

# CITY OF CUPERTINO SUSTAINABILITY COMMISSION

Teleconference meeting without a physical location.

Thursday, October 21, 2021 4:00 p.m.

## MINUTES

At 4:02 p.m. Chair Swaminathan called the meeting to order.

### ROLL CALL

Commissioners Present: Chair Vignesh Swaminathan, Vice Chair Ram Mohan, and Commissioners Gary Latshaw, Meera Ramanathan, and Anna Weber.

Staff: Ursula Syrova, Environmental Programs Manager; Victoria Morin, Outreach Coordinator; Karen Chen, AmeriCorps Fellow; Gilee Corral, Climate and Utilities Analyst.

Guests: Members of the public; Rincon Consultants, Inc., Climate Action Plan (CAP) Update project consultant team: Kelsey Bennett, Erik Feldman, and Alissa Jared.

### APPROVAL OF MINUTES

#### 1. Subject: Minutes from July 15, 2021 meeting

Vice Chair Mohan moved and Commissioner Latshaw seconded to approve the minutes. The motion carried unanimously.

### POSTPONEMENTS

None.

### ORAL COMMUNICATIONS

None.

### WRITTEN COMMUNICATIONS

Staff Liaison Gilee Corral noted written communications received on Item #2.

### STAFF AND COMMISSION REPORTS

**Staff updates:** Senior Strategy Survey now open, visit [cupertino.org/senior](https://cupertino.org/senior) to access the survey or visit the Senior Center, Library, or Quinlan Community Center for hard copies. Closed out the Sustainability Grants for Students Program, received one report from a grant recipient. Cupertino signed on to the United Nations Race to Zero campaign to commit to carbon neutrality by 2050. The Sustainability Division's new AmeriCorps CivicSpark Fellow, Karen Chen, introduced herself.

**Commission updates:** Chair Swaminathan noted that VTA is still in need of members for the Measure A watchdog committee; they have six open spots and do not have a quorum. He encouraged everyone to spread the word.

### OLD BUSINESS

None.

## NEW BUSINESS

### 2. Subject: Climate Action Plan Update draft measures

Corral gave a brief overview of the CAP Update project progress to date. Victoria Morin, Outreach Coordinator, provided an update of the outreach process with a focus on equity and transparency, including public workshops, pop up events, surveys, and an interactive portal. Kelsey Bennett with Rincon Consultants, Inc. gave a presentation on the technical process to date, including results from the updated greenhouse gas (GHG) emissions forecast, GHG reductions needed in each sector to meet Cupertino's targets, and a draft list of high impact climate mitigation measures towards a net zero carbon goal. The high impact measures were determined based on best practices and scenario planning and modeling incorporating Cupertino data. Because the largest GHG emissions contributions are projected to be from transportation and building energy, Cupertino will need to focus most of its GHG mitigation actions on these sectors. Corral acknowledged the CAP Update Subcommittee's role in the process. Staff requested the Commission to recommend the list of high impact actions to the City Council ahead of its November 16 Study Session on the CAP Update project.

Commissioners asked clarifying questions, including:

- If on-road measures referenced City-owned fleet (Ramanathan). Corral: all measures are community-wide and would include municipal fleet vehicles.
- Appreciation for the clarity of the presentation; what incentives and disincentives are being considered to change behavior, if innovative actions incorporated (Mohan). Staff and consultant team noted the actions list is still being refined, will be informed by best practice, and build on previous CAP progress. The team is using framework incorporating structural change, incentives, equity, funding, and partnerships.
- Urgency of climate emergency, like to see natural gas in commercial sector prioritized, consider personal rapid transit (Latshaw)
- Appreciate clarity of the structure of the measure and actions; how the Commission can assist and what stands out in importance (Swaminathan). Erik Feldman with Rincon Consultants, Inc.: discontinuing natural gas in new development is critical and investing in electric vehicle (EV) charging network.
- Lessons learned from more aggressive cities (Swaminathan). Feldman: Cupertino and other communities being ambitious. Mentioned examples from San Luis Obispo, West Hollywood, Boston, Berkeley.

