



OFFICE OF THE CITY CLERK

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366
CUPERTINO.ORG

NOTICE OF ADJOURNMENT OF THE JUNE 7, 2022 CITY COUNCIL MEETING AND NOTICE OF CONTINUATION OF SPECIAL MEETING (STUDY SESSION) ITEM 1 AND REGULAR MEETING ITEMS 14, 38, AND 39 HEARINGS (CONSIDERATION, DELIBERATION, AND DECISIONS) TO JUNE 9, 2022

NOTICE IS HEREBY GIVEN that the Special and Regular Meetings of the Cupertino City Council held on Tuesday, June 7, 2022 at 5:30 p.m. and 6:45 p.m. were adjourned to a virtual Special Meeting on Thursday, June 9, 2022 at 8:00 p.m. for purposes of continued hearing, consideration, deliberation, and decisions on all items listed as Special Meeting (Study Session) Item 1 and Regular Meeting Items 14, 38, and 39 on the Tuesday, June 7, 2022 City Council agenda. This will be a teleconference meeting without a physical location. Directions for accessing the meeting are listed below and detailed in the agenda.

Online

Register in advance for this webinar:

https://cityofcupertino.zoom.us/webinar/register/WN_iI4Rle6qTluXqQ5_xtWF4g

Phone

Dial: 669-900-6833 and enter Webinar ID: 998 4333 2195

1. Subject: Recommendation from the Parks and Recreation Commission to approve funds in the amount of \$96,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program and approval of final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023 (Continued from May 19, 2022)
Recommended Action: Consider the recommendation from the Parks and Recreation Commission to approve funds in the amount of \$96,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program. Determine and approve final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023; and provide direction to staff
14. Subject: Final Priority Ranking of Adopted FY 2022-2023 City Work Program
Recommended Action: Receive Final Priority Ranking of Adopted FY 2022-2023 City Work Program
38. Subject: Public hearing to consider the Capital Improvement Program (CIP); Consider supplemental information for the Capital Improvements Program; Consider the Recommended Budget for Fiscal Year (FY) 2022-23, adoption of the Budget for FY 2022-23, establishment of the Appropriation Limit, and related actions

Recommended Action: 1. Adopt Resolution No. 22-064 establishing an Operating Budget of \$126,027,164 for FY 2022-23, which includes the following changes to the FY 2022-23 Proposed Budget, published on May 1, 2022:

- a. Approve the operating budget of \$125,461,857 outlined in the FY 2022-23 Proposed Budget
- b. Approve the 12 position requests outlined in the FY 2022-23 Proposed Budget. The positions include:
 - i. Administrative Assistant in Administration
 - ii. Associate Planner in Community Development
 - iii. Budget Manager in Administrative Services
 - iv. Code Enforcement Officer in Community Development
 - v. Communications Analyst (Three-Year Limited-Term) in Administration
 - vi. Community Outreach Specialist in Community Development
 - vii. Maintenance Worker Lead in Public Works
 - viii. Management Analyst in Public Works
 - ix. Office Assistant in Community Development
 - x. Purchasing Manager in Administrative Services
 - xi. Senior Planner (Housing) in Community Development
 - xii. Senior Planner (Planning) in Community Development
- c. Approve an Assistant City Manager position in Administration and appropriations of \$386,988 as included in Attachment E
- d. Approve a Legislative Aide (Management Analyst) position in Administration and appropriations of \$183,365 as included in Attachment E
- e. Approve a \$180,000 reduction in appropriations for the Economic Development Fuse Fellow as included in Attachment E
- f. Approve a \$669,046 reduction in appropriations for Fixed Assets acquisition as included in Attachment E
- g. Approve \$348,427 of additional SB 1 revenue as included in Attachment E.
- h. Approve appropriations of \$736,500 for City Work Program items as included in Attachment E. The items include:
 - i. \$50,000 for Analyze Potential Revenue Measures
 - ii. \$10,000 for Artwork at the Library/Exhibits/Poetry and Art Day
 - iii. \$50,000 for Bicycle Facilities
 - iv. \$12,000 for Community Engagement on Alternative Transportation and Parking
 - v. \$145,000 for Cupertino Store Implementation
 - vi. \$7,500 for Cybersecurity Public Education
 - vii. \$50,000 for Electrification Study
 - viii. \$200,000 for Homeless Jobs Program
 - ix. \$25,000 for Housing for De Anza College Students
 - x. \$15,000 for Hybrid Meeting for City Council and Commission Meetings
 - xi. \$30,000 for Integrated Plan for Community Engagement

