



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

This will be a teleconference meeting without a physical location.

Tuesday, November 30, 2021

6:00 PM

Televised Special Meeting Open Session (6:00) and Non-Televised Closed Session (6:05)

TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION TO HELP STOP THE SPREAD OF COVID-19

In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19.

Members of the public wishing to observe the open session meeting may do so in one of the following ways:

- 1) Tune to Comcast Channel 26 and AT&T U-Verse Channel 99 on your TV.
- 2) The meeting will also be streamed live on and online at www.Cupertino.org/youtube and www.Cupertino.org/webcast

Members of the public wishing comment on an item on the agenda may do so in the following ways:

- 1) E-mail comments for the open or closed session by 4:30 p.m. on Tuesday, November 30 to the Council at citycouncil@cupertino.org. These e-mail comments will also be forwarded to Councilmembers by the City Clerk's office before the meeting and posted to the City's website after the meeting.

- 2) E-mail comments for the open or closed session during the times for public comment during the meeting to the City Clerk at cityclerk@cupertino.org. The City Clerk will read the emails into the record, and display any attachments on the screen, for up to 3 minutes (subject to the Mayor's discretion to shorten time for public comments). Members of the public that wish to share a document must email cityclerk@cupertino.org prior to speaking.

3) Teleconferencing Instructions

Members of the public may provide oral public comments pertaining to the agenda during the open session teleconference meeting or in open session prior to the closed session teleconference meeting as follows:

To address the City Council, click on the links below to access the open session and closed session meetings:

OPEN SESSION - 6:00 PM

Oral public comments will be accepted during the open session teleconference meeting. Comments may be made during the public comment period for each agenda item.

To address the City Council, click on the link below to register in advance and access the meeting:

Online Link for Open Session

https://cityofcupertino.zoom.us/webinar/register/WN_b7jqoBapT5OG6JHmKqye0w

Phone

Dial: 669-900-6833 and enter Webinar ID: 993 8008 6060 (Type *9 to raise hand to speak, *6 to unmute yourself). Unregistered participants will be called on by the last four digits of their phone number.

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

Meeting ID: 993 8008 6060

SIP: 99380086060@zoomcrc.com

After registering, you will receive a confirmation email containing information about joining the webinar.

CLOSED SESSION - 6:05 PM

Members of the public may provide oral public comments in open session prior to the closed session teleconference meeting as follows:

To address the City Council, click on the link below to register in advance and access the meeting:

Online Link for Closed Session

<https://cityofcupertino.zoom.us/j/95908503057>

Phone

Dial: 669-900-6833 and enter Meeting ID: 959 0850 3057 (Type *9 to raise hand to speak).

Please read the following instructions carefully:

1. You can directly download the teleconference software or connect to the meeting in your internet browser. If you are using your browser, make sure you are using a current and up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.
2. You will be asked to enter an email address and a name, followed by an email with instructions on how to connect to the meeting. Your email address will not be disclosed to the public. If you wish to make public comment pertaining to the agenda but do not wish to provide your name, you may say "Cupertino Resident" or similar designation.
3. When the Mayor calls for the item on which you wish to speak, click on "raise hand," or, if you are calling in, press *9. Speakers will be notified shortly before they are called to speak.
4. When called, please limit your remarks to the time allotted and the specific agenda topic.

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this teleconference City Council meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 6 hours in advance of the Council meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

NOTICE AND CALL FOR A SPECIAL MEETING OF THE CUPERTINO CITY COUNCIL

NOTICE IS HEREBY GIVEN that a special meeting of the Cupertino City Council is hereby called for Tuesday, November 30, 2021, commencing at 6:00 p.m. In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19. Said special meeting shall be for the purpose of conducting business on the subject matters listed below under the heading, "Special Meeting."

SPECIAL MEETING

OPEN SESSION - 6:00 PM

ROLL CALL

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the

public, it is requested that items under the Consent Calendar be acted on simultaneously.

1. Subject: Consider adopting a resolution authorizing continued remote teleconference meetings of the legislative bodies of the City of Cupertino for the period November 30, 2021 through December 30, 2021 pursuant to the Brown Act, as amended by AB 361
Recommended Action: Adopt Resolution No. 21-111 authorizing continued remote teleconference meetings of the legislative bodies of the City of Cupertino for the period November 30, 2021 through December 30, 2021 pursuant to the Brown Act, as amended by AB 361
[Staff Report](#)
[A - Draft Resolution](#)
[B - Adopted Resolution No. 21-098](#)

RECESS

ROLL CALL - 6:05 PM

CLOSED SESSION

2. Subject: Conference with Legal Counsel - Existing Litigation (Gov. Code § 54956.9(a)): Participation in nationwide opioids settlements
3. Subject: Conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to Gov. Code § 54956.9(c) (one case)
4. Subject: Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code § 54956.9(d) (one case)
5. Subject: Public Employee Performance Evaluation (Gov. Code § 54957(b)(1)); Title: Interim City Manager

OPEN SESSION

ROLL CALL

REPORT REGARDING CLOSED SESSION

ADJOURNMENT

The City of Cupertino has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a final decision of the City Council must be brought within 90 days after a decision is announced unless a shorter time is required by State or Federal law.

Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the

City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to <http://www.cupertino.org/cityclerk> for a reconsideration petition form.

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this teleconference meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 6 hours in advance of the meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the Cupertino City Council after publication of the packet will be made available for public inspection in the City Clerk's Office located at City Hall, 10300 Torre Avenue, Cupertino, California 95014, during normal business hours; and in Council packet archives linked from the agenda/minutes page on the Cupertino web site.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public records and will be made publicly available on the City website.