

CITY OF CUPERTINO SUSTAINABILITY COMMISSION

Environmental Education Center, 22221 McClellan Road

Thursday, December 19, 2019 4:00 p.m.

MINUTES

PLEDGE OF ALLEGIANCE

At 4:05 p.m. Chair Weber called the meeting to order and led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Anna Weber, Gary Latshaw, Vignesh Swaminathan, Angela Chen, Meera Ramanathan (arrived after Oral Communications). Absent: None.

Staff: André Duurvoort, Sustainability Manager; Ursula Syrova, Environmental Programs Manager; Gilee Corral, Climate and Utilities Analyst.

Guests: Member of the public.

1. APPROVAL OF MINUTES

Draft minutes of November 21, 2019 meeting were reviewed. Vice-Chair Latshaw moved and Commissioner Chen seconded to approve the minutes. The motion carried unanimously with Commissioner Ramanathan absent.

POSTPONEMENTS - None.

ORAL COMMUNICATIONS

Frank Geefay (Cupertino resident) talked about concerns over the future of Cupertino's recycling program in light of China and other southeast Asian countries limiting acceptance of recyclables due to contamination, and his desire for Cupertino to reduce plastic disposable bottles and move toward a Zero Waste approach.

WRITTEN COMMUNICATIONS – None.

OLD BUSINESS – None.

NEW BUSINESS

2. Subject: Update from Environmental Programs Division staff on Household Hazardous Waste Program and Recology's recycling processing cost increase

Ursula Syrova, recently promoted to Environmental Programs Manager, provided an update on the Household Hazardous Waste (HHW) Program and Recology and answered clarifying questions from the Commission.

General points from the staff update:

- Door to door HHW service ended at the end of 2018; City is amending agreement with Recology to request a refund plus expenses from using the County program.

- Staff reviewed Recology's increased cost/rate increase request (to cover increased expenses related to China's National Sword policy) with a consultant and agreed it was reasonable. The rate increase would extend through the term of our current agreement expiring in January 2021.
- The HHW and rate increase items would likely go to Council in February and if approved, the rate increase would go into effect on Recology's next billing cycle.
- Staff are in the design phase for a new franchised hauler agreement, working with a consultant to consider any needed changes to compost service, recyclables, etc.

Other topics and questions raised during discussion included:

- Zero Waste Plan, how to address disposables, Zero Waste outreach and the Commission's role.
- Producer responsibility, what can be recycled and what the numbers mean on plastics, where / how public park trash is disposed.
- Use of Greenwaste for composting, consideration of the SMaRT Station in Sunnyvale and split cart for food scraps.
- Guidance on how compostable foodware is treated, Bay Area regional discussions on to-go reusable solution system planning, City of Berkeley's leadership in this area.

Chair Weber opened public comment and the following individual spoke:

Frank Geefay (Cupertino resident) spoke in favor of establishing a formal Zero Waste strategy and program, his concern on how to address junk mail, and his concern of a lack of public understanding of the changes in recycling programs.

Chair Weber moved and Commissioner Ramanathan seconded to move Staff Updates before item #3. The motion carried unanimously.

STAFF AND COMMISSION REPORTS

Staff updates:

Sustainability Manager André Duurvoort gave an update on the reach code adoption process and answered clarifying questions. Items reviewed included:

- Results of presentation to the Chamber of Commerce and feedback received on the draft ordinance.
- Brief review of how the commercial kitchens / restaurant exemption was developed and how the exemption would have affected new builds in Cupertino.
- Results of the Council First Reading of the reach code draft on Dec. 17; Council requested stronger language in the draft ordinance: removed restaurant and standalone ADUs exemption, adjust to all electric covering all building types, exceptions are junior ADUs, i.e. garage conversion, technical exemption for laboratories, if no electric alternative.
- Review of the official review process and timing for the California Energy Commission (CEC). Only the energy-related portions of the ordinance need CEC approval. About six cities have received CEC approval for their reach codes so far. After Jan. 1, the CEC process is anticipated to shorten from 60 days to 15 days. Duurvoort anticipates the following timeline:
 - o January 21: Council Second Reading and adoption of draft ordinance.
 - o February (after Second Reading): ordinance submitted to the CEC for review.

- February / March: Enforcement begins.

Gilee Corral gave a brief update:

- Staff changes: Lauren Anderson has left the City; the Environmental team will be recruiting for two Environmental Programs Assistant positions.
- Newsletter: Sustainability team's CivicSpark AmeriCorps Fellow, Vanessa Shin, developed an e-newsletter; the first issue was just released by email to the City's listserv for environmental news.

3. Subject: Staff update on Buy Clean California Act policy development and Bay Area low carbon concrete codes initiatives

Corral updated the Commission on the Buy Clean Act policy implementation progress at the state level and local progress of low carbon concrete codes policy development. The Commission briefly discussed the topic, raising issues including:

- Concern about lifecycle emissions, pollution, and unsustainability associated with concrete. Options to recycle / reuse asphalt preferable to using concrete. Consider this as an issue for the Commission to take up in the future (Swaminathan).
- Could continue the Commission's current Work Program item on Buy Clean into the next fiscal year (Weber).
- Duurvoort offered to give a staff report on the Green Building Ordinance for the Commission before the item goes back to Council.

