

## Youtube and Zoom Transcription

[https://youtube.com/playlist?list=PLTliH-kfVKobV4UCzYwEkLycGaR5LeMFP&si=J4Ty05tGLzBwb\\_j3](https://youtube.com/playlist?list=PLTliH-kfVKobV4UCzYwEkLycGaR5LeMFP&si=J4Ty05tGLzBwb_j3)

### WEBVTT

1

00:00:30.030 --> 00:00:31.829

Speaker 1 (Community Hall): Recording in progress.

2

00:00:34.330 --> 00:00:39.740

Speaker 1 (Community Hall): Good evening. It is 546. I call this April 7th, 2026.

3

00:00:39.740 --> 00:00:43.089

Speaker 4 (Community Hall): Special meeting of the Cupertino City Council to order.

4

00:00:43.460 --> 00:00:45.870

Speaker 4 (Community Hall): Madam City Clerk, will you please call the roll?

5

00:00:46.250 --> 00:00:48.179

Speaker 4 (Community Hall): Councilmember Fran? Here.

6

00:00:48.280 --> 00:00:52.659

Speaker 4 (Community Hall): Councilmember Mohan? Here. Vice Mayor Chao? Here. Mayor Moore?

7

00:00:53.210 --> 00:00:54.230

Speaker 14 (Community Hall): Present.

8

00:00:55.010 --> 00:01:02.729

Speaker 4 (Community Hall): Thank you. And our first item is a study session on the Active Transportation Plan. Madam City Manager, do we have a staff report?

9

00:01:03.650 --> 00:01:09.980

Speaker 3 (Community Hall): Thank you, Mayor. This study session is being conducted to provide an update on the development of the active transportation.

10

00:01:09.980 --> 00:01:10.960

Speaker 5 (Community Hall): plan.

11

00:01:10.960 --> 00:01:35.759

Speaker 5 (Community Hall): Including a summary of the revised scoring criteria, feedback that has... that staff has received from the commissions, and an overview of next steps. The presentation focuses on the scoring criteria and the project list, which staff is seeking Council direction and feedback on. And this current list is based on prior direction received from Council. I will now invite Matt Schrader, Transportation Planner, and David Stillman, Transportation Manager.

12

00:01:35.760 --> 00:01:37.140

Speaker 5 (Community Hall): to present this item

13

00:01:43.090 --> 00:01:45.159

Speaker 5 (Community Hall): Good evening, Council. My name is Matt Schrader.

14

00:01:45.525 --> 00:01:53.545

Speaker 1 (Community Hall): Senior Transportation Planner, and I'm going to be presenting the Active Transportation Plan, an update on what's happened since November of.

15

00:01:53.550 --> 00:01:54.510

Speaker 6 (Community Hall): last year.

16

00:01:54.800 --> 00:01:58.320

Speaker 6 (Community Hall): And... just want to confirm that the presentation is showing.

17

00:02:00.880 --> 00:02:02.300

Speaker 6 (Community Hall): In the presentation, no.

18

00:02:07.130 --> 00:02:08.449

Speaker 6 (Community Hall): start over.

19

00:02:15.520 --> 00:02:20.360

Speaker 6 (Community Hall): if we could have IT check on... To display the presentation.

20

00:02:23.050 --> 00:02:23.920

Speaker 6 (Community Hall): There we go.

21

00:02:24.410 --> 00:02:25.230

Speaker 6 (Community Hall): Okay.

22

00:02:25.980 --> 00:02:34.419

Speaker 6 (Community Hall): So, taking a step back, in the fall of last year, we went to the commissions for comment on the draft prioritization.

23

00:02:35.010 --> 00:02:50.820

Speaker 6 (Community Hall): There was consensus on three points, that safety should be prioritized, especially near schools and on the high injury network, and that the scoring criteria should use only objective metrics, and also that technology solutions need to play a greater role in the plan.

24

00:02:52.500 --> 00:03:10.380

Speaker 6 (Community Hall): We then went to Council and received direction to only use objective metrics, add cost as a scoring criterion, and add impacts to vehicular traffic on the city's arterials, and also figure out a way to elevate technology solutions within the plan.

