

4.0 CITY OF CUPERTINO

The services that are evaluated in this service review include:

- Wastewater
- Solid Waste
- Parks and Recreation
- Storm Water Drainage
- Law Enforcement
- Library

4.1 CITY LOCATION

The City of Cupertino (City) is located in the northwestern portion of Santa Clara County. The City's northern border is adjacent to the City of Sunnyvale and a small portion of the City of Los Altos. To the east, Cupertino is adjacent to the Cities of Santa Clara and San Jose. To the south, the City is adjacent to additional portions of the Cities of San Jose and Saratoga. The City is bounded on the west by unincorporated areas, which consist of the Montebello Ridge and the Santa Cruz Mountain Range. The incorporated area of the City includes 11.2 square miles. A map showing the City's boundaries is located after Section 2.0 of this Service Review.

4.2 GOVERNANCE AND PUBLIC PARTICIPATION

Cupertino was incorporated in 1955 and operates under a Council-Manager form of government. There are five council members who serve 4-year overlapping terms, with elections held every 2 years. The City Council meets twice a month on the first and third Tuesdays at 6:45 p.m. in the Community Hall. The City Council agendas are posted at City Hall, the City's Web site, and the City Library. Agendas posted on the Web site are for information purposes only and are subject to change. The agendas are posted on the Thursday prior to the meeting.

Residents are kept informed of City services and programs through the City's monthly newsletter, the government access cable TV channel, and the City's Web site.

The City has several citizen advisory commissions/committees, which include housing, telecommunications, fine arts, library, planning, audit, parks and recreation, bicycle and pedestrian, teen, senior, and public safety. Members of the committees are appointed by the City Council.

4.3 FINANCE

The City prepares an annual budget. Budget development begins in February with preparation of budget instructions and goal setting sessions by the City Council and City Manager. During March, the City departments prepare proposed budgets, which are then reviewed and revised by the Finance Division, City Manager, and City Treasurer. The proposed budget is then submitted to the City Council in May. During the months of May and June the Council considers the proposed budget at a series of City Council study sessions. Prior to June 30, the City Council holds public hearings on the budget and adopts the final budget by resolution.

The City’s revenue sources are largely from property taxes, charges for service, sales taxes, and other local taxes. Table 4.A provides a list of the citywide sources of funds and the citywide uses of funds for fiscal year (FY) 2006–2007.

Table 4.A: City of Cupertino Sources and Uses of City Funds, FY 2006–2007

| Sources of City Revenues | | City Expenditures | |
|--|-----|-------------------------|-----|
| Property tax | 8% | Public works | 24% |
| Charges for services | 13% | Parks and recreation | 13% |
| Sales tax | 17% | Law enforcement | 11% |
| Capital projects, equipment funding, debt paybacks | 20% | Capital projects | 11% |
| Use of money and property | 3% | Administrative services | 11% |
| Permits and licenses | 4% | Operating transfers | 13% |
| Fines | 1% | Community development | 7% |
| Intergovernmental | 11% | Debt service | 6% |
| Other revenues | 4% | Council and commissions | 1% |
| Utility tax | 4% | Public information | 1% |
| Transient occupancy tax | 4% | | |
| Other taxes | 4% | | |
| Franchise fees | 4% | | |

Source: City of Cupertino 2006–2007 Budget, pages 46 and 47

As shown in Table 4.B, the City has had expenditures exceed revenues at the end of FY 2004 and 2006. Likewise, the 2006–2007 budget indicates that total City expenditures will exceed the total City revenue.

Table 4.B: City Cupertino Summary of Revenues and Expenses for Governmental Activities

| | 2003–2004 Actual | 2004–2005 Actual | 2005–2006 Unaudited |
|---------------------|---------------------|---------------------|------------------------|
| Total Revenues | \$32,900,000 | \$36,600,000 | \$37,133,000 |
| Total Expenses | \$34,800,000 | \$34,400,000 | \$37,954,000 |
| Net Revenues (Loss) | (\$1,900,000) | \$2,200,000 | (\$821,000) |

Source: Comprehensive Annual Finance Report for FY 2005; City of Cupertino 2006–2007 Budget

As indicated above, the City has been struggling with an operating deficit in recent years. In response, the City has frozen positions and projects and reduced service levels. To address the financial issues, the City formed a Fiscal Strategic Plan Committee consisting of two council members and five key managers with the goal of addressing the City's financial concerns, including future obligations and revenue and expenditure structures. The Committee developed a Fiscal Strategic Plan, which was adopted by the City Council in May 2006. The 2006–2007 budget states that implementation of this plan will improve the City's ability to provide services under changing economic circumstances.