Chair Swaminathan opened public comment and the following individuals spoke:

- Dashiell Leeds on behalf of the Sierra Club Loma Prieta Chapter spoke in support of a more aggressive carbon neutrality target, a streamlined CAP, seeing the impact of fuel cells on emissions from natural gas, ensure electrification happens soon, end of flow date for natural gas (i.e. Half Moon Bay's target of 2045). Expressed support for draft measures BE-1, BE-2, and M-1 and for existing building electrification ordinances to be top priority and mandated rather than incentivized, with extensive community outreach. Supports commitment to equity and electrifying Below Market Rate housing stock as a priority. Would like City to partner with County of Santa Clara Office of Sustainability and its new Sustainability Commission.
- Giuliana Pendleton on behalf of the Santa Clara Valley Audubon Society spoke in support of including

loss of biodiversity and climate resiliency in addition to climate change mitigation to the CAP. Supports goal to increase tree canopy and asked for a focus on locally native trees and oaks. Supports protecting grasslands, integration of nature-based solutions, and rewilding areas in cities.

- Neil Park-McClintick (Cupertino resident) on behalf of Cupertino for All expressed general support for plans to address climate change. He talked about the suburban perspective and culture that demands driving long distances (i.e. De Anza students and commuters) and need to contextualize the discussion in a regional transportation network. Spoke in support of Dashiell Leed's comments and getting rid of natural gas. Supports densifying Cupertino to ensure people can live close to work and school. He talked about subject of equity, the displacement of low-income people, and low supply of affordable units in Cupertino.
- Gwyn Azar on behalf of Silicon Valley Youth Climate Action's Cupertino Team thanked the team for their continued work. She spoke in support of an ambitious CAP, a more aggressive target than 2040, prioritizing the electrification of existing buildings, to consider a burnout ordinance to replace gas appliances, and to set an end of flow date for natural gas.
- Housing Commissioner Connie Cunningham (representing self) on behalf of the Santa Clara Valley Audubon Society spoke about the connection between climate and biodiversity, quoting from the Intergovernmental Panel on Climate Change. Supports adding "protect biodiversity" to CAP goals and when referencing resiliency and adaptation, noting that biodiversity was mentioned in a previous December 2020 report. Supports adding the words "for protecting biodiversity" in measures CS-1 and CS-2 in Table 1 in the staff report. She asked clarifying questions about the location of the 2,400 trees, where the available space was located, if public access to existing tree data, etc.

The Commission discussed the topic. Staff and the consultant team responded to clarifying questions.

Commissioners raised ideas and issues, including:

- Do not rely on carbon offsets to achieve carbon goals (Latshaw)
- Ideas for additional measures or actions:
  - o Inclusion of personal rapid transit, more homes adding air conditioning and insulation (Latshaw)
  - o Consider free electric vehicle (EV) charging stations (Ramanathan)
  - o De-incentivize new gas stations (Ramanathan, Latshaw, Swaminathan)
- Actions that conserve water and mitigate heat impacts alongside building electrification (Ramanathan)
- Goals and targets are excellent. Consider out-of-the-box solutions and global best practices (Mohan)
- Consider complexity of actions and unintended impacts, concerns of cost and burden on City staff (Swaminathan)
- Ensure City facilities adhere to electrification goals (Latshaw)
- Support for including biodiversity language in the CAP measures (Weber, Swaminathan, Ramanathan). The consultant confirmed that biodiversity and resiliency can be addressed in the adaptation and resiliency actions that support the measures.
- Increase percentage of public and shared transit mode share (Swaminathan) and increase percentage of electrifying the existing commercial buildings (Latshaw)
- The Commission expressed appreciation for the clarity and coverage of the high-impact measures as presented.

Staff and the consultant team responded to concerns and questions, acknowledging that the high impact measures list under discussion reflects GHG emissions reduction measures specifically. However, other types of measures (i.e. water conservation, biodiversity, resiliency and adaptation) will also be part of the CAP. The actions list will continue to be developed as a part of the public process. Alongside the public process, the draft measures and actions are being reviewed through an internal stakeholder process with other City departments.

Commissioner Ramanathan made a motion to recommend the draft CAP update measures and further modifications as needed for approval. She withdrew the motion. The Commission discussed potential changes to the high impact measures list wording, including mentioning biodiversity (Latshaw, Ramanathan) and including a statement that the City of Cupertino would conform to the electrification of buildings (Latshaw). Vice Chair Mohan expressed support for moving forward with the draft CAP measures list as is. Bennett explained that biodiversity and resiliency strategies are tracked differently than GHG emissions reduction measures and can be part of a climate adaptation section.

Commissioner Ramanathan moved to approve the draft CAP Update measures list as is to measure the goals that were set with further implementation modifications as needed. The Commission discussed the motion further. The consultant team answered technical questions. Feldman noted that changing percentages would require substantial evidence to support the increase in order to preserve the validity of the policy document. Commissioner Ramanathan restated the motion: to recommend to the City Council the draft CAP Update measures as presented by staff towards the draft goals as stated by the Council and Commission, understanding that further implementation modifications may be made as needed. Vice Chair Mohan seconded the motion. The motion carried unanimously.