Chair Weber moved and Commissioner Ramanathan seconded to add a discussion on the Green Building Ordinance and the impact of concrete to the January 16th Commission meeting. The motion passed unanimously.

4. Subject: Sustainability Commission Proposals for FY 2020-21 City Work Program

Corral gave an overview of the Work Program process. The Commission briefly discussed main topics to address and how to select the proposals. Considerations / ideas included:

- Engagement with youth, essay contest (Weber).
- Consider our bandwidth, assume more community involvement during Commission discussions (Swaminathan).
- Engagement, grants program, legislative advocacy (Ramanathan).
- Decarbonization (Latshaw, distributed Written Communications).
- Education around recycling, more educational opportunities, support City's priorities. Noted education as #1 topic (Chen). Commissioner Chen left at 6:06 p.m.
- Staff suggested looking at decarbonization, CAP update and engagement.
- Housing, how to address state housing mandates in a sustainable way (Swaminathan).

Chair Weber opened public comment and the following individual spoke:

Frank Geefay (Cupertino resident) spoke about affordability of housing, how to reduce vehicle miles traveled, desire to reduce traffic and have housing for people that work in Cupertino.

Chair Weber closed public comment and the Commission continued the discussion, raising additional issues:

- How to incorporate issues raised by the community during public comment, i.e. protected tree ordinance (Weber). Staff advised the Commission to keep in mind the priorities of the Commission and Council when considering these issues. At the suggestion of Commissioner Ramanathan, the Commission agreed to keep a running list of ideas raised by the public for review during the Work Program proposal development process. Staff will create and update this list.
- Consider recommending support of efforts to restore the Arctic, expressed top concerns as decarbonization and natural gas usage (Latshaw). Commission briefly discussed the Arctic suggestion and agreed to add the Arctic draft letter of support to the January agenda; Vice-Chair Latshaw will draft a letter for review. He left at 6:47 p.m.

After an extensive discussion, the Commission agreed their proposals for the Commission Work Program for FY 2021, indicating their top three in ranked order; the proposals were recorded on screen in an Excel spreadsheet, wording reflected in table below:

Project/Task	Project Objective	Driven by mandate, law, or Council priority/direction?	Measurement Criteria
1. Community outreach, education, and youth engagement	Student essay contest, tabling at Earth Day Festival, and Speaker Series Events (at least one event). Work with schools to involve students in City's CAP and sustainability initiatives.		Complete student essay contest and at least one Sustainability Speaker Series event. Draft a plan for Commission to engage more actively with local schools.
2. Support CAP 2.0 and Adaptation Plan development	Recommend strategies for involving the community in the CAP 2.0 and Adaptation Plan development.		Support staff's CAP 2.0 / Adaptation Plan process with strategies to involve public input.
3. Zero Waste Policy	Review regional efforts on restricting single use / disposable items. Consider local ordinance to restrict single use / disposable items.	Zero Waste Policy	Recommendation to City Council on policy to prohibit or restrict single use / disposable items in the City.
Decarbonization strategy for existing buildings	Study policy options for limiting natural gas usage in existing buildings. Identify best practices around decarbonization.		Create a best practices list of policies and / or strategies for accelerating decarbonization in existing buildings.
Buy Clean state policy progress and Bay Area local model codes on embodied emissions in concrete	Staff to continue to provide quarterly updates on state Buy Clean policy progress. Review model code for potential local adoption via Cupertino's Green Building Ordinance.		Monitor the issue and determine if City action should be taken.

Housing and sustainable land use policy	Collaborate with other Commissions to study land use, watershed protection, and sustainable housing policy. Track state legislation on housing density.		Monitor this issue and determine if future City action should be taken.
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Commissioner Ramanathan moved and Chair Weber seconded to submit the proposals as recorded to the City Manager for consideration for the City Work Program for FY 2021. The motion carried unanimously with Vice-Chair Latshaw and Commissioner Chen absent.

5. Subject: Sustainability Speaker Series planning

Corral reviewed the City of Sunnyvale Sustainability Commission's suggestions for ideas to collaborate on an event in FY 2021: California's Carbon Neutral Future (proposed speaker Jared Blumenfield, CalEPA) and What Moves You - Active, Shared and Electric Transportation (proposed speaker Jeff Tumlin, Nelson Nygaard Consulting). Corral recommended that if the Commission decides to pursue another event for FY 2020, to select a no / low-cost event and establish a subcommittee to plan it.

Commissioner Swaminathan moved and Commissioner Ramanathan seconded to add the Sustainability Speaker Series topic to the January meeting agenda, to discuss the collaboration with Sunnyvale and decide on a subcommittee. The motion carried unanimously with Vice-Chair Latshaw and Commissioner Chen absent.

STAFF AND COMMISSION REPORTS (continued)

Commission updates:

Commissioner Swaminathan reported that his business won a contract with the City of Cupertino to work on the McClellan Road protected bike lane. He will recuse himself on any discussions related to this project in the future. He also noted an update from VTA – that bus service 523 will begin a high-speed corridor service from Caltrain Sunnyvale to De Anza and the San Jose Berryessa BART station soon.

ADJOURNMENT- 7:48 p.m.