



September 11, 2019

Chris Corrao  
City of Cupertino  
10300 Torre Avenue  
Cupertino, CA 95014-32555

**Subject: Proposal for Cupertino Level of Service (LOS) to Vehicle Miles Traveled (VMT) Transition Project**

Dear Chris:

We appreciate the opportunity to present our proposal to provide Senate Bill (SB) 743 implementation guidance and recommendations. This proposal covers tasks to prepare a white paper addressing the implementation of SB 743 for the City of Cupertino, stakeholder outreach, education and discussion, and general professional guidance on implementing methods, metrics, and thresholds for vehicle miles traveled (VMT) analysis. Per our conversations with the City, we will guide City staff through the process of developing a transportation analysis approach that meets the City's needs and fulfills SB 743 requirements. The goal is to present the transportation analysis guidelines to City Council in June 2020 for its consideration and approval.

## Scope of Work

Our proposed scope of work, schedule, and fee estimate are described below.

### **Task o. Project Management and Coordination (City Task o)**

This scope of work will take 10 months to complete. Fehr & Peers will host 40-minute project management meetings twice per month (20 total) via teleconference with one Fehr & Peers staff person present. (The City and FP may decide to modify this schedule; this scope represents the maximum number of conference calls anticipated.) Meeting agendas will be prepared and delivered prior to each meeting, and meeting notes and action items will be documented and sent after each meeting. We have also included 20 hours to coordinate with the City of Cupertino's City Attorney.

**Budget and Schedule:** We have budgeted \$10,900 for this task and we expect to hold bi-monthly one-hour teleconferences.



## Task 1. Kick-Off Meeting (City Task 1 Kick-off Meeting)

City staff and up to two Fehr & Peers staff will meet to launch this effort, review project schedule, scope, and discuss and finalize the desired outcomes of this project. The City will provide a list of background documents to be reviewed for the existing policy summary in Task 2.

**Budget and Schedule:** We have budgeted \$5,200 for this task and we expect to hold a kick-off meeting within three weeks of a signed agreement.

## Task 2. Develop a White Paper Discussing SB 743 Compliance Requirements and Non-CEQA City Needs (City Tasks 1 Existing Policy Summary, 2 and 3)

There are several decisions that the City will need to make regarding SB 743 implementation and California's new California Environmental Quality Act (CEQA) guidelines. The questions that need to be answered can be complex and technically detailed. Fehr & Peers will prepare a White Paper that is designed to provide guidance on each of these decisions, focusing on metrics to measure VMT, methods to calculate VMT, potential significant impact thresholds, and potential mitigation measures. This White Paper will be used to document local transportation policies, and key terms, concepts and methods for this SB 743 implementation process. The White Paper will also include discussion of the following topics and decisions:

- **Legal Framework and Summary of Existing Policies.** The White Paper will begin with a background discussion of recent changes to the CEQA Guidelines and summary of relevant local land use and transportation policies planning documents, including the *Cupertino General Plan – Community Vision 2015-2040* (2015), specification of the Santa Clara County Valley Transportation Authority (VTA) VMT Web Tool, the City's standard conditions of approval, the *VTA Transportation Impact Analysis Guidelines* (2014), *City of Cupertino Transportation Impact Fee (TIF) Nexus Study* (2017), *City of Cupertino 2016 Bicycle Transportation Plan* (2016), *City of Cupertino Pedestrian Transportation Plan* (2018), and *City of Cupertino Climate Action Plan* (2015).
- **State of SB 743 Implementation.** This portion of the White Paper will discuss instructive examples of what other lead agencies have or are doing to implement SB 743. Specifically, this section will focus on the types of VMT tools and updates that cities are doing to planning documents, programs and statutory requirements to implement SB 743.



