

CC 07-18-2023

#3

Accounts Payable

Desk Item



ADMINISTRATIVE SERVICES DEPARTMENT

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**CITY COUNCIL STAFF REPORT
DESK ITEM**

Meeting: July 18, 2023

Agenda Item #3

Subject

Consider ratifying Accounts Payable for the periods ending June 2, 2023; June 9, 2023; June 16, 2023; June 23, 2023; and June 30, 2023.

Recommended Action

- A. *Adopt Resolution No. 23-085 ratifying Accounts Payable for the Period ending June 2, 2023;*
- B. *B. Adopt Resolution No. 23-086 ratifying Accounts Payable for the Period ending June 9, 2023;*
- C. *C. Adopt Resolution No. 23-087 ratifying Accounts Payable for the Period ending June 16, 2023;*
- D. *D. Adopt Resolution No. 23-088 ratifying Accounts Payable for the Period ending June 23, 2023; and*
- E. *E. Adopt Resolution No. 23-089 ratifying Accounts Payable for the Period ending June 30, 2023.*

Background:

Staff's responses to questions received from councilmember are shown in italics.

Q1: Can you confirm that \$42,904 was the only payment made to Independent Investigator Linda Daube? **(Vice Mayor Mohan)**

Staff response: The City has made only one payment to the Law Office of Linda L. Daube.

Q2: Why did the City pay \$80,000 for the Via Shuttle? **(Vice Mayor Mohan)**

Staff response: The \$80,888.87 payment made on June 16, 2023, relates to May services rendered by Nomad Transit, LLC; the City is invoiced monthly for services rendered the previous month.

Attachments Provided with Original Staff Report:

A – Draft Resolution 6.2.23

B – Weekly AP Payment Register for the Period Ending 6.2.23

C – Draft Resolution 6.9.23

- D – Weekly AP Payment Register for the Period Ending 6.9.23*
- E – Draft Resolution 6.16.23*
- F – Weekly AP Payment Register for the Period Ending 6.16.23*
- G – Draft Resolution 6.23.23*
- H – Weekly AP Payment Register for the Period Ending 6.23.23*
- I – Draft Resolution 6.30.23*
- J – Weekly AP Payment Register for the Period Ending 6.30.23*

CC 07-18-2023

#4

Second Reading of
Ordinance
Regulation of Lobbying
Activities

Supplemental Report



CITY ATTORNEY'S OFFICE

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**CITY COUNCIL STAFF REPORT
SUPPLEMENTAL 1
Meeting: July 18, 2023**

Agenda Item #4

Subject

Consider a second reading and act on Ordinance No. 23-2249, amending Municipal Code Chapter 2.100 (Regulation of Lobbying Activities)

Recommended Action

Recommended Action: Conduct a second reading and enact Ordinance No. 23-2249; "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING CITY CODE CHAPTER 2.100," (Regulation of Lobbying Activities)

Background:

Staff's responses to questions received from councilmember are shown in italics.

Q1: Since the staff report does not mention the actual lobbyist registration fee, is the fee included in the fee study report? **(Mohan)**

Staff response: Lobbyist registration fees are included in Fee Schedule A (see Agenda Item No. 11) and will be included in the fee study that will be brought to Council later this year.

Attachments Provided with Original Staff Report:

- A. Draft Ordinance

CC 07-18-2023

#6

Blackberry Farms Pool
Improvements Project
Contract Award

Supplemental Report



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT

SUPPLEMENTAL 1

Meeting: July 18, 2023

Agenda Item #6

Subject

Award of a construction contract for the Blackberry Farms Pool Improvements Project to Adams Pool Solutions for replastering the pools.

Recommended Action

1. Award a construction contract for the Blackberry Farms Pool Improvements Project (Project No. 2022-107P) in the amount of \$320,609.25 to Adams Pool Solutions;
2. Authorize the City Manager to execute the contract when all conditions have been met; and
3. Authorize the Director of Public Works to execute any necessary construction change orders up to a construction contingency amount of \$32,060.93 (10%) for a total contract amount of \$352,670.18.

Staff's responses to questions received from councilmember are shown in italics.

Q1: Weren't there some interim improvements made to the BB Pools so they could be functional during summer? Is it safe to use the pools now without the replastering that will be done later? (**Mohan**)

Staff response: As stated in the Staff Report, interim improvements were completed in 2021. Work included spot repairs to resolve rust stains showing through the pool plaster. These repairs will allow the pools to operate safely through the current swim season. Full replastering is required to prevent the rust stains and other defects from reoccurring, and to maintain operations.

Attachments Provided with Original Staff Report:

- A. Draft Contract

CC 07-18-2023

#8

Highway Safety
Improvement Program
Grant Funding

Supplemental Report



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT

SUPPLEMENTAL 1

Meeting: July 18, 2023

Agenda Item #8

Subject

Acceptance of \$3,205,620 in Highway Safety Improvement Program (HSIP) grant funding from the State of California (State) for improving safety on 17 roadway segments in the City of Cupertino.

Recommended Action

1. Adopt Resolution No. 23-091 accepting \$3,205,620 in HSIP grant funding from the State of California for safety improvements on 17 roadway segments in the City of Cupertino; and
2. Authorize the City Manager to execute all documentation necessary to accept the grant funding.

Staff's responses to questions received from councilmember are shown in italics.

Q1: Since you have not identified the source for the matching funds, are you confident that the grant funding will be approved? What is the deadline for sending in the grant application? (**Mohan**)

Staff response: The City submitted the grant application to the State in September 2022, and the State has approved the grant funding. City staff is confident we will be reimbursed for expenditures in accordance with the grant agreement.

Attachments Provided with Original Staff Report:

- A. Draft Resolution

CC 07-18-2023

#12

FY 23-25 Work Program
Item on Noise Ordinance

Supplemental Report



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CITY COUNCIL STAFF REPORT SUPPLEMENTAL 1

Meeting: July 18, 2023

Agenda Item #12

Subject

Consider scheduling a Council agenda item to update the FY 23-25 City Work Program to include an item relating to the Noise Ordinance.

Recommended Action

Direct staff to 1) proceed or 2) not proceed with necessary analysis regarding preparing an update to the FY 23-25 City Work Program.

Staff's responses to questions received from councilmember are shown in italics.

Q1: Since CWP has already been approved, is there a quick solution to the problem instead of doing an extensive study of the noise level - Such as working with the businesses that the resident mentioned to see if the problem could be addressed by the businesses rather than the City? (Mohan)

Staff response: Staff sees no additional path forward without modifying the code. Staff has committed much time working with the resident and adjacent business towards addressing the concern. The business has made modifications to bring their equipment into compliance with the code. The next step would be to explore the amount of work necessary to modify the code and to provide the Council with alternatives within the work program for which item(s) would be delayed by taking on this effort.