25

00:03:11.780 --> 00:03:28.730

Speaker 6 (Community Hall): So what this looked like in practice is previously the high injury network scoring

was 20 points if it was within a quarter mile of the project area. This was changed 20 points if it's on the high injury network, and then it receives 10 points if it's within 1,000 feet.

26

00:03:28.950 --> 00:03:42.249

Speaker 6 (Community Hall): We made a similar change to the school scoring. So, school scoring previously was a max of 10 points. That was raised to 20. It was also whether or not the project was within a quarter mile of a school.

27

00:03:42.280 --> 00:03:57.239

Speaker 6 (Community Hall): And we changed that to be a little more precise, so that if it's on a suggested route to school, then it receives the max 20. We also removed fairness from the scoring criteria. Fairness was the total number of likes that a project had received during outreach.

28

00:03:57.240 --> 00:04:08.760

Speaker 6 (Community Hall): We added cost, and we also added impacts to the city's arterials. So, in the balance criteria, if a project does have an impact to vehicles, whether that be

29

00:04:08.880 --> 00:04:17.699

Speaker 6 (Community Hall): the need for maybe a road diet or parking removal. That project doesn't receive the 10 zero impact bonus points, so...

30

00:04:18.089 --> 00:04:23.370

Speaker 6 (Community Hall): In addition to the general roadway impacts, we added impacts to the arterials.

31

00:04:24.840 --> 00:04:30.890

Speaker 6 (Community Hall): We also did the same for the pedestrian intersection criteria and the sidewalk criteria.

32

00:04:32.030 --> 00:04:44.800

Speaker 6 (Community Hall): Then we created a new project type called Transportation Technology Corridors, and we did this by looking at the Typology C intersections, which are the traffic signal and control improvement projects.

33

00:04:44.840 --> 00:04:53.920

Speaker 6 (Community Hall): Looked at those locations and their relationship to the high injury network, and then from there, we had a rough sense of what the boundaries should be. Looked...

34

00:04:54.280 --> 00:05:13.120

Speaker 6 (Community Hall): in those boundaries, tried and looking at where there's high rates of collisions, where the primary collision factor is either red light running or traffic signal and sign violations. And then we looked at which intersections the city actually owns and manages, because that's going to really determine our ability to implement and control.

35

00:05:13.150 --> 00:05:20.110

Speaker 6 (Community Hall): So, based on that, we established 5 corridors that are transportation technology corridors, and those are ranked

36

00:05:20.180 --> 00:05:26.839

Speaker 6 (Community Hall): In the final plan, or in the project list, equally with the bike projects and the PED projects.

37

00:05:28.470 --> 00:05:33.779

Speaker 6 (Community Hall): So then, using the revised scoring criteria, We rank those projects.

38

00:05:34.050 --> 00:05:40.470

Speaker 6 (Community Hall): And this is what the top 20 projects look like. And the key takeaway here is that the...

39

00:05:40.830 --> 00:05:48.059

Speaker 6 (Community Hall): Criteria, the revised criteria, selects projects that are relatively low cost, that are...

40

00:05:48.280 --> 00:05:54.019

Speaker 6 (Community Hall): The top projects are ones that are suggested throughout the school, and also on the high injury network.

41

00:05:54.240 --> 00:06:10.140

Speaker 6 (Community Hall): So you can see here are the top 6 projects, they're all pedestrian intersection projects, they're all on the high injury network, they all serve as suggested routes to school, and 2 of the top 3 are relatively low cost. So, Type A projects are the signage and striping projects.

42

00:06:11.100 --> 00:06:13.459

Speaker 6 (Community Hall): Which is why they've risen to the top.

43

00:06:13.530 --> 00:06:21.229

Speaker 6 (Community Hall): And for the bike projects, the scoring also really prioritizes projects where there's no operational trade-offs.

44

00:06:21.250 --> 00:06:33.680

Speaker 6 (Community Hall): So, the top bike projects are the neighborhood routes. These are the Class 3 projects. There's not going to be any parking removal required. There's not going to be a road diet. You don't need to remove a center turn lane to put in these facilities.

