



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, October 4, 2022

At 6:45 p.m., Mayor Paul called the Regular City Council Meeting to order and led the Pledge of Allegiance in the Cupertino Community Hall Council Chamber, 10350 Torre Avenue and via teleconference.

ROLL CALL

Present: Mayor Darcy Paul, Vice Mayor Liang Chao, and Councilmembers Kitty Moore, Hung Wei, and Jon Robert Willey.

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Consider acceptance of grant funds presented by Assemblymember Evan Low for Jollyman All-Inclusive Playground and McClellan Road Bridge and a certificate of appreciation for the grant funds
Recommended Action: Accept grant funds presented by Assemblymember Evan Low for Jollyman All-Inclusive Playground and McClellan Road Bridge, and present a certificate of appreciation for the grant funds
Presenter: Chad Mosley, Assistant Director of Public Works

Assemblymember Evan Low presented the grant funds and received the certificate of appreciation.

Council unanimously accepted the grant funds presented by Assemblymember Evan Low for the Jollyman All-Inclusive Playground and McClellan Road Bridge and Mayor Paul presented a certificate of appreciation and a plaque to Assemblymember Evan Low for the grant funds.

2. Subject: Consider a proclamation recognizing October as Hindu Heritage and Awareness Month
Recommended Action: Present proclamation recognizing October as Hindu Heritage and Awareness Month

Planning Commissioner Muni Madhhipatla introduced the following people who received the proclamation on behalf of those non-profit organizations serving the community.

1. Dr. Sulochana Lulla from Hindu American Foundation (HAF)
2. Pushpita Praad, Board Member from Coalition of Hindus in North America (CoHNA)
3. Venkat Srinivasan from Hindu Swayamsevak Sangh

Mayor Paul presented the proclamation recognizing October as Hindu Heritage and Awareness Month.

3. Subject: Consider a proclamation recognizing October as Breast Cancer Awareness Month
Recommended Action: Present proclamation recognizing October as Breast Cancer Awareness Month

Rina Bello, Executive Director from Bay Area Cancer Connections, received the proclamation.

Mayor Paul presented the proclamation recognizing October as Breast Cancer Awareness Month.

Council recessed from 7:10 p.m. to 7:25 p.m.

Councilmembers Jon Robert Willey and Kitty Moore left the dais and attended the remainder of the meeting via teleconference.

POSTPONEMENTS AND ORDERS OF THE DAY

Moore moved and Willey seconded for Items 14 and 15 to be added to the Consent Calendar. The motion carried unanimously.

ORAL COMMUNICATIONS

Jennifer Griffin was concerned about new State housing bills, including AB 2011 for housing on retail areas and AB 2097 for parking minimums and bills for ADUs (accessory dwelling units).

Judy Lomas ceded their time to Don Halsey.

Don Halsey supported extending Stevens Creek Trail to Stevens Creek County Park as an alternative to converting Blackberry Farm Golf Course to a natural habitat. (Submitted written

comments).

Jean Bedord supported proposed Item 14 to fund the Cupertino Historical Society archives, stabilize operations, and for the value to the community. (Submitted written comments).

Bing Rui opposed the installation of 5G cell towers in the City and requested appropriate ways to contact Councilmembers and information from the City Attorney.

Venkat Ranganathan was concerned about an unhoused person on Portal Avenue and requested addressing the matter and providing progress updates.

Lisa Warren supported extending Stevens Creek Trail as an alternative to converting Blackberry Farm Golf Course to a natural habitat and a study session to discuss new housing bills.

Rhoda Fry supported disclaimers on City social media posts, the third-party finance assessment of City fiscal policies, and Council's accomplishments. (Submitted written comments).

REPORTS BY COUNCIL AND STAFF

4. Subject: Brief reports on councilmember activities and brief announcements
Recommended Action: Receive brief reports on councilmember activities and brief announcements

Council received brief reports on councilmember activities and brief announcements.

5. Subject: Report on Committee assignments
Recommended Action: Report on Committee assignments

Councilmembers highlighted the activities of their various committees.

6. Subject: Report on Subcommittee assignments
Recommended Action: Report on Subcommittee assignments

Councilmembers reported on Subcommittee assignments.

7. Subject: City Manager update
Recommended Action: Receive City Manager update on City business

Council received the City Manager update on City business.

8. Subject: Economic Development Committee Update

Recommended Action: Receive Economic Development Committee Update

Economic Development Manager Tina Kapoor gave a presentation.

Council received the Economic Development Committee update.

CONSENT CALENDAR (Items 9-15)

Mayor Paul opened the public comment period for all Consent Calendar items and the following people spoke.

Annie Yang, on behalf of Santa Clara Valley Audubon Society Environmental Action Committee, supported the Climate Victory Garden Program, including native plants and local biodiversity.

Shelkie Tao supported the Victory Garden Program for residents to elect water-wise turf conversion, pre-set landscape plans, pre-approved contractors, and fixed prices. (Submitted written comments).

Jennifer Griffin supported a budget line item for the Historical Society and a plan for the Stocklmeir property with project updates.

Rhoda Fry supported equitable treatment for the Historical Society, open and public board meetings, and maintaining the Snyder Hammond House.

Mayor Paul closed the public comment period.

Wei moved and Moore seconded to approve the items on the Consent Calendar as presented, including Items 14 and 15 which were added to the Consent Calendar under Postponements and Orders of the Day. Ayes: Paul, Chao, Moore, Wei, and Willey. Noes: None. Abstain: None. Absent: None.