The City's 2006–2007 budget notes that revenue increases coupled with a conservative approach on expenditures have put the City in a stronger financial position than in the recent past. However, the budget also notes that the City's 5-year projections show that operating expenditures will exceed annual operating revenues, and funding has not yet been secured to correct this imbalance.

Reserves

The City has three reserve funds and has adopted minimum levels, which are listed below along with the actual reserve balances at the end of FY 2006.

- Capital Improvement Projects Reserve: Policy \$5,000,000 – Balance at end of FY 2006: \$5,000,000
- Economic Uncertainty I: Policy \$2,500,000 – Balance at end of FY 2006: \$4,038,000
- Economic Uncertainty II: Policy \$7,500,000 – Balance at end of FY 2006: \$7,500,000

City Debt

The City's existing debt is comprised of Certificates of Participation for infrastructure projects. At the end of FY 2005, the total outstanding debt was \$52.3 million.

Investment Policy

The City has an adopted investment policy that states that the investment goals of the City are safety, liquidity, and yield. The City Treasurer is responsible for investment management decisions and activities. The policy requires the City Treasurer to prepare monthly investment reports to be submitted to the City Council for review and quarterly reports to the California Debt and Investment Advisory Commission.

4.4 LAND USE AND PROJECTED GROWTH WITHIN THE CITY

The City has stated that there is currently 277 acres of vacant land within the City's urban service area (USA). Due to the limited amount of vacant land, most future development and growth within the City would be redevelopment or intensification of existing land uses. It should be noted that the City does not have growth projections, which are different than those of the Association of Bay Area Governments (ABAG). The City does not have projections regarding the amount, type, and location of redevelopment. Therefore, it is difficult to detail what potential affects

redevelopment/intensification could have on existing infrastructure. The current absorption rate of this vacant land is very low, as shown in Table 4.C.

Table 4.C: City of Cupertino Current and Projected Rate of Vacant Land Absorption

| Land Use Category | Current Rate (acres per year) | Projected Rate (acres per year) |
|--------------------------|--|--|
| Residential | 1.5 | 1.5 |
| Commercial | 0 | 1.5 |
| Office/Industrial | 0 | 0 |

Source: City of Cupertino Planning Department, October 2006

Unincorporated Islands

There are several unincorporated island areas within the City or its USA. The City has a General Plan policy that states that the City will actively pursue the annexation of unincorporated properties within the City's urban service area, as determined by the City Council. Likewise, in October 2006, the City completed annexation of 17.38 acres of scattered residential and vacant parcels that are located primarily in the southern portion of the City. These areas include 8 island areas encompassing 18 parcels and 15 single-family dwellings with an estimated population of 40 persons.

4.5 WASTEWATER

Within Cupertino, both the Cupertino Sanitary District and the City of Sunnyvale provide wastewater collection and treatment services. The Cupertino Sanitary District Service Area and the City of Sunnyvale Planning Boundary Map can be found in Appendix D of this document. The majority of the City is served by the Cupertino Sanitary District, while the City of Sunnyvale serves the Rancho Rinconada area, which is located adjacent to the Lawrence Expressway on the east side of the City. The Rancho Rinconada area includes two blocks of commercial properties and single-family residences.

Additional detail regarding wastewater services is provided in the City of Sunnyvale's and Cupertino Sanitary District's sections of this service review.

4.6 SOLID WASTE

Solid waste service is provided by the City via contract with the Los Altos Garbage Company. The solid waste that is collected within the City is hauled to the landfills listed below. Additional detail regarding these facilities can be found in Appendix A.