- xii. \$20,000 for Intergenerational Engagement
- xiii. \$60,000 for License Plate Readers
- xiv. \$12,000 for Safe Gun Storage Ordinance
- xv. \$35,000 for Senior Strategy
- xvi. \$15,000 for Student Internship Program
- i. Approve \$107,500 of transfers out from the General Fund to fund City Work Program projects
- j. Approve budget adjustments as presented in Attachment E
- 2. Adopt Resolution No. 22-065 establishing a Capital Improvement Program budget of \$12,617,200 for FY 2022-23
 - a. Approve appropriations of \$500,000 in the Capital Improvement Program Capital Projects Fund for the Blackberry Farms Pools Splash Pad project
 - b. Approve appropriations of \$4,000,000 in the Capital Improvement Program Capital Projects Fund for the City Hall and Library Parking Garage: Design and Construction project
 - c. Approve appropriations of \$1,300,000 in the Capital Improvement Program Capital Projects Fund for the City Lighting - LED Lighting project
 - d. Approve appropriations of \$525,000 in the Capital Improvement Program Capital Projects Fund for the De Anza Boulevard Buffered Bike Lanes project
 - e. Approve appropriations of \$850,000 in the Capital Improvement Program Capital Projects Fund for the Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities project
 - f. Approve appropriations of \$90,000 in the Capital Improvement Program Capital Projects Fund for the Stockmeir, Bryne and Blesch: Inspection Reports and Analysis project
 - g. Approve appropriations of \$95,000 in the Capital Improvement Program Capital Projects Fund for the ADA Improvements project
 - h. Approve appropriations of \$300,000 in the Capital Improvement Program Capital Projects Fund for the Annual Playground Replacement project
 - i. Approve appropriations of \$200,000 in the Capital Improvement Program Capital Projects Fund for the Park Amenity Improvements project
 - j. Approve appropriations of \$75,000 in the Capital Improvement Program Capital Projects Fund for the Street Light Installation - Annual Infill project
 - k. Approve \$4,308,600 of transfers out from the Capital Reserve to fund the Capital Improvement Program budget in FY 2022-23
 - l. Approve appropriations of \$23,600 in the Blackberry Farm Enterprise Fund for the Blackberry Farm Golf Renovation / Alternative Use Study project
 - m. Approve appropriations of \$350,000 in the Recreation Program Enterprise Fund for the Major Recreation Facilities: Use and Market Analysis project
- 3. Adopt Resolution No. 22-066 establishing an Appropriations Limit of \$122,756,522 for FY 2022-23
- 4. Adopt Resolution No. 22-067 amending the Unrepresented Employees'

Compensation Program to add a Budget Manager and Purchasing Manager

39. Subject: Consider approval to renew (with no increase) the 1992 Storm Drain Fee and the 2019 Clean Water and Storm Protection Fee

Recommended Action: Consider adoption and approval of:

1. Resolution No. 22-068 (Attachment A) approving the renewal and collection of the 1992 Storm Drain Fee with no increases in rates for fiscal year 2022-23;
2. Resolution No. 22-069 (Attachment B) approving the renewal and collection of the 2019 Clean Water and Storm Protection Fee with no increase in rates for fiscal year 2022-23

Dated this 8th day of June 2022



Kirsten Squarcia
City Clerk



AMENDED

AGENDA OF THE CUPERTINO CITY COUNCIL

Tuesday, June 7, 2022

Televised Special Meeting (5:30) and
Regular City Council Meeting (6:45)

CITY COUNCIL

DARCY PAUL, MAYOR

LIANG CHAO, VICE MAYOR

KITTY MOORE, COUNCILMEMBER

HUNG WEI, COUNCILMEMBER

JON ROBERT WILLEY, COUNCILMEMBER

IN-PERSON AND TELECONFERENCE MEETING

For more information:
(408) 777-3200 | www.cupertino.org

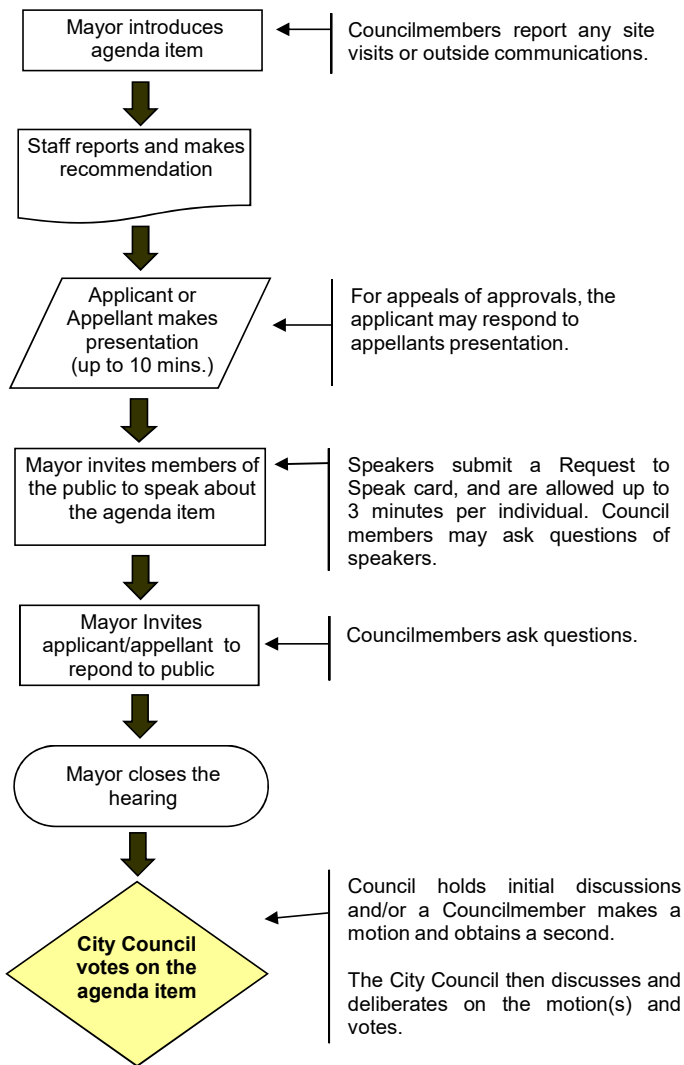
CONDUCT OF BUSINESS

The Mayor is the presiding officer of the City Council. Any member of the public may speak on any item on the agenda for up to three minutes. All statements and questions must be addressed to the Mayor.

