOFA) / Request for  
Proposals(RFP) issued

Feb 9, 2022

NOFA/RFP deadline

Apr 14, 2022

Housing Commission meeting

May 3, 2022

City Council meeting



# Funding Sources

Capital Housing Projects:

1. Community Development Block Grant (CDBG)
2. Below Market Rate (BMR) Affordable Housing Fund (AHF)

# 1. CDBG FY 22-23 Budget

FY 22-23 Estimated CDBG Budget	
Entitlement Amount	\$427,146.30
Program Income FY 20-21	\$7,944.00
Sub-Total	\$435,090.30
Program Administration (20%)	\$87,018.06
Public Service (15%)	\$65,263.55
Capital/Housing Projects (65%)	\$282,808.70
Total	\$435,090.30

# 1. CDBG Capital Housing Funds

FY 22-23 Application Summary	Funding Recommendations
Rebuilding Together Silicon Valley- Repair and Accessibility Modification Program for Low-Income Homeowners	\$88,966
WVCS Community Services - Vista Village	<i>Not recommended pending resolution of HUD audit</i>
Sub-Total	\$88,966



## 2. BMR AHF Capital Housing Funds

- \$6,000,000 current balance
- Notified 300+ contacts on the City's affordable housing and developer list
- **The City did not receive any applications for FY 22-23**



# Reporting and Monitoring

- Ongoing Technical Assistance
- Quarterly / Annual Reports
- CDBG Compliance



## Next Steps

- Authorize the City Manager to execute FY 2022-23 CDBG and BMR AHF funding agreements

CC 05-03-2022

Item No. 23

FY 2022-23 Fee Schedule  
Update

Presentation



# FY 2022-23 Fee Schedule Update

City Council Regular Meeting

May 3, 2022



# Agenda

- What is a Fee?
- Fees for City Services
- Fee Development
- New Fees
- Fiscal Impact
- Recommendation

# What is a Fee?

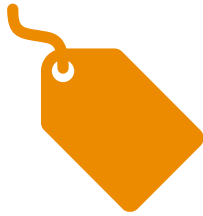
## User Fee

A fee or rate charged to an individual or group that receives a *private benefit* from services provided by the City.

# Fees for City Services

Fee Schedule	Description
Schedule A - General Fees	Miscellaneous fees not associated with one department(abatement fees, false alarms, PRA request, etc.)
Schedule B - Engineering Fees	Public Works – Engineering: Design and Inspection Services
Schedule C - Planning Fees	Community Development – Planning: Current, Mid, and Long-Term Planning
Schedule D - Building Fees	Community Development – Building: General Building, Construction Plan Check, and Building Code Enforcement
Schedule E - Parks & Recreation Fees	Parks & Recreation Services Fees are market driven

# Fee Development



Consumer Price  
Index (CPI)

5.2%



Construction Cost  
Index (CCI)

9.8%



Labor Cost

1.0%



# Fee Development

Fiscal Year	Schedule A – General Fees	Schedule B – Engineering Fees	Schedule C – Planning Fees	Schedule D – Building Fees
2022-23 (proposed)	5.2% CPI	9.8% CCI 1.0% Labor	5.2% CPI 1.0% Labor	1.0% Labor
2021-22	1.6% CPI	2.5% CCI 5.7% Labor	1.6% CPI 5.7% Labor	5.7% Labor
2020-21	2.9% CPI	6.3% CCI 17.3% Labor	17.3% Labor	17.3% Labor
2019-20	3.5% CPI	1.0% CCI 4.0% Labor	4.0% Labor	4.0% Labor
2018-19	3.6% CPI	3.5% CCI 4.1% Labor	4.1% Labor	4.1% Labor
2017-18	3.4% CPI	11.2% Labor	11.2% Labor	11.2% Labor
2016-17	Varied and comprehensive changes due to Fee Study.			