- Altamont Landfill Resource and Recovery Facility
- Guadalupe Sanitary Landfill
- Kirby Canyon Recycling and Disposal Facility
- Newby Island Sanitary Landfill

- Redwood Sanitary Landfill
- Zanker Material Processing Facility
- Zanker Road Class III Landfill

According to the most recent information posted by the California Integrated Waste Management Board (CIWMB), the City disposed of 38,028 tons of solid waste in 2005.¹ The CIWMB shows that the solid waste disposal generation factor for the City is 1 pound per resident per day and 6.2 pounds per employee per day.

Diversion rates are defined as the percentage of total solid waste that a jurisdiction diverted from being disposed in landfills through reduction, reuse, recycling programs, and composting programs. The California Public Resources Code (PRC 41780) required all jurisdictions to achieve 50 percent solid waste diversion after 2000. Per the CIWMB, the City met this goal and had a 53 percent diversion rate in 2004, which is the most recent data posted.

The City has varying rates for residential solid waste services, which are dependent on the type of residence (e.g., single-family, multi-family, hillside). Commercial rates are based on the refuse bin size and by number of pickups per week. Table 4.D provides a comparison of City solid waste service rates.

Table 4.D: Monthly Solid Waste Rates

| Residential | | Commercial |
|---------------|-----------------|---|
| Single-Family | 1 can, \$18.66 | \$108.84–\$2,351.03, depending on size of bin and number of pickups per week |
| | 2 cans, \$37.32 | |
| | 3 cans, \$55.98 | |
| Hillside | 1 can, \$30.86 | |
| | 2 cans, \$61.72 | |
| | 3 cans, \$92.58 | |
| Multifamily | 1 can, \$15.78 | |
| | 2 cans, \$31.56 | |
| | 3 cans, \$47.34 | |

4.7 PARKS AND RECREATION

The City owns and maintains numerous park and recreational facilities, as listed in Table 4.E.

¹ Web site:
<http://www.ciwmb.ca.gov/Profiles/Juris/JurProfile1.asp?RG=C&JURID=115&JUR=Cupertino>,
accessed March 20, 2007.

Table 4.E: City of Cupertino Parks and Recreational Facilities

| Park and Location | Amenities | Acreage |
|---|--|----------------|
| Blackberry Farm 21975 San Fernando Avenue | Picnic areas, volleyball courts, three swimming pools, horseshoe pits, basketball courts, and a softball field | 16 |
| Blackberry Farm Golf Course 22110 Stevens Creek Boulevard | 9-hole, Par 29 golf course with an adjoining pro shop and restaurant | N/A |
| Cali Mill Plaza Intersection of Stevens Creek Blvd and De Anza Blvd | Stainless steel sculpture, two interactive fountains, themed gardens, and free wireless Internet access | 1 |
| Creekside Park 10455 Miller Avenue | 800-square-foot (sf) community room, family picnic areas, half-court basketball, two playground areas, three tournament-quality soccer fields, and a pedestrian/bicycle bridge over the Calabazas Creek | 13 |
| Hoover Park Leeds Avenue near Primrose | Two soccer fields, a half-basketball court, and play equipment for preschool and elementary children. | 5 |
| Jollyman Park Stelling Road near McClellan Road | Partially lighted soccer field, baseball field, play equipment, and picnic areas | 11.5 |
| Linda Vista Park Linda Vista Drive near Columbus | Group barbecue facility for 100, two play equipment areas (preschool and elementary), a fitness station, large turf area, with a water feature | 11 |
| McClellan Ranch Park 22221 McClellan Road | Natural preserve park, nature museum, community garden; also preserved on the property are the original ranch house, milk barn livestock barn, a replica of the Baer's Blacksmith Shop that was originally located at De Anza and Stevens Creek Boulevards, and the old water tower from the Parish Ranch. | 18 |
| Memorial Park Intersection of Stevens Creek Blvd. and Mary Ave. | A lake, an amphitheater, lighted softball field, six lighted tennis courts | 28 |
| Monta Vista Park Foothill Boulevard and Voss Avenue | 10,000 sf recreation center, two tennis courts, play fields, play equipment, and family picnic areas | 6.2 |
| Portal Park North Portal Avenue off Stevens Creek Boulevard | Small recreation building, group barbecue facilities for 60, play equipment, and family picnic areas | 3.8 |
| Quinlan Community Center 10185 N. Stelling | A multipurpose room that can accommodate 300 people in a banquet format, conference rooms, Cupertino Historical Society and museum | 27,000 sf |
| Sports Center 21111 Stevens Creek Boulevard at the corner of Stevens Creek Boulevard and Stelling Road | 17 tennis courts, fitness center, racquetball courts, a child watch center, Teen Center, multipurpose room | |
| Somerset Square Park Stokes Avenue near Peninsula Drive | Half-basketball court, a volleyball court, family picnic areas, and children's play equipment | 1.7 |
| Three Oaks Park Candlelight Way near Rainbow | Play equipment and family picnic areas | 3.1 |
| Varian Park Ainsworth Drive at Vista Knoll | Two tennis courts, play equipment, and family picnic areas | 6.3 |
| Wilson Park South Portal Avenue near Stevens Creek Boulevard | Recreation building, family picnic areas, fitness course, and play equipment | 4.8 |
| Total Acreage | | 129.4 |