City Council hearings serve as a venue for the discussion of sometimes divergent points of view. Please respect the opinions of others and refrain from cheering or clapping. That may delay the meeting or intimidate other persons wishing to express alternate views. Actions that disrupt the meeting will result in a warning, followed by removal if disruption continues.

The proceedings of the meeting are recorded, therefore members of the audience who address the City Council must come to the lectern/microphone, and are requested to complete a Speaker Card and identify themselves. Completion of Speaker Cards and identifying yourself is voluntary and not required to attend the meeting or provide comments.

FLOWCHART FOR HEARING ITEMS:



PUBLIC HEARINGS

The City Council is required by law to hold public hearings on certain matters prior to making its decision. Notice to interested parties is given by legal advertisement in the local newspaper of general circulation at least 10 calendar days preceding the hearing date. Applications requiring public hearings include change of zoning, variances, use permits, and tentative maps.

COUNCIL MEETINGS

The City Council regularly meets the first and third Tuesdays of each month. These meetings are held in the Council Chamber of the Cupertino Community Hall, 10350 Torre Avenue, at 6:45 p.m. Closed sessions, when needed, are normally held at 6:00 p.m. Closed sessions cover items such as personnel, litigation, or the sale, purchase, or lease of property. The law requires certain actions taken in closed session to be reported in open session.

Urgent business, holidays, or election days may trigger special or adjourned meetings. These meetings will be noticed beforehand.

AGENDAS, MINUTES, AND PACKETS AVAILABLE ON THE WEB

Agendas, minutes, and packets for current and prior City Council and Planning Commission meetings are available at www.cupertino.org, or you can purchase the items on CD.

CITY COUNCIL DECISION IS FINAL

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 www.cupertino.org/index.aspx?page=125 for a reconsideration petition form.

THE CITY COUNCIL AND STAFF

CITY COUNCIL

Cupertino is a General Law city organized under and subject to statutes of the State of California. It is governed by the five-member City Council with the Mayor as the presiding officer. City Council members are elected at-large to four-year, overlapping terms. Each November a mayor and a vice-mayor are selected by the City Council for a one-year term.

The City Council receives advice and assistance from eleven advisory bodies, which are appointed by the Council. These are the Audit Committee, Bicycle Pedestrian Commission, Fine Arts Commission, Housing Commission, Library Commission, Parks and Recreation Commission, Planning Commission, Public Safety Commission, Sustainability Commission, Teen Commission, and Technology, Information, and Communications Commission.

Council members also serve on a variety of regional bodies, including:

- Association of Bay Area Governments
- League of California Cities
- Santa Clara County (SCC) Cities Association
- SCC Emergency Preparedness Council
- SCC Library District
- SCC Emergency Preparedness Commission
- Santa Clara Valley Water Commission and Water District
- SCC Transportation Authority
- West Valley Mayors and Managers

STAFF

The City Manager and the City Attorney are appointed by the Council. The City Manager is responsible for interpreting and carrying out Council policies and direction, and as the chief administrative officer, the City Manager coordinates the many activities of the city and appoints the professional and technical staff. The City Attorney is the advisor to the City Council as a whole.

TYPES OF COUNCIL ACTIONS

ORDINANCES

Ordinances are the means by which the City enacts its local laws. Unless an urgent situation exists, ordinances will first be presented at a Council meeting as a "first reading." At a subsequent Council meeting, there will be a "second reading and adoption." Ordinances go into effect after a waiting period of thirty days, in most cases, during which time the summary of the ordinance is published in a local newspaper approved for this purpose.

RESOLUTIONS

Resolutions and minute orders are the means by which the City Council formally adopts policies or approves specific actions. These go into effect when adopted.

APPEALS

Any interested person, including a Council member, may appeal a Planning Commission or Director of Community Development decision to the City Council. An appeal must be submitted in writing to the City Clerk within 14 calendar days of the mailing of the notice of the decision.

RECONSIDERATION

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 [www.http://www.cupertino.org/index.aspx?page=125](http://www.cupertino.org/index.aspx?page=125) for a reconsideration petition form.

