



## CITY MANAGER'S OFFICE

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## CITY COUNCIL STAFF REPORT

Meeting: January 17, 2023

### **Subject**

Study Session to consider modifying Municipal Code Title 2 regarding compositions and responsibilities of existing Commissions and Committees

### **Recommended Action**

Direct staff to proceed with ordinance amendment to consolidate existing Commissions and Committees

### **Discussion**

The City currently has ten Commissions and five Committees as stipulated in Title 2 of the Cupertino Municipal Code. In addition, the Administrative Hearing Committee, Fiscal Strategic Committee, and Legislative Review Committee are non-codified standing committees. Altogether there are 17 Commissions and Committees in total, along with Council subcommittees that were formed to focus on areas of concern. Each of the Commissions, Committees, and subcommittees is supported by a staff liaison to serve these bodies. With the current staffing challenge and the unusually high number of commissions / committees / subcommittees that the City supports, staff recommends the City Council consolidate the Commissions and Committees into the following:

- Arts and Culture Commission
- Bicycle Pedestrian Commission
- Housing Commission
- Library Commission
- Parks & Recreation Commission
- Planning Commission (including functions that were previously designated for *Design Review Committee* and *Environmental Review Committee*)
- Public Safety Commission
- Sustainability Commission
- Teen Commission
- TICC (Technology, Information & Communication Commission)
- Administrative Hearing Committee
- Audit Committee
- Disaster Council

Further, staff recommends Council discontinue all previously formed subcommittees and delegate the areas of concerns to the City Manager to review and research. When the analysis is completed, staff will bring back a recommendation for Council to consider before proceeding on the final direction.

Based on the aforementioned recommendation, the City will have a total of 13 Commissions and Committees.

### **Background**

#### *Commissions*

There are ten City Commissions tasked with advising the City Council in the formation of policy. With the partial exception of the Planning Commission, all other Commissions function in an advisory role to the City Council. The following table provides a summary of the Commissions' responsibilities, their duties as codified in the code, and their staff liaisons.

<b>Commission</b>	<b>Primary Responsibilities</b>	<b>Staff Liaison</b>	<b>Applicable CMC Section</b>
Arts and Culture Commission	Advises Council and encourages the realization, preservation, and advancement of fine arts for the benefit of the citizens of Cupertino.	Parks and Recreation Department	CMC 2.80
Bicycle Pedestrian Commission	Advises Council on transportation matters within Cupertino including bicycle and pedestrian traffic, parking, education, and recreation.	Public Works Department	CMC 2.92.080
Housing Commission	Advises Council on housing policies and strategies, affordable housing projects, and sources of funding for affordable housing.	Community and Development Department	CMC 2.86.100
Library Commission	Advises Council regarding library service in the community and serves as liaison between the City and the Santa Clara County Library JPA.	Parks and Recreation Department	CMC 2.68.070

Parks & Recreation Commission	Advises Council on parks and recreation related activities, including park site acquisition and development, community activities, and recreation policies.	Parks and Recreation Department	CMC 2.68.070
Planning Commission	Advises Council on land use matters such as specific and general plans, zonings, and subdivisions. Reviews other matters as specified by City ordinances or Title VII of the Government Code of California.	Community and Development Department	CMC 2.32.070
Public Safety Commission	Advises Council on areas relating to public safety, traffic, police, fire and other areas where public safety may be of concern.	City Manager's Office – Emergency Service Division	CMC 2.60.070
Sustainability Commission	Advises Council on major policy areas related to the environmental goals in Cupertino's Climate Action Plan and General Plan's Environmental Resources/Sustainability Element.	City Manager's Office – Sustainability Division	CMC 2.94.080
Teen Commission	Advises Council and staff on issues and projects important to youth in the Cupertino community.	Parks and Recreation Department	CMC 2.95.080
Technology, Information, & Communications Commission (TICC)	Advises Council on all matters relating to telecommunications in Cupertino and provides support for community access television.	Information and Technology Department	CMC 2.74.060

#### *Committees*

In addition to Commissions, the City has seven standing Committees. These Committees are subject to the Brown Act. Generally, one or two Councilmembers are assigned as members, and the Committees may include members from the public or staff. With the exception of the Administrative Hearing Committee (which conducts administrative hearings), the purpose of the Committees is to review specific topics affecting the City

and to make recommendations to the City Council. Most of the Committees' responsibilities and duties are described in Title 2 of the Municipal Code, but not all of the Committee duties are codified. The following table summarizes the Committees' responsibilities and their priority areas along with staff liaison and their duties as described in the Municipal Code.

<b>Committee</b>	<b>Primary Responsibilities</b>	<b>Staff Liaison</b>	<b>Applicable CMC Section</b>
Administrative Hearing Committee	Reviews applicable projects as outlined by municipal code.	Community Development Department	Varies
Audit Committee	Reviews external and internal audit reports, monthly treasurer's report, and city investment policies. Recommends appointment of external and internal auditors and recommends a budget format.	Administrative Services Department	CMC 2.88
Design Review Committee	A subcommittee of the Planning Commission that reviews aspects of site and architectural design.	Community Development Department	CMC 2.90.090
Disaster Council	Supports the City's emergency management and preparedness responsibilities.	City Manager's Office – Emergency Service	CMC 2.40.025
Economic Development Committee	Enhances and promotes a strong local economy to provide municipal services that businesses and residents desire and need to maintain the community's quality of life.	City Manager's Office – Economic Development Division	CMC 2.96.010
Environmental Review Committee	Evaluates the environmental analysis of a proposed project to determine whether the project may or may not have a significant effect on the environment	Community Development Department	CMC 2.84.080

Housing Element Community Engagement Plan (CEP) Committee	Advise on the Housing Element outreach process with Housing and Planning Commission Chairs; Provide input on Community Engagement required to prepare the Housing Element	Community Development Department	N/A
Legislative Review Committee	Makes recommendations on legislative advocacy issues and authorizes position letters for legislation that aligns with the City's Council-approved Legislative Platform.	City Manager's Office	N/A

Since some of the Committees share similar duties and responsibilities with existing Commissions, staff recommends Council retain the Administrative Hearing Committee, the Audit Committee, and the Disaster Council.