Commissioner Latshaw requested to see the calculations behind the 24% commercial efficiency metric; Corral noted that a more detailed explanation of the analysis will be included in the technical appendix of the public review draft of the CAP.

### **3. Subject: Recommendation for Single-Use Plastics Ordinance Subcommittee**

Environmental Programs Manager Ursula Syrova gave a brief status update on the ordinance project. Outreach to businesses and customers is complete. Staff are working on incorporating responses into the draft ordinance language and plans. Staff aims to bring the ordinance to Council in February, and the timing is tight to have a full Commission discussion prior to this date. Syrova requests a subcommittee be formed to meet once in December to review the outreach results, phasing plans, and draft policy options and bring their feedback to the January Commission meeting for discussion. Corral clarified the role of the subcommittee.

Chair Swaminathan opened public comment. Corral read a statement aloud submitted via email by Gwyn Azar on behalf of Silicon Valley Youth Climate Action's Cupertino Team in support of the Single-Use Plastics Ordinance and reduction of plastics, in collaboration with local businesses.

Commissioners Weber and Ramanathan volunteered to serve on the subcommittee.

Commissioner Latshaw moved and Vice Chair Mohan seconded to form a Single-Use Plastics Ordinance Subcommittee and to nominate Commissioners Ramanathan and Weber to serve on the Subcommittee. The motion carried unanimously.

### **4. Subject: Sustainability Commission suggestions for FY 2022-23 City Work Program**

Corral briefly introduced the topic and reminded the Commission of the work program process. She noted that there were no specific items to present from the department, but these are in discussion. She answered technical questions.

Chair Swaminathan opened public comment and the following individual spoke:

- Dashiell Leeds on behalf of the Sierra Club Loma Prieta Chapter suggested prioritizing draft CAP measures BE-1, BE-2, and M-1 – electrification of existing residential, commercial, and municipal buildings - for the Work Program. Supports creating the Urban Forestry Master Plan, developing a biodiversity metric to support native and drought tolerant plants, and divestment as work program items. In response to a clarifying question from Chair Swaminathan, he clarified that by “divestment,” he means a policy to analyze assets tied up to major banks that fund fossil fuels and develop a plan to transfer funds to sources without connections to fossil fuels.

Corral clarified operational programs and services and what would constitute a work program project. The Commission discussed ideas for work program suggestions, including:

- Ordinance to prevent utility company from re-trenching and digging up the road for impact, entertain more mixed-use zoning (Swaminathan)
- Analyze transportation emissions sources, look into active transportation, micromobility, paratransit options, Via Shuttle (Swaminathan, with Latshaw supporting)
- Limiting new gas stations (Swaminathan, with Ramanathan supporting)
- Encourage rapid electrification of buildings (Latshaw, with Swaminathan supporting)
- Access to Apple’s employee EV charging stations when not in use (Swaminathan, with Latshaw supporting)
- Water conservation via drought tolerant landscaping, Climate Victory Gardens pilot (Weber, with Swaminathan supporting)
- Corral pulled up the Future Agenda Setting List for reference:
  - FUTURE AGENDA SETTING LIST
  - o Sustainability Grants for Students / essay contest
  - o Discuss hosting a public workshop on carbon reduction ideas
  - o Discuss 2021 Earth & Arbor Day event ideas
  - o Zero Emission Vehicles discussion
  - o Building electrification discussion
  - o Discussion on raising awareness of sustainability among youth
  - o Discussion on raising awareness of climate change among adults

The Commission created the following list of suggestions for the work program:

- Consider lifting the ordinance the limits micromobility providers from operating in Cupertino. Consider restrictions that would ensure appropriate fit for Cupertino.
- Consider policy and legal implications for limiting new gas stations and tanks from being built in Cupertino.
- Explore options for private businesses to open up privately-owned electric vehicle chargers to the public when not in use by employees.

- Examine options to encourage rapid electrification of buildings, i.e. via the update of the building electrification reach codes.
- Consider expanding and investing in the Climate Victory Gardens Pilot and creating a permanent program for supporting drought tolerant landscaping.

Commissioner Ramanathan moved and Commissioner Latshaw seconded to recommend the list as worded above as suggestions for FY 2022-23 City Work Program. The motion passed unanimously.

## **FUTURE AGENDA SETTING**

Not discussed.

## **ADJOURNMENT**

A motion to adjourn was made by Chair Swaminathan and seconded by Vice Chair Mohan. The motion carried unanimously. Meeting adjourned at 6:38 p.m.