



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Friday, January 12, 2024

SPECIAL MEETING

At 11:00 a.m., Mayor Sheila Mohan called the Special City Council Meeting to order in the Cupertino Library, Room 201, 10800 Torre Avenue.

ROLL CALL

Present: Mayor Sheila Mohan, Vice Mayor J.R. Fruen, and Councilmembers Liang Chao, Kitty Moore, and Hung Wei. Absent: none.

CITY COUNCIL TRAINING

1. Subject: City Council Training
Recommended Action: Conduct City Council Training

Written communications for this item included a staff presentation, printed Attachment B - Rosenberg's Rules of Order, and a Rosenberg's Rules of Order Cheat Sheet handout.

City Manager Pamela Wu introduced the item and discussed the following presentation items:

- City of Cupertino's government structure
- City Commissions as Advisory Boards to Council
- Deputy City Manager, Economic Development Manager, and Emergency Services Manager roles and responsibilities
- Process of reimbursements for Council
- Update on 2024 Council Committee Assignments
- Types of City Council meetings
 - Special Meetings versus Regular Meetings
 - Closed Session meetings
 - Study Session meetings providing information for Council
- Future Agenda Setting
 - Two or more councilmembers requesting agenda items

- Draft City Council agenda review and finalization process
- Staff preparation of answers to councilmember questions
- Councilmember prep sessions prior to City Council meetings

City Attorney Chris Jensen presented Rosenberg's Rules of Order, Simple Rules of Parliamentary Procedure for the 21st Century, including the following:

- Governing through the rule of majority and public participation
- Council Procedures Manual as a supplement to Rosenberg's Rules of Order procedure
- The deliberation process as an opportunity for councilmembers to explain why they are voting the way they vote
- Process for discussing an agenda
- Allowance of up to three motions on the table
- Motion to Reconsider
- Point of Privilege
- Point of Order
- Call to Orders of the Day
- Withdrawing motions
- Critiques of Rosenberg's Rules
 - Gives more authority to the Chair but Council Procedures Manual limits this
 - Dilutes clarity on body's motion making
 - Motion does not belong to the body, motion belongs to the maker
 - Only three motions on the floor
- Discussion during motions
- Clarification on motion format

Councilmembers asked questions and made comments.

Chief Technology Officer Bill Mitchell presented the following:

- Cyber Security Training
 - The complexity and frequency of cyber-attacks
 - Cities that were breached
 - The City's multi-tiered security architecture encompasses:
 - Regular annual training sessions
 - Scheduled phishing simulations
 - Targeted remedial training for individuals
- City-issued Equipment
 - Laptop and associated hardware and software

- Cell phone with data plan
- Annual review conducted by IT
 - Security and application patches
 - Firmware updates
 - Scans for malicious software
- Use of City Email
 - Use of City Email account when sending messages pertaining to City business
 - Privacy expectations
 - Subject to Public Records Act requests
- International Travel
 - Procedure for network logins outside of the United States

City Clerk Kirsten Squarcia presented the following:

- Reminders for ethics (AB 1234) and harassment prevention training and Statement of Economic Interests (Form 700) filing
- City Council meeting agenda items
 - Deadlines for submitting councilmember questions to staff and Councilmember Activity Reports
 - City Council meeting minutes format
 - Supplemental Reports versus Desk Items
- Information on the number of City Council meetings held in 2023 and the number of Public Records Act requests processed in 2023
- Best Practices when participating in political activities
- Political Reform Act update for Councilmember contributions

Councilmembers asked questions and made comments.

Assistant City Manager Matt Morley reviewed the following City Department highlights:

- Administrative Services
 - City Budget
 - Fee Schedule
 - Purchasing Policy
 - Annual Comprehensive Financial Report (ACFR)
 - Training standards for employees by classification
 - Injury and Illness Prevention Policy
- Public Works
 - Landfill Agreement
 - Water Lease

- CIP Projects including LED lighting transition and solar
 - Exploring opportunity for maintenance insourcing
 - DOLA improvements at Linda Vista
- Community Development
 - Vallco project, Housing Element, and Lehigh expected activity
 - Mary Avenue affordable housing next steps in the spring
 - Simian property and coordination with the County as the lead advancing this affordable housing project
 - Zoning Code updates including removal of two-story permits, updating the tree list, review of parking standards, and objective design standards
- Parks and Recreation
 - Community Funding
 - Fee adjustments and market rate analysis
 - Sponsorship and Grant opportunities
- City Manager's Office
 - Leading Work Program efforts
 - Adoption of Hazard Mitigation Plan
 - Monitoring for State legislation and action where appropriate
- Information and Technology
 - Website Update
 - Replacement of Server/Storage systems
 - Augmented reality on flora and fauna at McClellan Ranch

Deputy City Manager Tina Kapoor reviewed the following:

- Process for submitting proclamation requests and other ceremonial matters
- Mayor as ceremonial spokesperson and Vice Mayor as designated alternate

Councilmembers asked questions and made comments.

Executive Assistant to Council and City Manager Debra Nascimento presented the following:

- Supporting City Council, City Manager, and Assistant City Manager
- Arrangement of various regularly scheduled meetings:
 - Mayor's Meeting with Commissioners
 - Council meeting agenda review
 - City Manager and Councilmember one-on-one meetings
- Registration for conferences and events
- Arrangement of travel

Councilmembers asked questions and made comments.

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

Cathy Helgerson was concerned about discussions during special meeting closed sessions regarding litigation matters, meeting adjournments and continuations, and compliance with the Brown Act; and supported meetings that are held at Community Hall (submitted written comments).

Lisa Warren supported the session and was concerned about staff guidance and staff reports as the sole source of information for Councilmembers, and Councilmembers making their decisions before receiving public input.

Mayor Mohan closed the public comment period.

Council conducted the City Council training. Councilmember comments included the following:

- Would like to continue to have flexibility to ask questions after receiving public comments.
- For some agenda items, it doesn't make sense to receive councilmember views on an item after a motion because once a motion is made, comments should be discussing the agenda item, not the motion.
- Support allowing councilmembers to explain how they made their decisions.
- Consider listing only one agenda item instead of grouping multiple items in the item.
- Include agenda language for the public regarding instruction on the public comment process.
- Support this type of training to be audio/video recorded and with a hybrid option for the public.
- Appreciate the clarification on study sessions and when Council actions are taken.
- Ensure City Commissions are given training on how to run a meeting.

ADJOURNMENT

At 1:08 p.m., Mayor Mohan adjourned the Special City Council Meeting.

Minutes prepared by:

Kirsten Squarcia, City Clerk