



Approved by
Andre Duurvoort

CITY OF CUPERTINO SUSTAINABILITY COMMISSION

Teleconference meeting without a physical location.

Thursday, October 15, 2020 4:00 p.m.

MINUTES

At 4:06 p.m. Chair Latshaw called the meeting to order.

ROLL CALL

Commissioners Present: Chair Latshaw, Vice Chair Vignesh Swaminathan (arrived @ 4:28 p.m.), and Commissioners Ram Mohan, Meera Ramanathan, Anna Weber.

Staff: Roger Lee, Director of Public Works; André Duurvoort, Sustainability Manager; Ursula Syrova, Environmental Program Manager; Gilee Corral, Climate and Utilities Analyst.

Guests: Members of the public.

Chair Latshaw read a statement regarding provisions of the Brown Act and a recent Executive Order issued by the Governor to facilitate teleconferencing to reduce the risk of COVID-19 transmission at public meetings.

APPROVAL OF MINUTES

1. Subject: Minutes from July 16, 2020 meeting

Minutes of the July 16, 2020 meeting were approved as written. Commissioner Ramanathan moved and Commissioner Mohan seconded. Ayes: Mohan, Ramanathan, Weber. Noes: None. Abstain: Latshaw. Absent: Swaminathan.

POSTPONEMENTS

None.

ORAL COMMUNICATIONS

Connie Cunningham on behalf of the Santa Clara Valley Audubon Society talked about Dark Sky / Lights Out policy and consideration of birds and biodiversity in sustainability planning.

WRITTEN COMMUNICATIONS

Corral noted Written Communications received for Item #3 and posted to the Sustainability Commission meeting online site prior to the meeting.

OLD BUSINESS

None.

NEW BUSINESS

2. Subject: Update from Public Works Environmental Programs Division staff on progress of negotiating a new franchise agreement with Recology

Ursula Syrova, Environmental Programs Manager presented service updates on the Recology agreement process, including:

- New services proposed: adopt a smaller garbage cart, improving access to services online, adding mulch to the compost service, etc.
- Customer survey received 700 responses. Feedback from the survey and stakeholder outreach is being incorporated into the negotiations process.
- Brief overview of SB 1383: Short-Lived Climate Pollutants, which goes into effect 1/1/22.
- Factors that will affect rates include which services are negotiated, costs related to 1383 compliance, and market factors.
- Agreement timeline: Council to review staff recommendations in November, approval likely in January, with an anticipated start date of February 1st.
- [Cupertino.org/newFA](https://cupertino.org/newFA) – FAQs and still accepting comments for the survey.

Public Works Director Roger Lee added that his team is cognizant of the sensitivity to a potential increase in rates. Currently, the plan over the 10-year agreement is to soften the rate increases. He noted an opportunity to consider new ways of increasing diversion when the Newby Island landfill agreement sunsets in 2023.

Staff answered clarifying questions from Commissioners, including:

- If considering converting garbage to energy, gave Unified Sanitary District example (Ramanathan).
 - o Director Lee: cost currently outweighs the diversion benefits. Focusing now on organics composting and current programs. Syrova: SB 1383 will create a more closed loop with food waste.
- Global trends around the business / industry (Mohan).
 - o Director Lee: noted challenges from China's National Sword Policy and benefit to having a co-mingled recycling system that can adapt to changes in the market vs split cart.
- Heavy item pick up service (Latshaw). Syrova: this service is popular and will continue.

(Vice Chair Swaminathan arrived at 4:28 p.m.)

Chair Latshaw opened public comment and the following individual spoke:

Erik Lindskog, Cupertino resident and Bicycle Pedestrian Commissioner, talked about his desire for the hazardous waste drop off communications to be more simple and transparent and asked about bin placement in the driveway to avoid blocking a bike lane.

- Staff responded to his questions and directed him to hhw.org to access the County's Household Hazardous Waste program.