# New Fees



# **Schedule A – General Fees**

## **Animal Establishment Permit**

- Private Kennel: \$317.70
- Pet Shop: \$317.70
- Grooming Business: \$317.70
- Horse Establishment: \$317.70



# **Schedule B – Engineering Fees**

**No new fees**

## **Park Land Dedication In-Lieu Fees**

- Remain at FY 2021-22 rates
- The Public Works Department is continuing to evaluate fees for FY 2022-23

# Schedule C – Planning Fees

No new fees

# Schedule D – Building Fees

## Antenna/Telecom Facility

- Cellular/Mobile Phone, alterations to existing facility: \$446

# **Schedule E – Parks & Recreation Fees**

## **Quinlan Community Center**

- Craft Room

## **Monta Vista Recreation Center/Creekside Park Building/Wilson Park Building**

- Monta Vista Kitchen and Room 5

## **Schedule E – Parks & Recreation Fees (Cont.)**

### **Senior Center**

- \$7 Flex Pass replaced with Drop-In Rate

### **Sports Field Fees**

- Field Attendant fee from \$17 to \$18
- Picnic area rental fees for Creekside Park:  
\$80 for residents, \$109 for non-residents

## **Schedule E – Parks & Recreation Fees (Cont.)**

### **Sports Field Fees**

- Increasing to 100% of recommendation

### **Park Special Events Permits**

- Civic Center Plaza: \$1,000 per event day

# Fiscal Impact

Fee Schedule	Additional Revenue	Factor and Basis
Schedule A – General Fees	\$4,872	5.2% CPI
Schedule B – Engineering Fees	\$17,628	9.8% CCI, 1.0% Labor
Schedule C – Planning Fees	\$9,536	5.2% CPI, 1.0% Labor
Schedule D – Building Fees	\$42,626	1.0% Labor
Schedule E – Parks & Recreation Fees	General Fund: \$18,000, Enterprise Funds: \$158,000	Primarily market driven

# Recommendation

Adopt Resolution No. 22-XXX approving FY 2022-23  
Fee Schedules A, B, C, D, and E effective July 2,  
2022.





CC 05-03-2022

Item No. 24

Single-Use Plastics

First Reading

Presentation

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

**May 3, 2022**

**Ursula Syrova, Environmental Programs Manager**



**CUPERTINO**

## 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

# 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, stir sticks, straws for dine-in or takeout



## Ordinance – Recommended Elements June 2023

- **No use or sale of compostable plastics**
  - No serving food, drinks using compostable plastic foodware
  - Ban on the sale of compostable plastic foodware



## Ordinance – Recommended Elements June 2023

- **No local sale of expanded polystyrene (EPS) items:**
  - Already prohibited to serve in EPS
  - Ban on the sale of EPS foodware
  - Ban on the sale of EPS coolers





# Ordinance – Recommended Elements June 2023

- Allow fiber-based takeout foodware: paper, wood, bamboo, bagasse
- Allow aluminum foil-based items