COMMUNICATING WITH COUNCIL

All Council members: citycouncil@cupertino.org

Darcy Paul	DPaul@cupertino.org	(408) 777-3195
Liang Chao	LiangChao@cupertino.org	(408) 777-3192
Kitty Moore	Kmoore@cupertino.org	(408) 777-1398
Hung Wei	HWei@cupertino.org	(408) 777-3139
Jon Robert Willey	JWilley@cupertino.org	(408) 777-3193
Executive Assistant	Debran@cupertino.org	(408) 777-3212
City Hall	www.cupertino.org	(408) 777-CITY

Please note: the City Council discourages submission of written materials on the day of the meeting as this does not provide enough time to give the materials fair evaluation. If you must provide written materials on the day of the meeting, as least one copy must be given to the City Clerk for the permanent record, and ten copies are preferred.

NEWS AND NOTICES FROM CITY HALL

EMAIL

Sign up for e-notification of agendas, elections, and other news on the city website at www.cupertino.org/notify

TELEVISION

The City Channel broadcasts City Council and Planning Commission meetings, as well as agenda previews, public service announcements, and other programs of community interest, on Channel 26 in Cupertino. The meetings are shown at these times:

Tuesday (live)	6:45 p.m.	Friday (replay)	10:00 a.m.
Thursday (replay)	7:00 p.m.	Saturday (replay)	9:00 a.m.

INTERNET

City Council and Planning Commission videos are available on demand at www.cupertino.org. Select "I Want To, View City Council meetings".

News and community information can also be found at:

<https://www.facebook.com/cityofcupertino/>

<https://twitter.com/CityofCupertino>

<https://www.instagram.com/cityofcupertino>

AUDIO

Tune into Radio Cupertino, 1670 AM, for meeting announcements, public service messages, and emergency announcements.

USEFUL TELEPHONE NUMBERS

City of Cupertino (City Hall)	General Information and Comments	(408) 777-CITY
Fire (Emergency)	Santa Clara County Fire Dept. dispatch	911
Fire (Non-Emergency)	Santa Clara County Fire Dept.	(408) 378-4010
Garbage	Recology South Bay	(408) 725-4020
Gas & Electricity	Pacific Gas & Electric (PG&E)	1-800-743-5000
Recreation & Community Services	Quinlan Community Center	(408) 777-3120
Police (Emergency)	Santa Clara County Sheriff dispatch	911
Police (Non-Emergency)	Santa Clara County Sheriff	(408) 868-6600
Public Health	Santa Clara County Public Health	(408) 732-3720
Sanitary Sewers	Cupertino Sanitary District	(408) 253-7071
Water	San Jose Water	(408) 279-7900
	California Water	(650) 917-0152



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Council Chamber and via Teleconference

Tuesday, June 7, 2022

5:30 PM

Amended Televised Special Meeting Study Session (5:30) and Regular City Council Meeting (6:45)

Amended on 6/3/2022 at 2:30 p.m. to add Postponements and Orders of the Day Item No. 4 Accounts Payable for Period Ending December 20, 2021; and to update Attachment K, add Supplemental Staff Report, and add Supplemental Staff Report Attachment A for Item No. 38 CIP and Recommended Budget.

IN-PERSON AND TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION

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

- 1) Attend in person at Cupertino Community Hall, 10350 Torre Avenue.
- 2) Tune to Comcast Channel 26 and AT&T U-Verse Channel 99 on your TV.
- 3) 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 to comment on an item on the agenda may do so in the following ways:

- 1) Appear in person at Cupertino Community Hall. Members of the audience who address the City Council must come to the lectern/microphone, and are requested to complete a Speaker Card and identify themselves. Completion of Speaker Cards and identifying yourself is voluntary and not required to attend the meeting or provide comments.
- 2) E-mail comments by 4:30 p.m. on Tuesday, June 7 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.
- 3) E-mail comments 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 three 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.

Members of the public may provide oral public comments during the meeting as follows:

Oral public comments will be accepted during the meeting. Comments may be made during “oral communications” for matters not on the agenda, and during the public comment period for each agenda item.

Teleconferencing Instructions

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

Online

Register in advance for this webinar:

~~https://cityofcupertino.zoom.us/webinar/register/WN_mFnTBOWBTfiPpXdkhyMW9Q~~
https://cityofcupertino.zoom.us/webinar/register/WN_iI4Rle6qTIuXqQ5_xtWF4g

Phone

998 4333 2195

Dial: 669-900-6833 and enter Webinar ID: ~~953-2463-7367~~ (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)

162.255.36.11 (US East)

Meeting ID: 953 2463 7367

SIP: 95324637367@zoomcrc.com

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

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 an oral public comment but do not wish to provide your name, you may enter "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 48 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, June 07, 2022, commencing at 5:30 p.m. in Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, California 95014 and via teleconference. Said special meeting shall be for the purpose of conducting business on the subject matters listed below under the heading, "Special Meeting."