3. Subject: Climate Action Plan 2.0 initial draft goals and vision statement

André Duurvoort, Sustainability Manager presented the item for discussion. He gave an overview of the City's progress in greenhouse gas (GHG) emissions reduction to date, updated statewide goals for Climate Action Plans (CAP), the Governor's Executive Order on carbon neutrality, and programs Cupertino can build on for target setting, i.e. recently adopted all-electric reach code for new construction. He noted examples of approaches and targets in recently adopted CAPs, including Menlo Park and Oakland. He noted the approach staff are taking in this CAP update: fewer measures with bigger impact; robust budget analysis; higher level, long-term framework with 3-year tactical action plans; incorporate climate adaptation, equity considerations, and zero waste elements. Duurvoort reviewed draft vision statements, goal setting, and timeline for the Commission's consideration.

Vision statements covered Equity, Innovation, Urgency and Flexibility, and Resilience and Adaptation. Draft goals:

- Achieve city-wide carbon neutrality no later than 2045
- Achieve negative net carbon emissions after 2045
- Establish a mid-term 2030 carbon emissions target of 50% below 2010 baseline
- Establish a Zero Waste Community target date of 2035

Staff will bring this item to Council for a study session on or around Dec. 1.

Duurvoort answered clarifying questions from the Commission:

- Commission's role and responsibility in addressing environmental and social justice issues (Swaminathan)
 - o Duurvoort: staff are centering equity in the CAP 2.0 planning process, considering voices not traditionally heard in the process, using an equity lens in hazards assessments. Noted recent statements from Council indicating this is an important topic. Noted recent staff trainings on equity.
- Timing of updating the CAP now, consideration of benchmarks and metrics on climate improvement, carbon capture, alternate transportation, behavior change; desire for more public / private partnerships; thinks it's a "fantastic plan" (Mohan).
 - o Duurvoort: noted timing related to Council declaration of a Climate Emergency and need to update measures and goals to reflect significant changes in CAP planning practice and science.
- Clarifying questions on the graphs / charts in the presentation (Ramanathan, Latshaw).
- Framework and tactical plan timing – when the tactical plans would be revised (Weber).
 - o Duurvoort: CAP 2.0 is the vision and long-term document, similar to the General Plan; tactical plans would be updated similar to the Elements of the General Plan, as needed. Gave example from Mountain View. Noted City's desire to institutionalize more frequent reviews of the budget, resources, partnerships, and tactics.
- CAP's relationship to the General Plan (Swaminathan).
 - o Duurvoort: general explanation of the General Plan and process to update Elements, deferred to Planning Department for more specifics. Noted possibility of making the CAP a CEQA-qualified CAP would enable developers to use the CAP to streamline under CEQA.

Chair Latshaw reviewed his Written Communications submission for this agenda item.

Chair Latshaw opened public comment and the following individuals spoke:

- Connie Cunningham (Cupertino resident) spoke in favor of staff's report and of her desire to include wildlife, plants, and biodiversity into the vision.
- Dashiell Leeds on behalf of the Sierra Club Loma Prieta Chapter thanked staff and Commission for commitment to equity and community engagement. He spoke in favor of a 3-year update approach to respond to rapid changes and inclusion of resilience and adaptation. He noted that biodiversity could be incorporated in the vision for resilience. He suggested matching Menlo Park's carbon neutrality targets and considering the burnout ordinance.

- Shani Kleinhaus on behalf of the Santa Clara Valley Audubon Society spoke in favor of aggressive carbon reduction, zero waste, and consideration of plastics. She talked about her desire for biodiversity, urban tree canopy, and green streets to be considered.
- Jennifer Zhao spoke in support of considering a burnout ordinance similar to Menlo Park's and her desire for more outreach and education for residents on the benefits of a burnout policy and mandatory organics collection.
- Gwyn Azar on behalf of the Cupertino Youth Action Team spoke in favor of a goal of carbon neutrality by 2030, a burnout ordinance, and for Cupertino to take a leadership position similar to Menlo Park to go further than the state goals. She spoke in support of the formation of the CAP update subcommittee.

