



## CITY MANAGER'S OFFICE

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255  
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366  
CUPERTINO.ORG

## CITY COUNCIL STAFF REPORT

Meeting: November 2, 2021

### **Subject**

City Work Program - First Quarter Update

### **Recommended Action**

Receive City Work Program - First Quarter Update

### **Background**

This City Work Program update focuses on the first quarter of the FY 2021-2022 City Work Program from July through September. The City Council adopted the FY 21-22 City Work Program at the May 26, 2021 City Council meeting. As requested by the City Council, the City has been providing updates on the City Work Program on a regular basis through the City Work Program dashboard at [cupertino.org/cityworkprogram](https://cupertino.org/cityworkprogram). A printout of these updates can be found in Attachment A for review. In addition, the Interim City Manager has begun providing single project updates under City Manager Reports at each Council meeting.

### **Discussion**

The following are notable highlights from the current items in the FY 21-22 City Work Program. For more details and updates on all items, see the dashboard printout in Attachment A.

**Dogs Off Leash Area (DOLA):** The DOLA trial has recently been concluded and is moving forward with the establishment of an ongoing DOLA program at Jollyman Park. The administrative policy was taken to the Parks and Recreation Commission for their feedback at their Thursday, October 7 meeting. The ongoing DOLA at Jollyman Park will be monitored by the administrative policy composed of the DOLA rules from the trial and the Cupertino Municipal Code. Based on discussions between the City Manager and the DOLA users' group, further expansion of the DOLA at Jollyman Park or elsewhere in Cupertino will not be continued until at least one year after the ongoing DOLA operations at Jollyman Park.

**Shuttle Bus Pilot Program:** The Via-Shuttle was launched in October 2019 in order to increase connectivity throughout the City. This pilot program saw tremendous popularity and ridership grew rapidly. Due to the COVID-19 pandemic, the pilot program was put on hold, but was re-authorized by the City Council in July. The pilot program was relaunched and resumed its operations on October 19, 2021.

**Homeless Jobs Program:** In September, the City issued a Request for Proposals (RFP) and

selected a service provider, West Valley Community Services, to administer the City's Pilot Homeless Jobs Program. The City worked with the service provider to finalize program guidelines and the pilot program was launched in October. The City will continue to monitor the pilot program and will provide assistance, as needed.

Mental Health Support: The City is continuing research on local mental health resources for the [Mental Health webpage](#)<sup>1</sup> published in September. The resources on the webpage are currently suicide prevention based and will be updated to include more mental health resources on an ongoing basis. On September 21, the City Council joined eight other Santa Clara County cities in adopting a Suicide Prevention Ordinance. Other mental health resources offered through Santa Clara County were presented to the Teen Commission in October, and the Bobateeno youth event returned on October 9 to connect youth and teens with local mental health resources.

Pilot – Adaptive Traffic Signaling: Intelligent traffic management devices and software modifications have been installed, configured, and tested at four intersections in Cupertino to gather data on traffic patterns in the City. The intersections are:

1. DeAnza & Mariani Ave
2. DeAnza & 280 N
3. DeAnza & 280 S
4. DeAnza & Homestead

The City is collecting this data for analysis on enhancing traffic signaling to help reduce congestion. At the first quarter budget update, there will be a request to add \$160,000 to support the completion of the traffic signal hardware updates.

Three items from the FY 20-21 City Work Program were expected to be completed in FY 20-21 but were delayed into FY 21-22. Two of those items have now been completed and one is expected to complete in December 2021. For more details on these items, see the summaries below and the dashboard printout for FY 20-21 outstanding items in Attachment B.

Establish Preapproved ADU Plans: The ADU pre-approved plan process went to the Planning Commission on August 24, 2021 as a study session item to review the final process and webpage. City Council approved the final pre-approved plan process on September 21, 2021. This item is now complete, and the process is posted on the webpage: [cupertino.org/aduplans](http://cupertino.org/aduplans). The City is currently accepting applications for pre-approved plans from vendors.

Housing Survey: Staff finalized a consultant contract in 2020 and worked with the Housing Survey Subcommittee to develop the Housing Survey. The survey was open to residents from June 1 to July 15 and received 935 responses. Staff tabulated the data and provided the final report with survey results to the subcommittee on August 2 and to the City Council on October 5. This item is now complete.

