

RESOLUTION NO. _____

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL DECLARING
INTEREST FOR THE PARTICIPATION BY THE CITY OF CUPERTINO IN
THE INITIAL PLANNING FOR POTENTIAL FUTURE USE OF THE
SUNNYVALE SMART STATION**

WHEREAS, the City of Cupertino has contracts for collection, processing and disposal of recyclables, organics, and garbage placed for collection by residents and businesses; and

WHEREAS, the City of Cupertino is evaluating long-term options for management and processing of recyclables, organics, and garbage; and

WHEREAS, recycling market disruption and pending state organics requirements pose significant changes and challenges; and

WHEREAS, the City of Sunnyvale owns the Sunnyvale Materials Recovery and Transfer Station (the SMaRT Station), a materials processing and transfer facility, and is now engaged in planning with its current partners, which are the City of Mountain View and the City of Palo Alto, for future multi-city use of the facility; and

WHEREAS, use of SMaRT Station offers transparent fiscal and operational management, proximity that makes refuse collection more efficient and minimizes transport and climate change emissions compared to more distant facilities, and guaranteed long-term capacity to meet material processing needs including those needed for SB 1383 compliance; and

WHEREAS, the City Manager of Sunnyvale sent a letter on October 9, 2018 inviting the City of Cupertino to become a user of the SMaRT Station; and

WHEREAS, the City of Cupertino has a serious interest in exploring the City of Sunnyvale's invitation to become a future participant in the SMaRT Station; and

WHEREAS, the City of Sunnyvale requests that the City of Cupertino City Council adopt a resolution endorsing City staff participation in a first step towards exploring future use of the SMaRT Station.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby:

1. Designate Roger Lee, Director of Public Works, to represent the City of Cupertino in meetings with staff from Sunnyvale and other interested jurisdictions to determine how the SMaRT Station can best meet the future needs of interested parties.
2. Direct staff to share pertinent information regarding City of Cupertino planning for recyclables, organics, and solid waste management, current and projected material tonnages, and other relevant material and information with staff from Sunnyvale and the other participating jurisdictions.
3. That the City Council hereby directs the City Manager to return to Council following completion of initial planning with a summary of the results, and suggested next steps.
4. Effective date. This resolution shall become effective immediately.

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Quality Act of 1970, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment. CEQA applies only to projects which have the potential of causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, initial planning for potential future use of the SMaRT Station would have no or only a de minimis impact on the environment. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6th day of August, 2019, by the following vote:

Members of the City Council

Resolution No. _____

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AYES:

NOES:

ABSENT:

ABSTAIN:

<p>SIGNED:</p> <p>_____</p> <p>Steven Scharf, Mayor City of Cupertino</p>	<p>_____</p> <p>Date</p>
<p>ATTEST:</p> <p>_____</p> <p>Grace Schmidt, City Clerk</p>	<p>_____</p> <p>Date</p>