Source: www.cupertino.org, City of Cupertino General Plan, 2005

The City has a standard of providing a minimum of 3 acres of open space per 1,000 residents, as noted in the General Plan. Based on the State Department of Finance 2006 population estimate for the City (53,840), the City is currently providing 2.4 acres of parkland per 1,000 population, which is below the City's standard.

The City's General Plan states that Cupertino will not have sufficient funds to buy enough parkland to meet the minimum standard. The City plans to utilize an acquisition strategy that stretches limited funds by using school sites, expanding and revising existing park uses, taking advantage of State and other funds, and park dedication requirements and/or parkland development impact fees for new developments. In addition, to provide additional recreational facilities in a cost-effective manner, the City has a joint use agreement with the Cupertino Union School District for access to eight sports fields on school grounds in exchange for grounds maintenance by the City.

Recreation

The City offers a wide variety of recreation classes for residents of all ages. The types of classes provided by the City are listed in Table 4.F.

Table 4.F: Types of Recreation Programs Offered by the City of Cupertino

| | | |
|---------------------------|------------------------|-----------------------|
| Arts and crafts | Dance | Gymnastics |
| Baby and toddler programs | Fitness | Yoga |
| Nature | Camps | Sports |
| Music | Preschool | After school programs |
| Dog training | Emergency preparedness | Self-help/wellness |
| Foreign language | Science | Theater |

4.8 STORM WATER DRAINAGE

The City storm water drainage system consists of an underground system of pipelines that range in size from 12 to 60 inches in diameter and totals 63.20 miles. The storm water is carried through the City system and is discharged into creeks within the City and then into San Francisco Bay.

The City's 2005 General Plan states that with the exception of some of the older areas such as Monta Vista, the City is served by a storm drainage system designed to accommodate a 10-year flood. It also states that the City has not studied in detail the carrying capacity of the existing system, but it is estimated that it could accommodate the runoff from a 10-year to a 40-year flood, although there would be some overflow that would run along the street gutters but ultimately dissipate into the major storm channels and creeks able to accommodate a 100-year storm. Heavier storms may cause some flooding of yards, but flooding of buildings would be extremely unlikely.

There are a few areas of the City such as Old Monta Vista and older areas next to the foothills that are not protected by a storm drainage system. These areas would be subjected to flooding. Within the Old Monta Vista area, the City has begun to design a storm drainage system to alleviate the propensity of flooding within this area. This system will be constructed along Byrne Avenue and Orange Avenue from Stevens Creek Boulevard to McClellan Road. The final design is expected to be completed in

Spring 2007, and the construction is planned for completion by the end of 2007. This drainage project will be funded through the storm drain impact fees accrued via the building permit process.

In addition, the General Plan states that the City proposes to upgrade key parts of the older system through a long-term capital improvement program (CIP). It should also be noted that the City requires all new development to construct infrastructure to adhere to the 10-year storm event standard and/or pay storm drainage impact fees on a per-acre basis.