General Plan Authorization Process: This item was expected to be completed in FY 20-21

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<sup>1</sup> [cupertino.org/mentalhealth](http://cupertino.org/mentalhealth)

and has been extended in order to address comments from the City Council at the February 2, 2021 City Council meeting. A study session to discuss this project was held on July 7, 2020 and a Planning Commission hearing was held on January 12, 2021. The Planning Commission's recommendations were presented to the City Council on February 2, 2021 where the City Council provided additional direction to staff. The item was heard by the City Council on August 17, 2021 and staff was directed to look at voluntary community amenities. This item is expected to be completed in December 2021.

#### Second Quarter Preview of the "Top 10" Priorities in the FY 21-22 City Work Program

The following highlights are to provide a brief preview of what can be expected in the upcoming second quarter FY 21-22 City Work Program update. These items were the "Top 10" highest rated items in the FY 21-22 City Work Program.

1. Single-Use Plastics Ordinance and Mayor's Cup Challenge Event: Significant outreach, including surveys, stakeholder meetings, a dedicated [webpage](https://engagecupertino.org/single-use-plastics)<sup>2</sup>, tabling events such as the Day N Night Fun Fest, and presentations to the Chamber of Commerce and Teen Commission, have been completed. Engagement response will be analyzed, and findings and ordinance element suggestions will be presented to a Sustainability Commission subcommittee in November or December for a recommendation to Council in early 2022. Various planning sessions in preparation for the Mayor's Cup Challenge will continue.
2. Consider options to develop extremely low-income (ELI) and below market rate (BMR) housing units for Developmentally Disabled Individuals on City-owned property along Mary Avenue as well as the Outback Steakhouse location: The City's FY 21-22 Notice of Funding Availability for affordable housing funds will be open from November 2021 – February 2022. Non-profits, developers, and service providers will receive technical assistance on affordable housing developments during the application process and once funds have been awarded. The feasibility of an affordable housing project on City owned parcels will be determined.
3. Revisit 5G, including, but not limited to, recording, responding to complaints, transparency on existing applications: The City continues to record all inquiries, including a street image of the location, and communicates the concerns to the cell providers. To date, the City has received 179 inquiries on small cells. Of those, 162 have opposed the installation, 11 had questions or requests, and 6 supported the installation. Nearby cities are continually monitored for any updates on 5G cells in residential areas. Staff are developing revised guidelines for the placement of wireless facilities and an ordinance for consideration by Council in the first quarter of 2022.
4. Senior Strategy: Outreach has begun to the commissions to encourage participation in a survey assessing resource awareness and need among seniors. Analysis of the survey will begin once the survey is completed in December. The City will conduct workshops and invite all interested Commissions and Council to review survey results and provide input

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<sup>2</sup> <https://engagecupertino.org/single-use-plastics>

and ideas on how to address senior needs.

5. Lehigh and Stevens Creek Quarry: City staff are monitoring the Stevens Creek Quarry's application to Santa Clara County's Planning Department for a use permit and reclamation plan, which County Planning staff had determined to be incomplete. The County's Board of Supervisors has a meeting scheduled for November 2021 to consider vested rights determination for Lehigh. Correspondence to and from the County can be accessed at the Quarry Information webpage [here](#)<sup>3</sup>. The City is working on finalizing a contract with a vendor to add at least three stationary sensors for air quality and noise monitoring around the quarries.
6. Homeless Jobs Program: This pilot program launched in October and will provide employment to two unhoused Cupertino residents with jobs located in Cupertino. The City will provide technical assistance and review outcomes of the pilot program to determine a need for additional funding and resources, as needed.
7. City Plan to End Homelessness: In partnership with the County and Destination: Home, the City has engaged with technical assistance from HomeBase to review existing services offered to unhoused residents in Cupertino. The City has also selected HomeBase to draft the City Plan to End Homelessness. The Plan will be presented to the Housing Commission and the City Council for adoption in Spring.
8. Memorial Park Improvements: This project is on schedule per the City Work Program Dashboard. The City has selected a design professional to prepare plans and specifications to go out to competitive bids to remove the existing ponds and landscape the impacted area in the short term. Competitive bids for construction are tentative for February 2022 with award consideration by City Council March 2022. Construction could begin as early as May 2022. The long-term replacement of the ponds will be explored during the development of the specific plan. The City is preparing the start of design for amphitheater improvements and the specific plan design.
9. Consider New Commissions and Committees: This is one of the Interim City Manager's priorities during his tenure and he plans to bring this item forward to the City Council for consideration on November 16.
10. Shuttle Bus Pilot Program Implementation: The Via-Cupertino Shuttle service resumed operations on October 19, 2021, after being paused due to COVID-19. To communicate the relaunch there was a story in the October issue of The Scene and there will be a cover story in the November issue of the Scene and robust outreach on social media. Future riders will be educated on COVID-19 safety measures being put into place, such as plexiglass dividers, a requirement to wear masks, and a standard to drive with windows open when possible to create the safest environment possible. An update on the program will be

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<sup>3</sup> <https://www.cupertino.org/our-city/city-news/2018-2020-issues-between-lehigh-quarry-stevens-creek-quarry-county-city>

included in the Items of Interest in December and a report will be brought to Council in February 2022 to discuss the program and next steps. The pilot program is set to end on October 30, 2022. The [Via-Cupertino website](#)<sup>4</sup> will be maintained to include all pertinent information.