- **VMT Metrics.** The City has the discretion to choose the most appropriate methods to evaluate a project's VMT, including how the results of that method are expressed. Generally, VMT is expressed in one of two ways: per-capita (i.e. VMT per resident, VMT per worker, VMT per service population) or in total (all VMT associated with a project or plan). Fehr & Peers will describe the benefits and limitations of each of these metrics.
- **VMT Calculation Methods.** To accurately assess VMT at the regional level, a travel demand model must be used. Fehr & Peers will provide the City with a qualitative review of the Santa Clara Valley Transportation Authority (VTA) and Metropolitan Transportation Commission (MTC) models for VMT calculations, including analytical strengths and weaknesses of each option. The model elements reviewed will include the level of detail available regarding land uses, the representation of the roadway network near Cupertino, and the level of model validation for trip length and VMT (to the extent that information can be found in publicly available model documentation reports). We will also make note of each model's ease of use and availability.
- **VMT Impact Significance Threshold.** The City has discretion to choose its threshold of significance for identifying a VMT impact. The intent of the threshold is to identify whether a project has substantial environmental impacts due to traffic (such as noise, air, pollution, and safety concerns), and whether a project balances the needs of congestion management with statewide goals such as the promotion of infill development. The White Paper will present the following possible thresholds and supporting evidence for each:
  - Total VMT threshold using the City-level and County-level baseline VMT (two thresholds)
  - Partial VMT threshold for residential projects using home-based VMT using the City-level and County-level baseline VMT (two thresholds)
  - Partial VMT threshold for non-retail (office) employment projects using home-based work VMT using the City-level and County-level baseline VMT (two thresholds)
  - Boundary VMT using the City-level and County-level baseline VMT

The partial VMT thresholds will be provided by the VTA – these are the VMT estimates that will be used in the VTA VMT Tool. To extract the total VMT and boundary VMT estimates, Fehr & Peers will need a copy of a travel model, which we will use as-is. This section will also discuss how the City may be able to use the forthcoming web-based Vehicle Miles Traveled (VMT) tool being developed by VTA for "screening" projects in low VMT or transit priority areas (note that this task does not involve developing formal



numerical screening criteria). This VMT Web Tool will calculate project generated VMT and VMT reductions for land use projects within Santa Clara County – residential, office or industrial projects, or those land uses in combination with each other, with or without ancillary retail. However, the VMT screening may not be suitable for all land use projects; therefore, a complete VMT impact analysis may be required for SB 743 purposes (including ‘project’s effect on VMT’ under both Project and Cumulative Conditions), for inputs to air quality, GHG, and energy impact analysis, or for projects that don’t meet the desired VMT screening. This section will provide an outline of a complete SB 743 VMT assessment.

As the City considers which VMT thresholds to develop, there may be a need to compare the VMT estimates from the travel model to other VMT data sources. Thus, as an optional task, Fehr & Peers can prepare baseline VMT data summary.

- **VMT Mitigation Actions.** The City will also need to determine if projects will be able to mitigate significant VMT impacts, and whether those measures can reduce an impact to a less-than-significant level. This task will include a review of how other jurisdictions have incorporated transportation demand management into their mitigation measures for VMT impacts, and a discussion of the potential risks and uncertainties related to VMT mitigation measures in a setting like Cupertino.
- **Non-CEQA Performance Measures.** A transportation analysis evaluates all modes of travel to determine deficiencies and improvements. A sub-set of these deficiencies are used to determine significant impacts and mitigation as a part of the environmental analysis process. Using the existing City policies on transportation as a guide, we will present a set of non-environmental analysis performance measures for the network, corridor and site-specific levels, for the City to considering incorporating into their transportation analysis approach.

**Budget and Schedule:** We have budgeted \$32,000 for this task and we expect it to take eight weeks to complete a draft White Paper. We have budgeted a total of eight staff hours to update the White Paper based on comments received and resubmit as final; this is estimated to require two weeks following receipt of comments.

## Task 3. Outreach, Education, and Decisions (City Task 4)

### Task 3.1. Joint Study Session – What is SB 743?

Fehr & Peers will work with City staff to prepare outreach and education materials on SB 743 for various media including website, social media, and printed materials. Rather than developing new



content, Fehr & Peers will leverage the existing content and materials they have prepared on SB 743 and modify it for the City of Cupertino. Initial outreach and education materials will present an appropriate level of background information and technical details on SB 743 and include:

- a list of frequently asked questions (FAQs) and answers;
- summary sheet on SB 743 and the transition from LOS to VMT; and
- YouTube link to Fehr & Peers' "What is VMT?" video.

Additional outreach and education materials that require modification for a less-technical audience can be prepared for an additional fee.

Fehr & Peers will attend a Joint Study Session with City Council and Planning Commission members to describe what SB 743 is and how it has changed the environmental analysis process. This session will include a questions and answer period where participants can ask questions about what SB 743 is. As an optional task, Fehr & Peers can use the TrendLab+ tool to help the team understand how emerging trends can influence VMT.