# Ordinance – Recommended Elements June 2023

- Require reusables for dine-in



# 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.



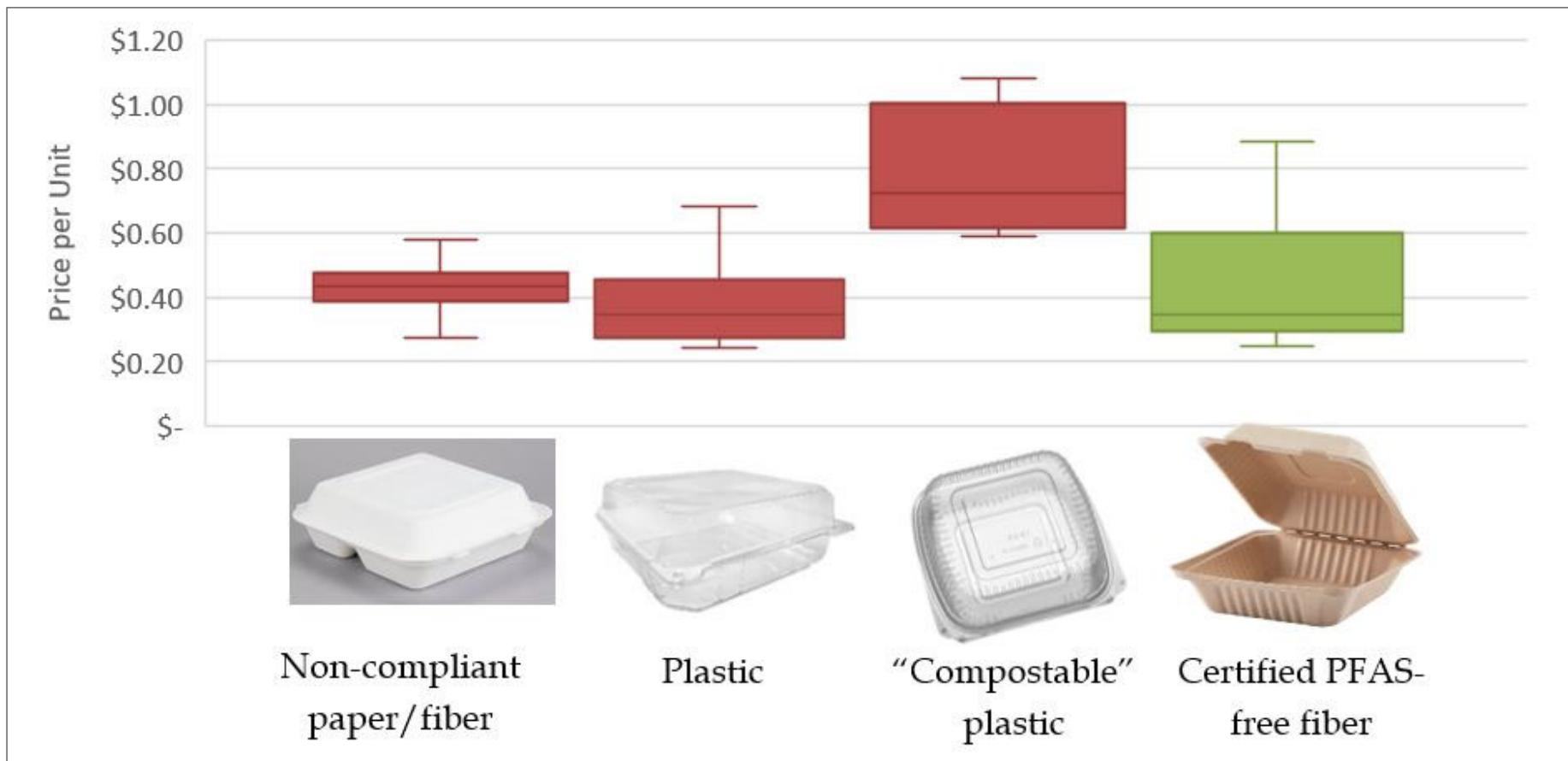
## Additional Recommendations:

- 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?





## Impact on food providers:



## Other jurisdictions:

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







Comparison of Food Service Ware Ordinance Provisions		Cupertino (Recommended)	Mountain View	Palo Alto	Sunnyvale	Berkeley	County of San Mateo	San Francisco	Santa Cruz (City)	Sonoma (County)
Sale of Single-Use Foodware	Prohibit sale of EPS foam foodware	x	x	x	x			x	x	x
	Prohibit sale of single-use plastic accessories		x							
	Prohibit sale of single-use compostable plastic foodware	x								
	Prohibit sale of single-use traditional plastic foodware									
Sale of other EPS Products	Prohibit sale of EPS ice chests, other items		x	x				x	x	x
	Prohibit sale of EPS packing peanuts, blocks			x				x	x	x
Cup Charges	Require a charge for single-use cups E= Encouraged					x			x	E
Container Charges	Require a charge for single-use containers									
Compostable Produce Bags	Require grocery stores and farmer's markets to use compostable bags for meat and produce. C/R = compostable or recyclable			x				C/R		
No Plastic Bags for Takeout Food Orders	Prohibit use of plastic bags for takeout food orders	x						x		

## Outreach to Businesses:

- Survey of food businesses in Summer 2021:
  - 99 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  
[grace@cupertino.org](mailto:grace@cupertino.org)

In an effort to cut back on the 300 tons of single-use food ware items tossed out by residents 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, stirrers, condiment and drink dispensers at local eateries. Instead, residents would have to use alternatives, such as paper, wood, aluminum, bamboo or other fiber-based consumables.

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 2025 -- 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, 'Gee, I thought we could all get cups and plates and buy them locally to have a picnic party in the park and then throw them 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

Star+Hill

## **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

- **May 3, 2022**
  - 2<sup>nd</sup> reading





# Questions?



CC 05-03-2022

Item No. 25

Economic Development  
Committee

Presentation

# Economic Development Committee

May 3, 2022



**CUPERTINO**

# 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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# 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

Five (5) members including elected officials and industry sector representatives:

1. City Councilmember
2. City Councilmember
3. Technology Sector Representative
4. Retail/Small Business Representative
5. Hospitality/Tourism Sector Representative

## 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?



**CUPERTINO**



CC 05-03-2022

Item No. 26

Accounts Payable Report  
Ending  
December 20, 2021

Presentation

# Accounts Payable Report Ending December 20, 2021

May 03, 2022



**CUPERTINO**



## Background

On March 15, 2022, City Council considered the Accounts Payable report ending December 20, 2021 and directed staff to provide a report on all payments made by the City to the Cupertino Chamber of Commerce since 2015.