SPECIAL MEETING

ROLL CALL - 5:30 PM

STUDY SESSION

1. Subject: Recommendation from the Parks and Recreation Commission to approve funds in the amount of \$96,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program and approval of final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023 (Continued from May 19, 2022)

Recommended Action: Consider the recommendation from the Parks and Recreation Commission to approve funds in the amount of \$96,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program. Determine and approve final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023; and provide direction to staff

Presenter: Rachelle Sander, Assistant Director of Parks and Recreation

[Staff Report](#)

[A - Community Funding Applications and Preliminary Eligibility Evaluations](#)

[B - Commissioner Community Funding Evaluation Form](#)

[C - Evaluation Totals and Parks and Recreation Commission Recommendation](#)

[D - Community Funding Grant Policy](#)

[E - Community Funding Historical Funding Information FY 2018-2022](#)

ADJOURNMENT

REGULAR MEETING

PLEDGE OF ALLEGIANCE - 6:45 PM

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation recognizing June as Immigrant Heritage Month to celebrate the history and achievements of immigrant communities across our Nation
Recommended Action: Present proclamation recognizing June as Immigrant Heritage Month to celebrate the history and achievements of immigrant communities across our Nation
[A - Proclamation](#)
2. Subject: Proclamation recognizing June as Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) Pride Month to honor the achievements of the LGBTQI+ community and to celebrate diversity
Recommended Action: Present proclamation recognizing June as Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) Pride Month to honor the achievements of the LGBTQI+ community and to celebrate diversity
[A - Proclamation](#)

POSTPONEMENTS AND ORDERS OF THE DAY

3. Subject: Professional Turf Management Contract History (Informational referral from May 19, 2022)
Recommended Action: Receive an update on the Professional Turf Management Contract History /// Recommended Postponement: Postponement to June 21, 2022 meeting
4. Subject: Consider accepting Accounts Payable for the period ending December 20, 2021 (Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-015 accepting Accounts Payable for the period ending December 20, 2021 /// Recommended Postponement: Postponement to June 21, 2022 meeting

[Staff Report - Chamber AP 06-07-2022 - FINAL](#)
[A - Payments to Chamber Jan 2015 - Mar 2022](#)
[B - Festivals - City Fees Waived & City Expenses](#)
[C - Reservations for Meeting Space at City Facilities](#)
[D - Draft Resolution](#)
[E - AP Report \(Including Chamber Contract Payment\)](#)
[F - I Love Cupertino Invoices](#)

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Council on any matter within the jurisdiction of the Council and not on the agenda. The total time for Oral Communications will ordinarily be limited to one hour. Individual speakers are limited to three (3) minutes. As necessary, the Chair may further limit the time allowed to individual speakers, or reschedule remaining comments to the end of the meeting on a first come first heard basis, with priority given to students. In most cases, State law will prohibit the Council from discussing or making any decisions with respect to a matter not listed on the agenda. A councilmember may, however, briefly respond to statements made or questions posed by speakers. A councilmember may also ask a question for clarification, provide a reference for factual information, request staff to report back concerning a matter, or request that an item be added to a future City Council agenda in response to public comment.

REPORTS BY COUNCIL AND STAFF

5. Subject: Brief reports on councilmember activities and brief announcements
Recommended Action: Receive brief reports on councilmember activities and brief announcements
6. Subject: Report on Committee assignments
Recommended Action: Report on Committee assignments
7. Subject: Report on Subcommittee assignments
Recommended Action: Report on Subcommittee assignments
8. Subject: City Manager update
 - a. Updates on City business
 - b. Discussion of format of City Council meetingsRecommended Action: Receive City Manager update on City business and provide direction on whether City Council meetings should be hybrid or fully remote

CONSENT CALENDAR (Items 9-36)

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.

9. Subject: Approve the May 17 City Council minutes
Recommended Action: Approve the May 17 City Council minutes
[A - Draft Minutes](#)
10. Subject: Approve the May 19 City Council minutes
Recommended Action: Approve the May 19 City Council minutes
[A - Draft Minutes](#)
11. Subject: Approve the May 24 City Council minutes
Recommended Action: Approve the May 24 City Council minutes
[A - Draft Minutes](#)
12. Subject: Consider adopting a resolution authorizing continued remote teleconference meetings of the legislative bodies of the City of Cupertino for the period June 7, 2022 through July 7, 2022 pursuant to the Brown Act, as amended by AB 361
Recommended Action: Adopt Resolution No. 22-061 authorizing continued remote teleconference meetings of the legislative bodies of the City of Cupertino for the period June 7, 2022 through July 7, 2022 pursuant to the Brown Act, as amended by AB 361
[Staff Report](#)
[A - Draft Resolution](#)
[B – Adopted Resolution No. 22-057](#)
[C – Health Officer Recommendation Regarding Public Governmental Meetings](#)
13. Subject: Consider adopting a resolution calling for a consolidated General Municipal Election on November 8, 2022, to fill three City Council seats
Recommended Action: Adopt Resolution No. 22-062 calling for a consolidated General Municipal Election on November 8, 2022, to fill three City Council seats
[Staff Report](#)
[A - Draft Resolution](#)
[B - Election Calendar](#)
[C - Election Cost Estimate](#)
14. Subject: Final Priority Ranking of Adopted FY 2022-2023 City Work Program
Recommended Action: Receive Final Priority Ranking of Adopted FY 2022-2023 City Work Program
[Staff Report](#)
[A - Final Priority Ranking for Adopted FY 2022-2023 City Work Program](#)
15. Subject: Consider accepting Accounts Payable for the period ending February 7, 2022 (Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-036 accepting Accounts Payable for the period ending February 7, 2022

[A - Draft Resolution](#)

[B - AP Report](#)