9. Subject: Consider approval of the September 20 City Council Special Meeting (Closed Session) minutes
Recommended Action: Approve the September 20 City Council Special Meeting (Closed Session) minutes
 10. Subject: Consider approval of the September 20 City Council Regular Meeting minutes
Recommended Action: Approve the September 20 City Council Regular Meeting minutes
 11. Subject: Consider adopting a resolution authorizing continued remote teleconference
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meetings of the legislative bodies of the City of Cupertino for the period October 4, 2022 through November 3, 2022 pursuant to the Brown Act, as amended by AB 361
Recommended Action: Adopt Resolution No. 22-121 authorizing continued remote teleconference meetings of the legislative bodies of the City of Cupertino for the period October 4, 2022 through November 3, 2022 pursuant to the Brown Act, as amended by AB 361

12. Subject: Consider authorizing the City Manager to execute a Second Amendment with Granicus, LLC. to renew Enterprise Government Experience Cloud Services subscription for \$634,124.98 plus a contingency of \$63,412 over four years, for a total cost of \$697,536.98.
Recommended Action: Authorize the City Manager to execute a Second Amendment with Granicus, LLC., to renew Enterprise Government Experience Cloud Services subscription for \$634,124.98 plus a contingency of \$63,412 over four years, for a total cost of \$697,536.98.
13. Subject: Consideration of an award of a construction contract for the 2022 Pavement Maintenance Phase 2 Project - Project No. 2022-107.
Recommended Action: 1. Award a construction contract for the 2022 Pavement Maintenance Phase 2 Project
2. Authorize the City Manager to execute a contract in the amount of \$1,672,133.50
3. Authorize the Director of Public Works to execute any necessary change orders, up to the construction contingency amount of \$167,213.00 for a total authorized contract amount of \$1,839,346.50
14. Subject: Consider authorizing execution of an Agreement between the City of Cupertino and Cupertino Historical Society
Recommended Action: 1. Authorize the City Manager to execute an Agreement between the City of Cupertino and Cupertino Historical Society for three years, at an annual amount of not-to-exceed \$40,000; and if performance is satisfactory, followed up by up to two additional years for a total of five years at the same not-to-exceed annual amount of \$40,000.
2. Adopt Resolution No. 22-122 to approve budget modification No. 2223-242 increasing appropriations in the City Council, Community Funding budget 100-10-104.

Written communications for this item included a staff presentation, which was not heard, and emails to Council.

15. Subject: Progress update on the Climate Victory Gardens pilot program
Recommended Action: Receive an update on the Climate Victory Gardens pilot and direct staff to:

1. Continue to share these findings with neighboring jurisdictions, Valley Water, and to develop further partnerships with landscape supply companies, designers, and installers through the life of the pilot program, and
2. Focus on large and institutional sites based on the evidence provided by the cost effectiveness table (Table 3), and
3. Explore partnerships for training and workforce development to ensure that the customer, the City, and contractor can move projects forward in a timely manner, and
4. Bring back a permanent program for City Council's consideration before the pilot program expires in 2023.

Written communications for this item included a staff presentation, which was not heard, and emails to Council.

SECOND READING OF ORDINANCES - None

PUBLIC HEARINGS - None

ORDINANCES AND ACTION ITEMS

16. Subject: Consider an ordinance to comply with AB 1236 to establish an expedited permit process for electric vehicle (EV) charging systems
Recommended Action: Conduct the first reading of Ordinance No. 22-2244 amending Cupertino Municipal Code Chapter 16.28 establishing an expedited, streamlined permitting process for electric vehicle charging stations in compliance with AB 1236: "An ordinance of the Cupertino City Council setting forth procedures for expediting permitting processing for electric vehicle charging stations."
Presenters: Albert Salvador, Assistant Director of Community Development/Building Official and Andre Duurvoort, Sustainability Manager

Written communications for this item included a staff presentation.

Sustainability Manager Andre Duurvoort gave a presentation.

Mayor Paul opened the public comment period and the following people spoke.

Jennifer Griffin was concerned about safety protocol oversight and potential trip hazards from charging stations.

Bruce Nagel supported the proposed ordinance and looking at examples from other cities that have already implemented the process.

Mayor Paul closed the public comment period.

Councilmembers asked questions and made comments.

Assistant Director of Community Development and Building Official Albert Salvador answered questions.

City Clerk Kirsten Squarcia read the title of Ordinance No. 22-2244: "An Ordinance of the Cupertino City Council setting forth procedures for expediting permitting processing for electric vehicle charging stations."

Moore moved and Willey seconded to read Ordinance No. 22-2244 by title only, and that the City Clerk's reading constitutes the first reading thereof. Ayes: Moore, Wei, Willey, Chao, and Paul. Noes: None. Abstain: None. Absent: None.

ORAL COMMUNICATIONS - CONTINUED (As necessary) – None

COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS

Councilmembers requested the following items:

- update on newly signed housing bills (Willey and Chao)
- information on homeless services and policies to be provided on City website (Chao and Willey)
- information on potential home-sharing program to be presented to City Council at a future meeting date (Chao and Moore)
- memo updating the ADU (Accessory Dwelling Unit) preapproved vendor list (Chao and Moore)

ADJOURNMENT

At 9:28 p.m., Mayor Paul adjourned the Regular City Council Meeting.

Kirsten Squarcia City Clerk