45

00:06:33.680 --> 00:06:41.540

Speaker 6 (Community Hall): And also, shared-use projects, where similarly, there's not going to be those impacts. Those are, high-scoring projects.

46

00:06:44.050 --> 00:06:49.210

Speaker 6 (Community Hall): So here we have a map of the pedestrian network and the recommendations.

47

00:06:49.310 --> 00:06:54.849

Speaker 6 (Community Hall): Again, here you see the top 3 projects, two of which are low-cost signage and

striping.

48

00:06:55.270 --> 00:06:59.799

Speaker 6 (Community Hall): And all of which are high-injury network, roadways.

49

00:07:01.360 --> 00:07:15.060

Speaker 6 (Community Hall): Then for the bike network, you can see the Class 3 projects, these are the neighborhood routes, these are the top 5 bike projects. The shared use projects also scored well, and the neighborhood routes, again, aren't going to have those impacts to vehicles.

50

00:07:17.420 --> 00:07:23.970

Speaker 6 (Community Hall): So, in addition to revising the scoring criteria, we also developed a set of two new guidelines to accompany the ATP.

51

00:07:24.340 --> 00:07:38.430

Speaker 6 (Community Hall): The first of which is the project impact assessment guidelines, and what this is really saying is, after a project's been initiated by Council, and we've completed 30% design, and we learn that there are potential impacts associated with that design.

52

00:07:38.430 --> 00:07:46.049

Speaker 6 (Community Hall): We'll then bring that design back to Council and say, hey, here's what the design suggests. Do you want us to do further

53

00:07:46.370 --> 00:08:03.809

Speaker 6 (Community Hall): traffic analysis to fully understand the exact extent of these impacts. So we would go perform that analysis, bring back the findings, and then Council can make a judgment on whether or not those impacts are acceptable, the design needs to be revised, or the project needs to be terminated entirely.

54

00:08:05.750 --> 00:08:12.949

Speaker 6 (Community Hall): And then we have the project effectiveness guidelines, and this really gets at how we want to measure success. There's been...

55

00:08:13.070 --> 00:08:16.670

Speaker 6 (Community Hall): Request to capture better data post-project.

56

00:08:16.960 --> 00:08:19.769

Speaker 6 (Community Hall): When it comes to these bicycle facilities.

57

00:08:19.780 --> 00:08:30.780

Speaker 6 (Community Hall): So, with these guidelines, a project will be initiated, we'll have 100% design, construction funding will have been secured, and then prior to construction, we'll conduct pre-project counts.

58

00:08:30.780 --> 00:08:39.869

Speaker 6 (Community Hall): That establishes pre-project baseline conditions. We'll also look at the collision rates along that, along those project limits.

59

00:08:39.900 --> 00:08:46.130

Speaker 6 (Community Hall): So we'll know, the safety of the facility and what ridership looks like pre-project. We'll then build the project.

60

00:08:46.350 --> 00:08:57.110

Speaker 6 (Community Hall): Let a suitable amount of time to pass, come back, do the same counts, look at the collision data, and be able to make a determination on, alright, after the project's been built.

61

00:08:57.330 --> 00:09:08.260

Speaker 6 (Community Hall): Are more people using the facility? Have collision rates stayed the same or decreased? And this aligns with our Vision Zero objectives, as well as our Climate Action Plan objectives.

62

00:09:11.700 --> 00:09:31.460

Speaker 6 (Community Hall): And then we presented this information to the commissions earlier this year, and there was consensus among the two bodies that maybe the school scoring is overweighted and should be reduced, and that, this could be accomplished by subtracting 10 points from the school proximity scoring and applying that 10 to the high injury network.

63

00:09:32.850 --> 00:09:37.049

Speaker 6 (Community Hall): So we took a look at this, and what...

64

00:09:37.170 --> 00:09:41.119

Speaker 6 (Community Hall): Kind of results from this is that The top projects really...

65

00:09:41.300 --> 00:09:50.829

Speaker 6 (Community Hall): There's not a lot of change in those, and a lot of the neighborhood routes fall lower to the bottom of the list, and that's because they rely heavily on the school scoring.

