



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, March 4, 2025

At 6:45 p.m., Mayor Liang Chao 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 Liang Chao, Vice Mayor Kitty Moore, and Councilmembers J.R. Fruen, Sheila Mohan, and R “Ray” Wang. Absent: None.

CLOSED SESSION REPORT – None

CEREMONIAL ITEMS

1. Subject: Recognition of March as Youth Art Month
Recommended Action: Present proclamation recognizing March as Youth Art Month

Barbara Flores, Director of iSTEAM, made comments and accepted the proclamation on behalf of the Santa Clara County Office of Education (SCCOE).

Mayor Chao presented the proclamation recognizing March as Youth Art Month.

2. Subject: Recognition of March as American Red Cross Month
Recommended Action: Present proclamation recognizing March as American Red Cross Month

Written communications for this item included a presentation.

Stuart Chessen, lifelong volunteer, gave a presentation and accepted the proclamation on behalf of the American Red Cross, Pacific Division.

Mayor Chao presented the proclamation recognizing March as American Red Cross Month.

POSTPONEMENTS AND ORDERS OF THE DAY

MOTION: Wang moved and Mohan seconded to table Item 5 to consider a resolution declaring properties as having potential fire hazards from brush and setting a hearing date to declare brush with potential fire hazard a public nuisance to date to be determined. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

ORAL COMMUNICATIONS

Written communications for this item included emails forwarded by Councilmembers.

The following members of the public spoke:

Ahmad Yazd discussed fire hazard severity zones and Evulich Court development.

Parimal Kopardekar discussed fire hazard severity zones and Evulich Court development.

Mark Fantozzi discussed fire hazard severity zones and Evulich Court development.

Ying Sosis discussed fire hazard severity zones and Evulich Court development.

Jennifer Griffin discussed proposed project revisions at Westport Cupertino

Maria Wong discussed a flag incident in the neighborhood.

Greg Updegraff discussed parking at Westport Cupertino.

Gilli Yahalam, representing The Bay Area Jewish Coalition, discussed a flag incident in the neighborhood.

Olga discussed a flag incident in the neighborhood.

Rey Mali discussed a flag incident in the neighborhood.

Planning Commissioner San R (representing self) discussed various topics prioritizing quality of life and public safety, 4th of July event, and Blackberry Farm facilities.

David Y discussed fire hazard severity zones and Evulich Court development.

Planning Commissioner Tracy K (representing self) discussed an informational memo to the Council on the Recycled Water Feasibility Study, dated February 14, 2025.

Mayor Chao requested an informational memo on parking along Mary Avenue near the Westport senior housing development.

CONSENT CALENDAR (Items 3-6)

Mayor Chao opened the public comment and, seeing no one, closed the public comment period.

MOTION: Moore moved and Wang seconded to adopt Items 3, 4, and 6 on the Consent Calendar. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

3. Subject: Approval of February 12, 2025 City Council minutes
Recommended Action: Approve the February 12, 2025 City Council minutes
4. Subject: Approval of February 19, 2025 City Council minutes
Recommended Action: Approve the February 19, 2025 City Council minutes
5. Subject: Setting a hearing date of June 17, 2025 to declare brush with potential fire hazard a public nuisance and for objections to proposed removal through the Cupertino Brush Abatement Program (Wildland-Urban Interface Fire Area); and adopting a resolution declaring properties as having potential fire hazards from brush and authorizing removal
Recommended Action: Adopt Resolution No 25-017 declaring properties as having potential fire hazards from brush; and set a hearing date of June 17, 2025 to declare brush with potential fire hazard a public nuisance and to hear objections to proposed removal

Written communications for this item included a desk item report.

As noted under Postponements and Orders of the Day, this item was tabled to a date to be determined.