**Budget and Schedule:** We have budgeted \$13,700 for this task and we expect it to take two weeks to develop initial outreach and education content and a Joint Study Session presentation.

### **Task 3.2. Joint Study Session – To Select a Preferred Option**

Fehr & Peers will work with City staff to prepare three LOS-to-VMT Transition options for consideration at a Joint Study Session with the City Council, and Planning Commission. Each option will describe possible environmental impact analysis thresholds (including the use of VMT) and performance measure(s) for non-CEQA evaluation. Fehr & Peers will work with City staff to develop an agenda and presentation.

An optional task is provided to conduct detailed case study project evaluations to illustrate how the chosen VMT thresholds apply to projects in Cupertino and potential VMT mitigation.

**Budget:** We have budgeted \$8,200 for this task.

### **Task 3.3. Summary of Decisions, Options, and Recommendations**

Fehr & Peers will prepare a matrix summarizing the decisions, options, and recommendations discussed during the joint study session. This matrix will include a summary around the following decisions:



- What form of the VMT Metric?
- What methods to use in forecasting VMT?
- Is use of VMT impact screening desired?
- What is the VMT impact significance threshold for land use projects under baseline conditions?
- What is the VMT impact significance threshold for land use projects under cumulative conditions?
- What is the VMT impact significance threshold for transportation projects under baseline conditions?
- What VMT reduction mitigation strategies are feasible?
- What are the preferred non-environmental analysis performance measures?

**Budget:** We have budgeted \$5,000 for this task.

## **Task 4. Prepare Local Transportation Analysis Guidelines (City Task 5)**

Fehr & Peers will develop transportation analysis (TA) guidelines based on decisions made in Task 3. The TA guidelines will provide a clear and consistent technical approach to transportation improvement and operations analysis within the City of Cupertino. Specifically, the TA guidelines will include defining the VMT analysis method, impact thresholds that are supported by quantitative evidence, and VMT mitigation programs for use in projects. The TA guidelines will also provide guidance on the non-environmental analysis methods needed to provide a comprehensive and accurate analyses of potential effects (adverse and beneficial) on transportation facilities and services in the City and other jurisdictions. This information is essential for decision-makers and the public when evaluating individual development and transportation infrastructure projects. These TA Guidelines serve three purposes:

- Evaluate a project's consistency with the General Plan.
- Evaluate a project's consistency with the Congestion Management Program.
- Provide an evaluation for the California Environmental Quality Act (CEQA) significant impacts and mitigation as a part of the environmental analysis process.

Recommendations will be developed in close partnership with City staff in both the Public Works and Planning Departments, as well as the City's legal counsel, and will focus on the technical basis for selecting the thresholds requested. The basis and substantial evidence for each recommendation will be provided as appropriate. This effort would likely occur in coordination



with VTA's development of guidance and screening tools for communities throughout Santa Clara County.

We will deliver a draft document to City staff for review. We have budgeted a total of 16 staff hours to update the documentation based on comments received and resubmit as final. We have also budgeted 32 hours of staff time to review one draft of City staff prepared documents such as:

- General Plan Amendment (GPA) Resolution
- Municipal Code Amendment:
  - Addition of Chapter in Title 14 that addresses CEQA thresholds;
  - Non-CEQA thresholds; and
  - A new section related to TDM measures

**Budget and Schedule:** We have budgeted \$31,000 for this task and we expect it to take six weeks to complete a draft TA guidelines report. This budget includes one round of comment and revision, which is expected to require an additional two weeks following receipt of comments.

## Task 5. Attend Public Meetings (City Task 6)

Fehr & Peers will provide up to two staff persons to prepare for and attend two public meetings with the City of Cupertino. This will include attending, presenting, and responding to questions at either a City Council, or Planning Commission meeting. Prior to each meeting, we will participate in one conference call (for a total of two) to identify an appropriate level of depth for each presentation and generally confirm content and duration.

**Budget:** We have budgeted \$10,900 for this task.

## Optional Tasks

### Optional Task A. Baseline VMT Data Summary

As the City considers which VMT thresholds to develop, there may be a need to better understand existing VMT patterns in the City of Cupertino. Fehr & Peers will summarize the existing VMT by major trip types by the City and County from up to two data sources such as the California statewide travel demand model (CSTDm), MTC regional travel demand model, or the California Household Travel Survey (CHTS).