16. Subject: Consider accepting Accounts Payable for the period ending February 14, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-037 accepting Accounts Payable for the period ending February 14, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
17. Subject: Consider accepting Accounts Payable for the period ending February 21, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-038 accepting Accounts Payable for the period ending February 21, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
18. Subject: Consider accepting Accounts Payable for the period ending February 22, 2022
MISC (Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-039 accepting Accounts Payable for the period ending February 22, 2022 MISC
[A - Draft Resolution MISC](#)
[B - AP Report MISC](#)
19. Subject: Consider accepting Accounts Payable for the period ending February 28, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-040 accepting Accounts Payable for the period ending February 28, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
20. Subject: Consider accepting Accounts Payable for the period ending March 7, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-041 accepting Accounts Payable for the period ending March 7, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
21. Subject: Consider accepting Accounts Payable for the period ending March 14, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-042 accepting Accounts Payable for the period ending March 14, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
-

22. Subject: Consider accepting Accounts Payable for the period ending March 21, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-043 accepting Accounts Payable for the period ending March 21, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
23. Subject: Consider accepting Accounts Payable for the period ending March 28, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-044 accepting Accounts Payable for the period ending March 28, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
24. Subject: Consider accepting Accounts Payable for the period ending March 28, 2022
MISC (Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-045 accepting Accounts Payable for the period ending March 28, 2022 MISC
[A - Draft Resolution MISC](#)
[B - AP Report MISC](#)
25. Subject: Consider accepting Accounts Payable for the period ending April 4, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-051 accepting Accounts Payable for the period ending April 4, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
26. Subject: Consider accepting Accounts Payable for the period ending April 11, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-052 accepting Accounts Payable for the period ending April 11, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
27. Subject: Consider accepting Accounts Payable for the period ending April 18, 2022
(Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-053 accepting Accounts Payable for the period ending April 18, 2022
[A - Draft Resolution](#)
[B - AP Report](#)

-
28. Subject: Consider accepting Accounts Payable for the period ending April 25, 2022 (Continued from May 17, 2022)
Recommended Action: Adopt Resolution No. 22-054 accepting Accounts Payable for the period ending April 25, 2022
[A - Draft Resolution](#)
[B - AP Report](#)
29. Subject: Consider the Monthly Treasurer's Investment Report for April 2022
Recommended Action: Accept the Monthly Treasurer's Investment Report for April 2022
[Staff Report](#)
[A - Chandler Investment Report April 2022](#)
[B - Chandler Custodial Statement April 2022](#)
[C - PARS Pension and OPEB Account Statement April 2022](#)
[D - LAIF Statement April 2022](#)
[E - Wells Fargo Operating Checking Account Statement April 2022](#)
[F - Wells Fargo Payroll Checking Account Statement April 2022](#)
[G - Wells Fargo Workers' Compensation Checking Account Statement April 2022](#)
[H - Wells Fargo Employee Benefits Checking Account Statement April 2022](#)
[I - BNY Mellon Statement April 2022](#)
30. Subject: Consider the Monthly Treasurer's Report for April 2022
Recommended Action: Accept the Monthly Treasurer's Report for April 2022
[Staff Report](#)
[A - Report of City-wide Receipts, Disbursements, and Cash Balances April 2022](#)
[B - Report of City-wide Fund Balances April 2022](#)
31. Subject: Consider the Monthly Treasurer's Report for March 2022
Recommended Action: Review Monthly Treasurer's Report for March 2022
[Staff Report](#)
[A - Report of City-wide Receipts, Disbursements, and Cash Balances March 2022](#)
[B - Report of City-wide Fund Balances March 2022](#)
32. Subject: Consider the Treasurer's Investment Report for Quarter Ending March 31, 2022
Recommended Action: Accept the Treasurer's Investment Report for Quarter Ending March 31, 2022
-

[Staff Report](#)[A - Chandler Investment Report for Quarter Ending March 31, 2022](#)[B - Chandler Custodial Statement March 2022](#)[C - LAIF Statement March 2022](#)[D - US Bank Pension and OPEB Performance Report for Quarter Ending March 31, 2022](#)[E - Wells Fargo Operating Checking Account Statement March 2022](#)[F - Wells Fargo Workers' Compensation Checking Account Statement March 2022](#)[G - Wells Fargo Payroll Checking Account Statement March 2022](#)[H - Wells Fargo Employee Benefits Checking Account Statement March 2022](#)[I - BNY Mellon Statement March 2022](#)

