



**APPROVED MINUTES
CUPERTINO CITY COUNCIL
Friday, June 5, 2020**

SPECIAL CITY COUNCIL MEETING

At 4:30 p.m. Mayor Steven Scharf called the Special City Council meeting to order. This was a teleconference meeting with no physical location.

ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Darcy Paul, and Councilmembers Liang Chao, Rod Sinks, and Jon Robert Willey. Absent: None. All Councilmembers teleconferenced for the meeting.

CLOSED SESSION

Council went into closed session at 4:30 p.m. and reconvened in open session at 6:05 p.m. This was a teleconference meeting with no physical location.

The following people made public comments in open session before Council convened in closed session.

City Clerk Kirsten Squarcia read emails on behalf of Caryl Gorska and J.R. Fruen.

Lisa Warren and Bern Steves spoke.

Bicycle Pedestrian Commissioner Muni Madhhipatla (representing self) ceded his time to Bern Steves.

1. Subject: Public Employee Performance Evaluation (Gov't Code Section 54957). Title: City Attorney.

Written communications for this item included emails to Council.

In open session, Mayor Scharf announced that Council conducted the performance evaluation of the City Attorney. No reportable action was taken.

RECESS

OPEN SESSION

At 6:05 p.m. Mayor Steven Scharf reconvened the Special City Council meeting in open session. This was a teleconference meeting with no physical location.

ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Darcy Paul, and Councilmembers Liang Chao, Rod Sinks, and Jon Robert Willey. Absent: None. All Councilmembers teleconferenced for the meeting.

ORAL COMMUNICATIONS

Bicycle Pedestrian Commissioner Muni Madhhipatla (representing self) said to attach zero-tolerance conditions to the Sheriff's contract instead of defunding the department.

ORDINANCES AND ACTION ITEMS

2. Subject: Adopt Resolution Affirming the City's Commitment to Stand in Solidarity with the Black Community.
Recommended Action: Adopt Resolution No. 20-071 Affirming the City's Commitment to Stand in Solidarity with the Black Community.

Written Communications for this item included an amended Attachment A - Draft Resolution, and emails to Council.

Mayor Scharf opened public comment and the following people spoke:

Megha Illango said to take additional steps and review the current Sheriff's contract, limit unnecessary funds, and to President Obama's Town Hall pledge.

Uma Krishnan talked about the planned protest event and made a request for the Sheriff's Captain to march along with protestors.

Jehannez Dastoor thanked the Council for their solidarity, especially Councilmember Chao for her inspiring efforts to reach out.

Mayor Scharf closed public comment.

Scharf moved and Paul seconded to Adopt Resolution No. 20-071 Affirming the City's Commitment to Stand in Solidarity with the Black Community. The motion carried unanimously.

3. Subject: Receive City Manager's Status Report on Planned Protest Event in Cupertino. Recommended Action: Receive City Manager's Status Report on Planned Protest Event in Cupertino.

City Manager Deborah Feng gave a report.

Mayor Scharf opened the public comment and the following people spoke.

Bicycle Pedestrian Commissioner Muni Madhhipatla (representing self) talked about the importance of zero-tolerance policies.

Manali Begur asked about addressing the possibility of police intimidation against the scheduled protest.

G talked about finding ways to contribute towards new legislation on police training and accountability.

Uma Krishnan was concerned about ensuring youth protection during the planned protest.

Mayor Scharf closed public comment.

Council added a future study session to learn about the contractual structure of police training and recommendations for enforcement.

Council received the City Manager's Status Report on the Planned Protest Event in Cupertino.

4. Subject: An Urgency Ordinance of the City Council of the City of Cupertino authorizing the outdoor operations of qualifying establishments (restaurants, wineries, breweries, and bars) pursuant to a Special Temporary Outdoor Dining Permit.

Recommended Action: That the City Council:

- 1) Find that the proposed action is exempt from CEQA; and
- 2) Conduct the first and only reading and enact Ordinance No. 20-2207: "An Urgency Ordinance of the City Council of the City of Cupertino authorizing the outdoor operations of qualifying establishments (restaurants, wineries, breweries, and bars) pursuant to a special temporary outdoor dining permit."

Written Communications for this item included a staff presentation.

Director of Community Development Ben Fu gave a presentation.

City Clerk Kirsten Squarcia read the title of Ordinance No. 20-2207: "An Urgency Ordinance of the City Council of the City of Cupertino authorizing the outdoor operations of qualifying establishments (restaurants, wineries, breweries, and bars) pursuant to a special temporary outdoor dining permit."

Sinks moved and Paul seconded to:

1. Find that the proposed action is exempt from CEQA; and
2. Have the City Clerk's reading by title only of Ordinance No. 20-2207 constitute, as an urgency ordinance, the first and only reading thereof.; and
3. Enact Ordinance No. 20-2207.

Ayes: Scharf, Paul, Chao, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

ADJOURNMENT

At 7:20 p.m., Mayor Scharf adjourned the meeting.



Kirsten Squarcia, City Clerk