Current responsibilities of the Design Review Committee and Environmental Review Committee would be assigned to the Planning Commission or to Council as appropriate. Current roles and responsibilities of the Economic Development Committee and Legislative Review Committee would be addressed by the Council as necessary. Since the Housing Element Community Engagement Plan Committee was established on a temporary basis, it is recommended that its duties/concerns are delegated to the Community Development staff.

#### *Council Subcommittees*

From time to time, City Council appoints two councilmembers to form a topic-specific subcommittee to address a particular concern. These subcommittees are not Brown Act bodies because they meet for a limited period of time and do not have ongoing jurisdiction over any subject matter. For instance, during the Housing Element site inventory selection process, Council appointed former Mayor Paul and former Councilmember Willey to outreach to property owners along Bubb Road in deciding if such properties should be included on the site inventory. The Bubb Road subcommittee met several times between September and December 2022 and subsequently concluded its task. Other than the Bubb Road subcommittee, several other subcommittees have met at various times and have concluded their original tasks. The following subcommittee are no longer active and would be discontinued.

- Audit Expansion subcommittee
- Bidding and Contract Process subcommittee
- Bubb Road subcommittee

- City Hall Renovation / Expansion Project subcommittee
- Community Funding Grant Program subcommittee
- Farmer's Market subcommittee
- Fiscal Strategic Plan Committee
- Residential Design Standards subcommittee

In addition, the following subcommittees were approved by City Council with pending councilmember appointments.

- Closed Session Minutes subcommittee
- Legislative Aide selection subcommittee
- Summer Intern application review subcommittee
- Homelessness subcommittee
- Festival fee waiver subcommittee

Staff recommends City Council delegate the specific concerns to the City Manager and have staff recommendations brought back for Council's decision as appropriate. In particular, concerns assigned to the Legislative Aide selection subcommittee and Summer Intern application review subcommittee can be researched by the Administrative Services staff; the Homelessness subcommittee can be further evaluated by the Community Development staff. The Festival fee waiver subcommittee discussion can be delegated to the Parks and Recreation staff. When the analysis is complete, staff will present recommendations for Council to consider.

#### *Commissions and Committees in Other Cities in Santa Clara County*

As included in the February 15, 2022 staff report (Attachment A), a comparison matrix detailing the number of commissions and committees for the other 13 cities in Santa Clara County shows that Cupertino has one of the highest number of commissions and committees, irrespective of population. While cities may use varying terminology, bodies that included members of the public to advise Council were included as commissions for the purposes of this analysis. Long-standing, active bodies that are not categorized as commissions and include members of Council were included as committees in this report.

#### **Commissions and Committees in Other Cities**

City	# of commissions and committees	Population
Mountain View	19	82,272
Cupertino	17	66,762
Milpitas	17	84,196
Los Altos Hills	16	8,300
Los Altos	15	31,190

Palo Alto	14	67,019
Santa Clara	14	128,717
Gilroy	11	58,756
Campbell	11	42,288
Sunnyvale	11	156,503
Los Gatos	9	31,439
Saratoga	9	31,030
Morgan Hill	4	45,742
Monte Sereno	3	3,492

Based on the table above, cities in Santa Clara County on average support 12 commissions and committees, not including any active council subcommittees. Cupertino has an above average number of commissions and committees, especially when considering its population size in comparison to neighboring cities. The following chart shows average estimated staff liaison hours spent to support each Commission and Committee

#### *Dedicated Staff Resources*

Commission	Hours Spent Annually	Committees	Hours Spent Annually
Bicycle Pedestrian	240	Administrative Hearing Committee	30
Fine Arts	200	Audit Committee	230
Housing	220	Disaster Council	30
Library	350	Economic Development	60
Parks and Recreation	750	Environmental Review	80
Planning	1100	Design Review	40
Public Safety	200	Legislative Review	400
Sustainability	220	<b>TOTAL</b>	<b>870</b>
Teen	300		
TICC	120		
<b>TOTAL</b>	<b>3,740</b>		

In addition to staff liaison hours, the City Clerk's Office spends significant time (over 1000 hours) per year on administrative duties for commissions such as orientation, training, and assisting with agendas. The City Attorney's Office also supports certain commission and committee items and staffs the Planning Commission. These estimates do not include staff support for numerous other boards and ad hoc committees that the City maintains. Consolidating the commissions and committees could result in an estimated reduction of 520 staff hours. Total staff time spent on committees would be reduced from 870 to 350 hours.

#### Recommendation

Staff recommends the City Council consolidate the Commissions and Committees into the following, in addition to discontinuing all previously

formed subcommittees:

- Arts and Culture Commission
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**Sustainability Impact**

No sustainability impact.

**Fiscal Impact**

Some minimal savings will be achieved in addition to the staff hour savings noted above.

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Prepared by: Pamela Wu, City Manager

Reviewed by: Chris Jensen, City Attorney

Matt Morley, Assistant City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Staff Report from February 15, 2022 City Council Meeting