33. **Subject:** Consider an Agreement with Fremont Union High School District (FUHSD) and Cupertino Union School District (CUSD) for the Crossing Guard Program.
Recommended Action: Authorize the City Manager to enter into Agreement with Fremont Union High School District (FUHSD) and Cupertino Union School District (CUSD) to share costs for the City of Cupertino's (City) Crossing Guard Program.
[Staff Report](#)
[A - Proposed Agreement](#)
[B - 2016 Agreement](#)
34. **Subject:** Consider Fiscal Year (FY) 2022-23 projects proposed to receive \$1,337,044 in funding from the Road Maintenance and Rehabilitation Account (RMRA), created by Senate Bill 1 (SB 1)
Recommended Action: Adopt Resolution No. 22-063, establishing a list of projects proposed to be funded by \$1,337,044 of RMRA SB 1 revenues, estimated to be received in FY 2022-23
[Staff Report](#)
[A - Draft Resolution](#)
35. **Subject:** Consider award of a construction contract for the Homestead Road-North De Anza Boulevard Traffic Signal Modification Project (Project No. 2022-16) for the construction of new traffic signal poles and mast arms at the northeast and southwest corners of the intersection, including removal of medial-mounted poles
Recommended Action: 1. Award a construction contract for the Homestead-North De Anza Boulevard Traffic Signal Modification Project and authorized the City Manager to execute the contract in the amount of \$287,625 with Tennyson Electric, Inc; and
2. Authorize the Director of Public Works to execute any necessary change orders up to a construction contingency amount of \$28,763 (10%) for a total authorized contract amount of \$316,388; and
3. Adopt Resolution No. 22-070 to approve budget modification #2122-201 increasing appropriations in the Capital Improvement Program Capital Projects Fund (420-99-036) by \$25,238 for contingency and \$71,420 for construction management and inspection services, for a total of \$96,658 for the Homestead Road-North De Anza Boulevard Traffic Signal Modification Project

[Staff Report](#)

[A - Draft Contract](#)

[B - Draft Resolution](#)

36. Subject: Consider award of a construction contract for the Memorial Park Ponds Repurposing Project (Project 2022-03) for removal of concrete ponds at Memorial Park, including associated demolition, grading, drainage, minor paving, landscaping, and irrigation facilities

Recommended Action: Award a construction contract for the Memorial Park Ponds Repurposing Project, authorize the City Manager to execute a contract in the amount of \$1,324,207.00 with Granite Rock Company, and authorize the Director of Public Works to execute any necessary change orders, up to the construction contingency amount of \$132,420.70 (10% of contract amount), for a total authorized contract amount of \$1,456,627.70

[Staff Report](#)

[A - Draft Contract](#)

STUDY SESSION

37. Subject: Study Session and Consideration of Design Professional Services Agreement between the City of Cupertino and Dialog Design LLP for the City Hall Annex at 10455 Torre Ave

Recommended Action: 1. Authorize the City Manager to execute a Design Professional Services Agreement between the City and DIALOG Design LP to provide design services for the City Hall Annex in the amount of \$443,480; and

2. Authorize the Director of Public Works to execute any necessary services or change orders, up to a contingency amount of \$65,022 (15% of base services,) for a total appropriation of \$508,502

[Staff Report](#)

[A - Draft Agreement](#)

[B - City Hall Annex Design Services RFQ Appendices A-F](#)

[C - City Hall Annex Design Services RFQ Appendix G](#)

PUBLIC HEARINGS

38. Subject: Public hearing to consider the Capital Improvement Program (CIP); Consider supplemental information for the Capital Improvements Program; Consider the Recommended Budget for Fiscal Year (FY) 2022-23, adoption of the Budget for FY 2022-23, establishment of the Appropriation Limit, and related actions

Recommended Action: 1. Adopt Resolution No. 22-064 establishing an Operating Budget of \$126,027,164 for FY 2022-23, which includes the following changes to the FY 2022-23 Proposed Budget, published on May 1, 2022:

- a. Approve the operating budget of \$125,461,857 outlined in the FY 2022-23 Proposed Budget
- b. Approve the 12 position requests outlined in the FY 2022-23 Proposed Budget. The positions include:
 - i. Administrative Assistant in Administration
 - ii. Associate Planner in Community Development
 - iii. Budget Manager in Administrative Services
 - iv. Code Enforcement Officer in Community Development
 - v. Communications Analyst (Three-Year Limited-Term) in Administration
 - vi. Community Outreach Specialist in Community Development
 - vii. Maintenance Worker Lead in Public Works
 - viii. Management Analyst in Public Works
 - ix. Office Assistant in Community Development
 - x. Purchasing Manager in Administrative Services
 - xi. Senior Planner (Housing) in Community Development
 - xii. Senior Planner (Planning) in Community Development
- c. Approve an Assistant City Manager position in Administration and appropriations of \$386,988 as included in Attachment E
- d. Approve a Legislative Aide (Management Analyst) position in Administration and appropriations of \$183,365 as included in Attachment E
- e. Approve a \$180,000 reduction in appropriations for the Economic Development Fuse Fellow as included in Attachment E
- f. Approve a \$669,046 reduction in appropriations for Fixed Assets acquisition as included in Attachment E
- g. Approve \$348,427 of additional SB 1 revenue as included in Attachment E.
- h. Approve appropriations of \$736,500 for City Work Program items as included in Attachment E. The items include:
 - i. \$50,000 for Analyze Potential Revenue Measures
 - ii. \$10,000 for Artwork at the Library/Exhibits/Poetry and Art Day
 - iii. \$50,000 for Bicycle Facilities
 - iv. \$12,000 for Community Engagement on Alternative Transportation and Parking
 - v. \$145,000 for Cupertino Store Implementation
 - vi. \$7,500 for Cybersecurity Public Education
 - vii. \$50,000 for Electrification Study
 - viii. \$200,000 for Homeless Jobs Program
 - ix. \$25,000 for Housing for De Anza College Students
 - x. \$15,000 for Hybrid Meeting for City Council and Commission Meetings
 - xi. \$30,000 for Integrated Plan for Community Engagement