4.9 LAW ENFORCEMENT

Law enforcement services are provided within the City through a contract with the Santa Clara County Sheriff’s Department. This contract provides the City with a full range of police services, which include: patrol services, criminal investigation, traffic enforcement, accident investigation, tactical teams, detectives, K-9s, search and rescue, bomb technicians, off-road motors, dive team, hostage negotiators, special investigations teams, resource officers, and vice unit. In addition, the Sheriff’s Department works closely with the City’s Code Enforcement personnel and when necessary, enforces City ordinances.

The County Sheriff’s Westside Substation provides service to the City. The Substation is located at 1601 S. De Anza Boulevard in the City and is approximately 2 years old. The Sheriff’s Department has stated that in addition to the substation there is an existing need for an “in-field station” to write reports. Currently the Quinlan Center is used for such purposes; however, there is a need for a larger and better-equipped facility than the Quinlan Center.

There are a total of 32 employees assigned to the City, including civilian and support. The Sheriff’s Department has stated that it is currently working to obtain additional staffing for patrol in Cupertino. In addition, the Sheriff’s Department is currently working on a grant that would fund a “Gang Officer” position. This position would be shared by the City and Saratoga. There is no existing standard for the number or ratio of sworn officers serving the City. The City’s service contract is based on the number of hours to be provided for different services.

In 2005, there were 11,368 total calls for service in the City. As part of its contract, the City is provided dispatch services through the County Communications Department. The City’s 2006–2007 budget provides the City’s response time goals and current actual response times; as shown in Table 4.G, law enforcement services are currently exceeding the response time goals.

Table 4.G: City of Cupertino Law Enforcement Response Time Goals/Actual

| Response Time: Goals | Response Time: Actual |
|-------------------------------------|--|
| 5 minutes for Priority One calls | 4.94 minutes for Priority One calls |
| 9 minutes for Priority Two Calls | 8.09 minutes for Priority Two calls |
| 20 minutes for Priority Three calls | 16.74 minutes for Priority Three calls |

Source: City of Cupertino 2006–2007 Budget

The Sheriff's Department evaluates services monthly and prepares a report that is provided to the City Manager, City Council, and the Public Safety Commission for review. In addition, a representative from the Sheriff's Department attends weekly staff meetings to remain up-to-date on issues and concerns within the City. This also allows the Sheriff's Department to share public safety concerns with City staff.

The Sheriff's Department has stated that the City's general fund operational revenue issues have directly affected the level of law enforcement services. For the past several years, operating revenues have not been sufficient to cover operating expenditures. When citywide cutbacks were needed, the Sheriff's contract was also reduced. As revenues increase, the Sheriff's Department would like the service contract enhanced to ensure the level of service that is desired by the City Council.

4.10 LIBRARY

The Cupertino Library is provided by a cooperative effort between the City and the County Library. The City provides the library building and the County Library provides operations. In October 2004, the City completed development of a new 54,000 sf library facility located at 10800 Torre Avenue in Cupertino. The new facility was funded through the issuance of debt, community contributions, and the City's Resource Recovery Fund. General library services are funded through library-dedicated property taxes and City General Fund revenues.

In FY 2000–2001 the library circulated 1,693,807 items, had 540,983 visits, and had a collection of 312,614 items.

The City has a five-member library commission, which is appointed by the City Council, that reviews and makes recommendations related to the operations and services of the library.

As mentioned previously, the library is operated by the County Library System. Details regarding services provided by the County Library are provided in the service review that has been completed for the South and Central Santa Clara County areas.

4.11 SERVICE REVIEW DETERMINATIONS FOR THE CITY OF CUPERTINO

The service review guidelines prepared by the State Office of Planning and Research recommend that issues relevant to the jurisdiction be addressed through written determinations called for in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 1985 (CKH Act). Based on the above information, following are the written determinations for the City.

Infrastructure Needs and Deficiencies

1. The City has a standard of providing a minimum of 3 acres of open space per 1,000 residents. The City is currently providing 2.4 acres of parkland per 1,000 population, which is below the City's standard. The City has an acquisition strategy to obtain additional parkland.
2. The City's 2005 General Plan states that it is estimated that the City's storm drainage system could accommodate the runoff from a 10-year to a 40-year flood in most areas of the City.