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# Analysis

Payments and support provided to the Chamber are broken down by the following three categories:

1. Payments
2. Festivals
3. Meeting Space

# 1. Payments

The City has paid the Chamber a total of \$218,197.91 for the period from January 2015 to March 2022.

Fiscal Year	Payment Amount
FY 14-15 (Starting January 1, 2015)	\$10,425.00
FY 15-16	\$20,485.00
FY 16-17	\$25,215.00
FY 17-18	\$22,445.00
FY 18-19	\$50,720.47
FY 19-20	\$51,904.31
FY 20-21	\$27,503.13
FY 21-22 (As of March 1, 2022)	\$9,500
<b>TOTAL</b>	<b>\$218,197.91</b>

## 2. Festivals

Amounts shown in table below represent what was approved by Council to support Chamber festivals which add up to \$91,396.64.

Fiscal Year	Fees Waived	Cost to the City
FY 15-16	\$4,212.25	\$1,320.07
FY 16-17	\$4,212.25	\$1,320.07
FY 17-18	\$12,159	\$4,819
FY 18-19	\$15,069	\$6,135
FY 19-20	\$15,451	\$3,816
FY 20-21*	N/A	N/A
FY 21-22	\$15,111	\$7,770
<b>TOTALS</b>	<b>\$66,214.50</b>	<b>\$25,180.14</b>

**GRAND TOTAL: \$91,396.64**

\* All festivals were cancelled in FY 20-21

### 3. Meeting Space

Chamber did not pay fees for meeting space where reservations were made by City staff. The amounts shown in table below represent the non-profit rate if applied for use of city-owned facilities.

Year	Stated Purpose	Fee if Booked as Non-Profit
2015	City/Chamber event (1 meeting)	\$270
2016	City/Chamber event, LAC (6 meetings)	\$375
2017	LAC (11 meetings)	\$495
2018	LAC (7 meetings)	\$315
2019	LAC (11 meetings)	\$495
2020	LAC (2 meetings)	\$90
2021	N/A	\$0
2022	N/A	\$0
	<b>TOTAL</b>	<b>\$2,040</b>

# I Love Cupertino Program

- Originally intended to serve as a state-of-the-art digital portal for visitors and the community to support small businesses
- Program to date has been significantly underutilized
- Staff recommendation is to significantly revamp the current model to:
  - Expand focus to market citywide businesses
  - Explore in-house or alternate operation and maintenance models
  - Structure the gift card program to generate real-time revenue for small businesses



# I Love Cupertino Cost

Fiscal Year	Cost
FY 17-18	\$30,215 <ul style="list-style-type: none"><li>- Logo concept and design (\$1,000)</li><li>- Website hosting (\$1,081.85)</li><li>- Database subscription (\$1,383.62)</li><li>- Domains, Project Conceptualization, Building content for social media, Facebook pages, Website design and layout (\$5,000)</li><li>- Website concept, design, layout, deployment (\$21,750)</li></ul>
FY 18-19	\$25,175 <ul style="list-style-type: none"><li>- Data subscription (\$2,175)</li><li>- Website hosting (\$1,700)</li><li>- Website &amp; Maintenance (\$21,300)</li></ul>
FY 19-20	\$5,557 <ul style="list-style-type: none"><li>- Data subscription (\$593)</li><li>- Website hosting (\$464)</li><li>- Website Maintenance (\$4,500)</li></ul>
FY 20-21	\$4,224 <ul style="list-style-type: none"><li>- Member management subscription for business directory (\$352/month)</li></ul>
FY 21-22	\$0
<b>Total</b>	<b>\$65,170</b>

## Next Steps

Pending Council direction, staff can negotiate a future scope of work with the Chamber that will delineate the terms of engagement, including:

- Reporting requirements
- Outlining proper payments for meeting space at City facilities
- Setting parameters around City staff time to be utilized only when aligned with City priorities and related activities

## **Recommendation**

Receive report and adopt Resolution No. 22-015 accepting Accounts Payable for the period ending December 20, 2021.

Questions?



**CUPERTINO**