- xii. \$20,000 for Intergenerational Engagement
- xiii. \$60,000 for License Plate Readers
- xiv. \$12,000 for Safe Gun Storage Ordinance
- xv. \$35,000 for Senior Strategy
- xvi. \$15,000 for Student Internship Program
- i. Approve \$107,500 of transfers out from the General Fund to fund City Work Program projects
- j. Approve budget adjustments as presented in Attachment E
- 2. Adopt Resolution No. 22-065 establishing a Capital Improvement Program budget of \$12,617,200 for FY 2022-23
 - a. Approve appropriations of \$500,000 in the Capital Improvement Program Capital Projects Fund for the Blackberry Farms Pools Splash Pad project
 - b. Approve appropriations of \$4,000,000 in the Capital Improvement Program Capital Projects Fund for the City Hall and Library Parking Garage: Design and Construction project
 - c. Approve appropriations of \$1,300,000 in the Capital Improvement Program Capital Projects Fund for the City Lighting - LED Lighting project
 - d. Approve appropriations of \$525,000 in the Capital Improvement Program Capital Projects Fund for the De Anza Boulevard Buffered Bike Lanes project
 - e. Approve appropriations of \$850,000 in the Capital Improvement Program Capital Projects Fund for the Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities project
 - f. Approve appropriations of \$90,000 in the Capital Improvement Program Capital Projects Fund for the Stocklmeir, Bryne and Blesch: Inspection Reports and Analysis project
 - g. Approve appropriations of \$95,000 in the Capital Improvement Program Capital Projects Fund for the ADA Improvements project
 - h. Approve appropriations of \$300,000 in the Capital Improvement Program Capital Projects Fund for the Annual Playground Replacement project
 - i. Approve appropriations of \$200,000 in the Capital Improvement Program Capital Projects Fund for the Park Amenity Improvements project
 - j. Approve appropriations of \$75,000 in the Capital Improvement Program Capital Projects Fund for the Street Light Installation - Annual Infill project
 - k. Approve \$4,308,600 of transfers out from the Capital Reserve to fund the Capital Improvement Program budget in FY 2022-23
 - l. Approve appropriations of \$23,600 in the Blackberry Farm Enterprise Fund for the Blackberry Farm Golf Renovation / Alternative Use Study project
 - m. Approve appropriations of \$350,000 in the Recreation Program Enterprise Fund for the Major Recreation Facilities: Use and Market Analysis project
- 3. Adopt Resolution No. 22-066 establishing an Appropriations Limit of \$122,756,522 for FY 2022-23

4. Adopt Resolution No. 22-067 amending the Unrepresented Employees' Compensation Program to add a Budget Manager and Purchasing Manager
Presenter: Kristina Alfaro, Director of Administrative Services

[Staff Report](#)

[Supplemental Staff Report](#)

[Supplemental Staff Report Attachment A – CIP Project Ranking](#)

[A - Draft Resolution - Operating Budget for Fiscal Year 2022-23](#)

[B - Draft Resolution - Capital Budget for Fiscal Year 2022-23](#)

[C - Draft Resolution - Appropriation Limit for Fiscal Year 2022-23](#)

[D - Budget Adjustments Summary and Detail](#)

[E - Appropriation Limit for Fiscal Year 2022-23](#)

[F - Appropriation Limit Price and Population Factors updated](#)

[G - Budget Manager and Purchasing Manager Job Descriptions](#)

[H - Draft Resolution Amending Unrepresented Employees' Compensation Program 06.07.2022](#)

[I - Unrepresented Comp - Revised - 06.07.2022 Clean Draft - Adding Budget and Purchasing Mgr](#)

[J - Unrepresented Comp - Revised - 06.07.2022 Redline Draft - Adding Budget and Purchasing Mgr](#)

[K - Proposed Budget Questions and Responses](#)

[L - Planning Commission Draft Resolution](#)

[M - CIP Supplemental Information](#)

39. Subject: Consider approval to renew (with no increase) the 1992 Storm Drain Fee and the 2019 Clean Water and Storm Protection Fee

Recommended Action: Consider adoption and approval of:

1. Resolution No. 22-068 (Attachment A) approving the renewal and collection of the 1992 Storm Drain Fee with no increases in rates for fiscal year 2022-23;
2. Resolution No. 22-069 (Attachment B) approving the renewal and collection of the 2019 Clean Water and Storm Protection Fee with no increase in rates for fiscal year 2022-23

Presenter: Ursula Syrova, Environmental Programs Manager

[Staff Report](#)

[A - Draft Resolution 1992 Fee](#)

[B - Draft Resolution 2019 Fee](#)

[C - Clean Water and Storm Protection Fee Ordinance with Fee Report](#)

[D - Calendar Year 2020 Storm Drain AUP Report](#)

ORDINANCES AND ACTION ITEMS- None

ORAL COMMUNICATIONS - CONTINUED (As necessary)

COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS

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 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 48 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.