3. The General Plan states that the City is planning to upgrade parts of the older storm water drainage system through a long-term CIP.
4. There are a few areas of the City that do not have a storm drainage system and are subject to flooding. Within the Old Monta Vista area, the City has begun to design a storm drainage system to alleviate flooding. This project is planned for completion by the end of 2007.
5. The Sheriff's Department has stated that there is a need for an "in-field station" to write reports. Currently the Quinlan Center is used for that purpose; however, there is a need for a larger and better-equipped facility than the Quinlan Center.

Growth and Population

1. There are currently 277 acres of vacant land within the City's USA. Due to the limited amount of vacant land, most future development and growth within the City would be redevelopment or intensification of existing land uses.

Financing Constraints and Opportunities

1. The City has been struggling with an operating deficit in recent years. In response, the City has frozen positions and projects and reduced service levels.
2. The City's 2006–2007 budget notes that 5-year projections show operating expenditures exceeding operating revenues and that funding has not yet been secured to correct this imbalance.
3. The City has adopted a Fiscal Strategic Plan, which is expected to improve the City's ability to provide services under changing economic circumstances.
4. Drainage projects are funded through the storm drain impact fees accrued via the building permit process.
5. The Sheriff's Department has stated that the City's general fund operational revenue issues have directly affected the level of law enforcement services. As revenues increase, the Sheriff's Department would like the service contract enhanced to ensure the level of service that is desired by the City Council.

Cost-Avoidance Opportunities

1. The City requires all new development to construct infrastructure to adhere to the 10-year storm event standard and/or pay storm drainage impact fees on a per-acre basis to new development.
2. To provide additional park and recreational facilities, the City plans to stretch funding by using school sites, expanding and revising existing park uses, utilizing State funds, and park dedication requirements and/or parkland development impact fees for new developments.
3. To provide additional recreational facilities in a cost-effective manner, the City has a joint use agreement with the Cupertino Union School District for access to eight sports fields on school grounds in exchange for grounds maintenance by the City.
4. The Sheriff's Department is currently working on a grant that would fund a "Gang Officer" position.

Opportunities for Rate Restructuring

1. The City regularly evaluates and, if necessary, adjusts the schedule of user fees and charges to ensure that the fees and charges generate sufficient revenues to meet service delivery costs.

Opportunities for Shared Facilities

1. The City has several agreements with other agencies in the County that provide for service while sharing facilities. These include the Sheriff's substation, library services, and the school district.

Government Structure Options

1. The City has several unincorporated pockets within its SOI. The City has recently annexed some of these pockets and has taken advantage of the current streamlined annexation opportunity to implement more efficient planning boundaries. Additionally, the City has a General Plan policy that states that the City will actively pursue the annexation of unincorporated properties within the City's urban service area.

Evaluation of Management Efficiencies

1. The City's cooperative agreements with other agencies provide management efficiencies in the provision of services.

Local Accountability and Governance

1. The City ensures that local accountability and governance standards are met by holding City meetings pursuant to the Brown Act, having them shown on cable television, and having them available for download on the City's Web site.

4.12 SOI RECOMMENDATION FOR THE CITY OF CUPERTINO

Current SOI Boundary

The City's existing SOI, which was adopted in January 1984, is coterminous with its City limits to the north, east, and southeast. The City's existing SOI boundary also extends to just west of the Permanente Cement Plant and just north of the Fremont Older Open Space, and then along a portion of Prospect Road. The City of Cupertino is bounded by the Cities of Sunnyvale and Los Altos to the north, the Cities of San Jose and Santa Clara to the east, the City of Saratoga to the south, and unincorporated lands to the west. The City of Cupertino's 1984 SOI boundary includes lands that are planned for both urban uses, as well as, lands planned for permanent open space uses, and also includes areas in which the City and the County have shared interests in preserving non-urban land uses. Since 1984, Cupertino's SOI boundary has remained significantly unchanged.