Chair Latshaw opened the item for Commission discussion. The Commission raised topics and comments, including:

- Discussion raised by Vice Chair Swaminathan on the role of the Commission with regards to equity considerations; how to define equity, social justice, and environmental justice; groups to involve in the process; development and land use patterns, etc. He expressed concerns that sustainability goals may become politicized and a desire to work within a framework or overarching plan. The Commission discussed these points and other concerns. Duurvoort affirmed staff's commitment to centering equity. He noted that involvement of a wide variety of people and underrepresented voices will produce a more comprehensive CAP, and that conflict is a natural part of the public process. Any outcome of the CAP that may become part of the General Plan would go through those public processes, i.e. Planning Commission and Council.
- Chair Latshaw reviewed projects for consideration, i.e. white roofs and adding carbon to soil. He emphasized the importance of reduction of methane and natural gas usage. He raised some concerns about the Livermore report and the efficacy of some of the carbon capture solutions described.
- (Commissioner Mohan left at 6:30 p.m.)
- Commissioner Ramanathan raised a suggestion to connect to the Paris Accord and describe how GHG reductions will prevent future hazards such as drought, wildfires etc. Expressed interest in Commissioner Mohan's comments about adding a rewards element to the measures. Duurvoort noted that the City is working with the County and Silicon Valley Clean Energy on hazards and risk assessment. He clarified that the statewide targets were created to represent California's share of the Paris Agreement reduction targets and MOU Under 2.
- Commissioners briefly revisited the subject of equity and topical considerations related to schools and housing. Duurvoort noted that the draft equity statement is limited to the CAP process and does not cover all City functions and processes. He noted updated requirements of state policy, i.e. SB 1000 to consider social justice in policymaking. He will bring language from City policy, planning documents, and Council resolutions on equity and statements related to environmental justice to the next Commission meeting.

4. Subject: Recommendation for Climate Action Plan Update Subcommittee

Duurvoort reviewed the staff report and staff recommendation to form an ad-hoc Subcommittee to work with staff and the consultant to receive feedback from a diverse group of stakeholders, host training and presentations, and work on draft measures. The consultant will guide the Subcommittee through this process

of community visioning and distilling the input received. The Subcommittee will bring draft documents and reports to the Commission for final recommendations or action.

Staff answered clarifying questions from Commissioners.

- Possibility of breaking the Subcommittee into two groups, i.e. outreach and technical subjects (Ramanathan, Latshaw). Staff responded that there is limited capacity to support more than one Subcommittee, and the Subcommittee could transition from one subject or topical area to the next over the project timeline. Duurvoort gave an example from Sunnyvale's process.
- If other Commissioners could also attend public workshops hosted by the Subcommittee (Weber). Staff noted that a workshop open to the public would be noticed as a public meeting and multiple Commissioners could attend in that case.
- Staff clarified the differences in Subcommittee structure and activities and a Brown-Acted Commission meeting.

Chair Latshaw opened public comment and the following individual spoke:

Dashiell Leeds on behalf of the Sierra Club Loma Prieta Chapter spoke in support of the formation of the Subcommittee, gave an example from Menlo Park's community engagement, and about his view that it will lead to a stronger CAP through more citizen engagement.

Chair Latshaw closed public comment and asked for volunteers. Chair Latshaw, Vice Chair Swaminathan, and Commissioner Ramanathan volunteered for the Subcommittee.

After a brief discussion, Commissioner Ramanathan moved and Commissioner Weber seconded to form a Climate Action Plan Update Subcommittee as presented by staff and to nominate Chair Latshaw and Vice Chair Swaminathan to serve on the Subcommittee. The motion passed unanimously with Commissioner Mohan absent.

A motion to adjourn was made by Vice Chair Swaminathan but was not seconded.

STAFF AND COMMISSION REPORTS

Commission updates: Vice Chair Swaminathan gave an update from VTA on proposed cuts to their transit plan: 70%, 80%, and 90% cuts under consideration. Depending on the severity of the cuts, planned transit-oriented developments and traffic in the Bay Area may be affected.

ADJOURNMENT

A motion to adjourn was made by Vice Chair Swaminathan and seconded by Commissioner Weber. After a brief unrelated discussion, the motion carried unanimously with Commissioner Mohan absent. Meeting adjourned at 7:16 p.m.