



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

This will be a teleconference meeting without a physical location.

Tuesday, March 8, 2022

6:00 PM

Televised Special Meeting - Continued from March 1, 2022

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 comment on an item on the agenda may do so in the following ways:

1) E-mail comments by 4:30 p.m. on Tuesday, March 8, 2022 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 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 teleconference meeting as follows:

Oral public comments will be accepted during the 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

Register in advance for this webinar:

https://cityofcupertino.zoom.us/webinar/register/WN_je-0z55OSWeO98q0G-5RZg

Phone

**Dial: 669-900-6833 and enter Webinar ID: 990 1250 6368 (Type *9 to raise hand to speak).
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: 990 1250 6368

SIP: 99012506368@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 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, March 08, 2022, 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**ROLL CALL****ORDINANCES AND ACTION ITEMS - CONTINUED FROM MARCH 1, 2022**

1. Subject: (Item 11 on March 1, 2022 Agenda) Consider accepting the Mid-Year Financial Report for Fiscal Year 2021-22; consider adopting Resolution No. 22-032 approving Budget Modification #2122-189 increasing appropriations by \$9,457,951 and revenues by \$10,220,000

Recommended Action: 1. Consider Accepting the City Manager's Mid-Year Financial Report for FY 2021-22

2. Consider Adopting Resolution No. 22-032 approving Budget Modification #2122-189 increasing appropriations by \$9,457,951 and revenues by \$10,220,000

3. Consider Approving the Conversion of (One) Limited-Term Project Manager Position to Full-Term Position.

4. Consider Approving Amendments to City's Committed, Unassigned Fund Balance, and Use of One Time Funds Policy which includes the following changes:

a. Consider Approving \$2,000,000 contribution from the General Fund to the City's Section 115 Pension Trust

b. Consider Increasing the City's General Fund Economic Uncertainty Committed Reserve by \$5,000,000

c. Consider Establishing a General Fund Capital Project Committed Reserve in the amount of \$10,000,000

Presenter: Kristina Alfaro, Administrative Services Director

[March 1, 2022 Staff Report](#)

[A - Draft Resolution](#)

[B - Mid-Year Financial Report for Fiscal Year 2021-22](#)

[C - Mid-Year Performance Measures](#)

[D - Mid-Year Budget Adjustment Journal](#)

[E - Budget Transfers Detail as of 12.31.2021](#)

[F - Committed, Unassigned Fund Balance, and Use of One Time Funds Policy \(Clean\)](#)

[G - Committed, Unassigned Fund Balance, and Use of One Time Funds Policy \(Redline\)](#)

2. Subject: (Item 12 on March 1, 2022 Agenda) Progress update of the Housing Element Update, and review, discuss, and approve selection of stakeholders group
Recommended Action: Receive report and provide feedback on the progress, review the stakeholders selection process, and consider approval of the stakeholders group
Presenter: Ben Fu, Community Development Director
[March 1, 2022 Staff Report](#)
[Supplemental Staff Report Memo by EMC](#)
[A - 6th Cycle Housing Element Update—Public Engagement Activities to date](#)
[B - Stakeholder group Questions](#)
[C - List of Recommended stakeholder scores and response to primary narrative question](#)
[D - HCD Revision request letter for Monterey Park](#)

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.

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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.