SOI Boundary Recommendation

It is recommended that LAFCO re-affirm the City of Cupertino's existing SOI boundary because the City of Cupertino's SOI boundary serves multiple purposes including serving as:

- A long range planning tool to help LAFCO evaluate USA boundary changes and annexation requests.
- Areas that will not necessarily be annexed to the City of Cupertino or will not necessarily receive services from Cupertino, but are areas in which the County and Cupertino may have shared interests in preserving non-urban levels of land use. Specific examples include the foothills and ridgelines located west of the City. Furthermore, both the City and the County share a mutual interest in protecting view sheds and natural resources.
- Areas where Cupertino and the County have significant interaction. A specific example of such interaction includes areas where the City receives discretionary planning application referrals from the County.
- Areas that contain social or economic communities of interest to Cupertino, such as areas within the City's jurisdiction.

In making this recommendation, it should be made clear that inclusion of an area within the City's SOI boundary should not necessarily be seen as an indication that the City will either annex or allow urban development and services in the area. The City's USA boundary is the more critical factor considered by LAFCO and serves as the primary means of indicating whether the area will be annexed and provided with urban services.

4.13 SOI DETERMINATIONS FOR THE CITY OF CUPERTINO

As detailed in Section 1.1, Government Code Section 56425 requires written determinations with respect to the following four factors to update an agency's SOI. Based on the information above, the following determinations are provided to update the City's existing SOI.

1. The Present and Planned Land Uses in the Area, including Agricultural and Open-Space Lands

Land outside of the City's USA boundary but within the Cupertino SOI boundary is largely undeveloped and designated either park and open space or hillsides. The City does not intend to extend services to the SOI area and planned land uses within the SOI boundary are the same as existing land uses.

The City of Cupertino is almost fully developed. There is currently 277 acres of vacant land within the City's USA boundary. The current and projected absorption rate of this vacant land is very low (i.e. less than 2 acres per year). The City is a largely residential community. However, there are significant industrial/manufacturing areas and smaller commercial areas. Planned land uses in the City include a similar mix of land uses.

Finding: A variety of urban uses are planned within Cupertino's USA boundary. Both the County of Santa Clara and the City of Cupertino General Plans call for the continuation of non-urban uses beyond the City's USA boundary.

2. Present and Probable Need for Public Facilities and Services in the Area

Although, a majority of the City is developed, the City is expected to experience modest growth mostly through in-fill development, redevelopment of underdeveloped parcels, and very low-density residential development within the hillsides. Similarly, the need for a full range of public facilities and services is expected to grow modestly in the future. However, the portion of the City's SOI, which is located beyond the City's USA boundary has limited development potential due to having steep slopes, limited infrastructure, and some permanently preserved open space. Therefore, there is a low probable need for public facilities and services in this portion of the City's SOI boundary.

Finding: The type of public services and public facilities required within Cupertino's SOI boundary will not change, although the level of demand will increase modestly.

3. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide

The properties within the City receive a full range of public services from the City. For the most part, the present capacity of public facilities appears to be adequate. However, some specific inadequacies were identified, including: (1) the need for additional parkland per capita; (2) the need for improvements related to storm water drainage and flooding; and (3) the County Sheriff's Department has stated that there is a need for an "in field station" to write reports. Currently the Quinlan Center is used for that purpose; however, there is a need for a larger and better equipped police facility than the Quinlan Center.

Finding: The present capacity of public facilities and public services is generally adequate. However, improvements to storm water drainage and flooding are needed, the County Sheriff's Department needs an "in field station," and City park facilities are limited due to the low amount of City parkland acres per capita.

4. Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency

The City's USA boundary contains one unincorporated pocket area (i.e. the Creston Neighborhood) that is developed with urban land uses. The Joint Urban Development Policies of the cities, the County, and LAFCO call for islands or pockets of unincorporated land to be annexed to the applicable city.

Also, the City of Cupertino has annexed territory that may never be in the City's USA boundary, but which is within the proposed SOI. These areas are to the south and west of the urban area and include portions of Fremont Older Open Space Preserve and some lands to the west of Stevens Canyon Road. While these areas will not generally be considered for urban development, they are none the less within the jurisdiction of the City.

Finding: There exist social and economic conditions that cause interaction and interdependence between the City of Cupertino and the areas within the City's SOI boundary.