**Budget Range:** \$5,000 to \$15,000



### **Optional Task B. Testing the Effects of Emerging Trends on VMT**

Multiple emerging demographic, social and technological trends have the potential to influence vehicle miles traveled in the City of Cupertino. Some trends have the potential to increase VMT while others may reduce VMT. To better understand the effects of these trends, Fehr & Peers to prepare the TrendLab+ tool for scenario testing and estimating VMT range to 2040. This tool is meant to be a quick response tool that can quickly test scenarios. More detailed travel modeling can be done, but with great effort to calibrate, validate and run the travel model scenarios. The TrendLab+ tool would be used in a project meeting with City staff to test up to 10 scenarios with three of the scenarios to be selected for consideration at the Joint Study Session in Task 3.2.

Fehr & Peers will receive citywide project generated VMT, and service population estimates for existing and future conditions from City staff. The citywide project generated VMT estimates will be based on VMT specification provided by Fehr & Peers to the City. While the 2040 project generated VMT per service population estimates will be expressed as a range based on the TrendLab+ scenarios tested by City staff. The most common scenario will be used to establish project generated VMT thresholds in Cupertino.

### **Budget Range: \$12,000 to \$15,000. Optional Task C. Perform Case Study Project Evaluations**

Fehr & Peers will work with the City of Cupertino to evaluate up to three different land use and/or transportation projects based on the thresholds, methods, and mitigation measures identified in previous tasks. Fehr & Peers will run the VTA or MTC model (based on outcome of Task 2) twice to determine to project's effect on VMT. These case studies will be used to evaluate applicability of the VMT thresholds, estimation methods, and proposed mitigation measures. Fehr & Peers will create a case study report based on the evaluations of the selected projects.

**Budget Range:** \$10,000 to \$20,000

### **Optional Task D. Public Hearing Participation**

Fehr & Peers staff may be asked to attend public hearings without or with a presentation role. Fehr & Peers will attend any public meetings on a time-and-materials basis according to our standard rates. For planning purposes, attendance at a public hearing where one staff person prepares for and attends without a presentation role is approximately \$2,000. While two staff person attending a public hearing with a presentation role is approximately \$5,500.





**Budget Range:** \$1,900 to \$2,500 per public hearing per staff person without a presentation role.

**Budget Range:** \$4,000 to \$6,500 per public hearing per staff person with a presentation role.

## Fee Estimate

Fehr & Peers will perform the scope of work (see **Table 1**) on a time and materials basis with a not-to-exceed limit of \$116,900, which includes all professional and support staff time, as well as reimbursement for direct expenses.

**Table 1: Fee Estimate for City of Cupertino Level of Service (LOS) to Vehicle Miles Traveled Transition Project**

Task	Fee Estimate
Task 0. Project Management and Coordination	\$10,900
Task 1. Kick-Off Meeting	\$5,200
Task 2. Develop a White Paper Discussing SB 743 Compliance Requirements and Non-CEQA City Needs	\$32,000
Task 3. Outreach, Education, and Decisions	\$26,900
Task 4. Prepare Local Transportation Analysis Guidelines	\$31,000
Task 5. Attend Public Meetings	\$10,900
<b>Total without Optional Tasks</b>	<b>\$116,900</b>
Optional Task A. Baseline VMT Data Summary	\$5,000 to \$15,000
Optional Task B. Testing the Effects of Emerging Trends on VMT	\$12,000 to \$15,000
Optional Task C. Perform Case Study Project Evaluations	\$10,000 to \$20,000
Optional Task D. Public Hearing Participation (per hearing per person)	\$1,900 to \$6,500

## Schedule


As shown in **Attachment A**, Fehr & Peers has estimated this project schedule to be approximately 10 months.

Should you have any questions, please call Julie Morgan at (925) 357-3370 or Daniel Rubins at (408) 550-7338. Otherwise, please provide us with a contract for our review. The terms of this proposal are valid for a period of 60 days.



Sincerely,

FEHR & PEERS

  
Julie Morgan, AICP  
Principal-In-Charge

  
Daniel Rubins  
Associate

P19-3620-SJ

**Attachment A:** Estimated Schedule

## Attachment A: Schedule

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