6. Subject: Second reading for Zoning Map Amendment to correct zoning for Priority Housing Site No. 24 in the 6th Cycle Housing Element (Application No.(s): Z-2024-001, EA-2024-001; Applicant: City of Cupertino; APN: 359 13 019; Location: 20865 McClellan Road)
Recommended Action: Conduct the second reading and enact Ordinance No. 25-2268: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO CORRECTING THE ZONING OF A PRIORITY HOUSING ELEMENT SITE LOCATED

AT 20865 MCCLELLAN ROAD FROM R-3 TO R-3/TH TO ENSURE CONSISTENCY WITH THE GENERAL PLAN AND HOUSING ELEMENT”

PUBLIC HEARINGS – None

ACTION CALENDAR

7. Subject: Baker Tilly Budget Format Review and Performance Measures Updates
Recommended Action: Approve recommendations outlined in the recent the Budget Format Review and Performance Measures Updates report as prepared by Baker Tilly

Written communications for this item included an updated presentation, supplemental report with staff responses to councilmember questions, Amended Attachment G – Competitive and Non-Competitive Citywide Grants Tracking, and emails to the Council.

Director of Administrative Services Kristina Alfaro and Steve Toler, Director with Baker Tilly, gave a presentation.

Councilmembers asked questions and made comments.

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

Planning Commissioner San R (representing self)

Mayor Chao closed the public comment period.

MOTION: Chao moved and Fruen seconded to approve the recommendations, as amended, outlined in the recent Budget Format Review and Performance Measures Updates report as prepared by Baker Tilly.

Moore’s amendments to the Draft Implementation Action Plan:

- Item 12, Remove the full financial policies to retain in an appendix with the budget and any revision dates
- Item 15, Review the architecture and links in OpenGov to ensure accuracy
- Item 18, Eliminate the program budget information in the departmental sections (pages 23 to 29) – Hold off on this for a while
- Capital Improvement Program (CIP) item - set as a priority one, if possible
- Quarterly tracking of the CIP priorities - set as a priority two instead of priority three
- Item 26, Special Projects Policy - set as a priority one instead of a priority three

FRIENDLY AMENDMENT: Moore made a friendly amendment for the Council to

conduct a study session to review the Performance Measures Updates in Q1 (Chao and Fruen accepted the friendly amendment).

The amended motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

At 9:07 p.m., Mayor Chao recessed the meeting. The meeting reconvened at 9:13 p.m. with all Councilmembers present.

8. Subject: Accept the City Manager's Mid-Year Financial Report for Fiscal Year 2024-25; Budget Modification No. 2425-383, increasing appropriations by \$4,161,892 and revenues by \$4,115,183.

Recommended Action: 1. Accept the City Manager's Mid-Year Financial Report for Fiscal Year 2024-25

2. Adopt Resolution No. 25-018 approving Budget Modification No. 2425-383, increasing appropriations by \$4,161,892 and revenues by \$4,115,183.

Written communications for this item included a staff presentation, a supplemental report with staff responses to councilmember questions, and emails to the Council.

Director of Administrative Services Kristina Alfaro and Acting Budget Manager Toni Oasey-Anderson gave a presentation.

Councilmembers asked questions and made comments.

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

Jean Bedord

Planning Commissioner San R (representing self)

Mayor Chao closed the public comment period.

MOTION: Mohan moved and Fruen seconded to:

1. Accept the City Manager's Mid-Year Financial Report for Fiscal Year 2024-25
2. Adopt Resolution No. 25-018 approving Budget Modification No. 2425-383, increasing appropriations by \$4,161,892 and revenues by \$4,115,183.

The motion passed with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: Wang. Abstain: None. Absent: None.

9. Subject: Amendments to the Cupertino City Council Procedures Manual (Continued from February 19, 2025 City Council Meeting)

Recommended Action: Adopt Resolution No. 25-016 amending the Cupertino City

Council Procedures Manual

Written communications for this item included a staff presentation, Mayor Chao's and Councilmember Mohan's comments on Council Procedures Manual revisions, and emails to the Council.

City Attorney Flow Andrews gave a presentation.

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

Jean Bedord

Planning Commissioner San R (representing self)

Mayor Chao closed the public comment period.