In addition to the “Top 10” priorities, the following item previews are highlighted as they may be of particular interest to the City Council.

**RHNA Related General Plan Updates and Rezoning (Housing Element):** The City’s RHNA numbers as of May 2021 call for 1,193 very low-income units, 687 low-income units, 755 moderate-income units, and 1,953 above moderate-income units, for a total of 4,588 units. Through a competitive RFP process, a consultant has been selected to assist the City with the Housing Element update. Council authorized initiation of 6th Cycle Housing Element update and awarded a consultant agreement to EMC Planning Group to be the City’s Housing Element update consultant. Staff and consultants presented the public outreach and timeline for the Housing Element project at a City Council study session on October 5, 2021. Robust public outreach will begin next quarter and will include various public meetings with the community and stakeholders. Housing Element update is to be completed by January 2023.

**Lawrence Mitty:** The annexation process with the City of San Jose and LAFCO is ongoing with completion expected as early as April 2022. A Request for Qualifications (RFQ) for a design professional to complete the park specific plan was completed in September and RFQ proposals are being evaluated. Selection of design consultant is tentative for November 2021 with a design consultant selected by January 2022. Concept design completion is expected by July 2022, all outreach and completed design by FY22 and start of construction by early FY23. On September 9, 2021, investigative excavation work occurred on the existing earthen berms. The purpose of the work was to determine what amount of concrete and asphalt materials are buried within the berms. Having this information will allow staff to better competitively bid out the work to remove the berms.

**Municipal Water System:** On July 20, 2021, the City Council authorized staff to proceed with an RFP for a new long-term lease up to 12 years in duration with an option to extend to a total duration not to exceed 20 years, to bring back key lease terms, and to analyze the option of the system being operated by City staff. A presentation of key terms and a proposed amendment of the existing lease agreement (to add additional time for increased flexibility) is tentatively scheduled for the City Council’s consideration on November 2<sup>nd</sup>. Responses to the RFP are expected in early 2022 with a recommendation for a future operation of the system, including an analysis of City staff operation, considered by Council in early 2022.

### **Competing Challenges**

The City continues to face overarching challenges that make simultaneous focus on all designated Work Program items difficult, if not impossible. Some of these challenges, including both

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<sup>4</sup> [www.cupertino.org/shuttle](http://www.cupertino.org/shuttle)

resource constraints and other priorities that must be advanced, will directly impact the City's ability to complete lower priority Work Program items this fiscal year. Some of these overarching challenges include:

- \* Key staff vacancies in every department except Information Technology;
- \* City Manager and City Attorney leadership transitions;
- \* Vallco project review and processing;
- \* COVID response and planning, including resumption of some pre-pandemic services;
- \* Initiation of a comprehensive internal audit program with substantial staff support;
- \* New campsites for unhoused individuals;
- \* RHNA consultant selection efforts and project re-launch;
- \* SB 9 response and implementation; and
- \* Other referrals and work items beyond the normal course of work that were not included in the Work Program.

The Interim City Manager will discuss approaches for managing through these additional challenges as part of his City Council presentation.

### **Conclusion**

FY 21-22 updates highlighted in this report can be found on the FY 21-22 City Work Program dashboard webpage at [cupertino.org/cityworkprogram](https://cupertino.org/cityworkprogram).

The second quarter update on the FY 21-22 City Work Program will be available on the dashboard in January and will be presented at a City Council meeting in February.

### **Sustainability Impact**

There are no sustainability impacts associated with this update.

### **Fiscal Impact**

There are no fiscal impacts associated with this update.

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Prepared by: Astrid Robles, Management Analyst

Reviewed by: Dianne Thompson, Assistant City Manager

Katy Nomura, Deputy City Manager

Approved by: Greg Larson, Interim City Manager

### **Attachments:**

A – FY 21-22 City Work Program Q1 Dashboard Printout (in priority order)

B – FY 20-21 City Work Program Outstanding Items Dashboard Printout