Councilmembers asked questions and made comments.

MOTION: Fruen moved and Mohan seconded a motion to overrule the Chair. The motion failed with the following vote: Ayes: Fruen and Mohan. Noes: Chao, Moore, and Wang. Abstain: None. Absent: None.

MOTION: Chao moved and Moore seconded to approve the redlined version included in the agenda packet, with modifications.

Chao's modifications:

- 8.7.1 Councilmembers. "During public meetings, Councilmembers shall not text or otherwise communicate privately with any Public official...."
- 8.3 Order of Business. 15. Future Agenda Items, "...Councilmember Reports,... may include other matters serving the constituents...."
- 8.1 Meeting Schedule. "At prior to the second regular meeting in January,..."
- 8.4.2 Removing Item from Consent Calendar. "Items may be removed from the consent calendar by a member of the City Council...."
- 8.4.3 Questions and Comments. Councilmembers shall be given the opportunity to ask a clarifying question about a consent calendar item or make a brief comment..."
- 8.5 Public Comment. "...two or more up to five members of the public" can combine their time

The modified motion passed with the following vote: Ayes: Chao, Moore, and Wang. Noes: Fruen and Mohan. Abstain: None. Absent: None.

MOTION: Chao and Wang moved to extend the meeting until 11:30 p.m. to continue discussion on the item. The motion passed with the following vote: Ayes: Chao, Moore, and Wang. Noes:

Fruen and Mohan. Abstain: None. Absent: None.

SUBSTITUTE MOTION: Chao made a substitute motion to extend the meeting until 11:15 p.m. to continue discussion on the item. The substitute motion was not considered for lack of a second.

MOTION: Wang moved and Moore seconded to continue discussion of Chao's additional proposed amendments to the Cupertino City Council Procedures Manual to a future meeting or the next meeting, if possible. The motion passed with the following vote: Ayes: Chao, Moore, and Wang. Noes: Fruen and Mohan. Abstain: None. Absent: None.

STUDY SESSION

10. Subject: Study Session on updates to the Policies and Guidelines on Sister Cities, Friendship Cities, and International Delegations pertaining to international travel
Recommended Action: Study Session to consider, discuss and provide direction on revisions to the Policies and Guidelines on Sister Cities, Friendship Cities, and International Delegations pertaining to 1) international travel, including the addition of appropriate prior approvals for travel expenses and staff time away from usual duties at the City, and other related matters, and 2) staff time focused on supporting delegation visits to the City from Sister Cities and Friendship Cities

Written communications for this item included emails to the Council.

Mayor Chao introduced the item.

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

Planning Commissioner San R (representing self)
Gilbert Wong

Mayor Chao closed the public comment period.

Councilmembers asked questions and made comments.

MOTION: Chao moved and Wang seconded to continue the item and provide direction to staff to bring back a redlined version with Chao's proposed changes for Council consideration.

FRIENDLY AMENDMENT: Wang made a friendly amendment to bring the item back in one month. (Chao accepted the friendly amendment).

The amended motion passed with the following vote: Ayes: Chao, Moore, Mohan, and Wang. Noes: Fruen. Abstain: None. Absent: None.

ADJOURNMENT

At 11:31 p.m. Mayor Chao adjourned the Regular City Council Meeting per rule. There was no Council discussion on the remaining agenda items.

ITEMS REMOVED FROM THE CONSENT CALENDAR – None

CITY MANAGER REPORT

The Council did not hear this item.

ORAL COMMUNICATIONS - CONTINUED – None

COUNCILMEMBER REPORTS

11. Subject: Councilmember Reports

Councilmembers reported on their various committees and events as provided in the published agenda.

FUTURE AGENDA ITEMS

The Council did not hear this item.

As noted under Oral Communications, Mayor Chao requested an informational memo on parking along Mary Avenue near the Westport senior housing development.

Minutes prepared by:

Kirsten Squarcia, City Clerk