66

00:09:50.930 --> 00:10:02.200

Speaker 6 (Community Hall): And then projects, and this is pretty intuitive, but projects that are on the high injury network that are not suggested throughout the school, those increase in their rank. So, that's especially true for

67

00:10:02.230 --> 00:10:20.130

Speaker 6 (Community Hall): Roads like Bollinger, De Anza, Stelling, and Homestead, which all see increases in project rankings. You can see here, Intersection A, a signage and striping project at Torrey and Pacifica, that falls 48 ranking points, primarily because it relies on the suggests throughout the school scoring.

68

00:10:20.250 --> 00:10:21.869

Speaker 6 (Community Hall): And then a project like...

69

00:10:22.100 --> 00:10:32.109

Speaker 6 (Community Hall): Class 2 bike lanes on Miller, which would require the removal of parking to implement, that actually increases in rank because of that Vision Zero adjustment.

70

00:10:35.410 --> 00:10:45.060

Speaker 6 (Community Hall): So the next steps for the plan are to compile all the different elements that we've developed in Phase 1 and Phase 2 into a single document for public review.

71

00:10:45.120 --> 00:10:57.479

Speaker 6 (Community Hall): That will be in the form of an interactive PDF. It will be available for a one-month public comment period, and then we'll address any of those comments, and ideally come back to Council in the summer for adoption consideration.

72

00:11:12.190 --> 00:11:14.450

Speaker 4 (Community Hall): So, that concludes the staff report.

73

00:11:15.440 --> 00:11:32.060

Speaker 4 (Community Hall): Yes, sorry. All right, thank you, Matt. So we will begin with Council clarifying questions, and you mentioned something about the importance of having this ATP, plan. Could you speak to that a little bit?

74

00:11:32.720 --> 00:11:42.050

Speaker 6 (Community Hall): Yes. So having the ATP really helps the city in securing grant funding for projects, regardless of where they fall in the project list.

75

00:11:42.050 --> 00:12:00.850

Speaker 6 (Community Hall): being able to reference a council-adopted document that's supported by the community, is something that these grant agencies look towards when awarding funding, because they want to make sure that if they do award a project, that that project is going to be able to be implemented, and having it in a document like the ATP reflects that.

76

00:12:01.500 --> 00:12:19.050

Speaker 4 (Community Hall): Okay, thank you. So if we're looking at a project like, like Finch, which has some protected, bike lanes suggested, and you mentioned the 30% of funding, the 30% design, so what would happen if we use that as an example?

77

00:12:19.050 --> 00:12:23.070

Speaker 4 (Community Hall): If that project were to be initiated.

78

00:12:23.070 --> 00:12:27.099

Speaker 6 (Community Hall): Yeah, so taking Finch as an example, we already know that

79

00:12:27.280 --> 00:12:45.110

Speaker 6 (Community Hall): parking would likely need to be removed for that to be implemented. So we would have 30% design, and the project impact assessment guidelines, lay out various options for addressing that. So we would perform a parking utilization study, understand how many people are parking there, what the demand is throughout the day.

80

00:12:45.110 --> 00:13:00.419

Speaker 6 (Community Hall): and then come back to Council, present that information to you, and the

Council will make a determination on whether or not the design as it currently exists can be refined, or, you know, the parking impacts are so severe that the project can't move forward.

81

00:13:00.635 --> 00:13:05.524

Speaker 4 (Community Hall): And what would have started, the 30% design to begin with? How would that even...

82

00:13:05.665 --> 00:13:08.645

Speaker 6 (Community Hall): going? That's something that would be initiated by Council.

83

00:13:08.785 --> 00:13:13.715

Speaker 6 (Community Hall): So, Council would... it's a project that would probably come through the CIP process.

84

00:13:14.540 --> 00:13:22.500

Speaker 4 (Community Hall): Okay, so you would suggest it, perhaps for the next round for CIP, and then, and then we would do that. Okay,

85

00:13:23.660 --> 00:13:27.809

Speaker 4 (Community Hall): Are there any... Other council clarifying questions?

86

00:13:28.380 --> 00:13:32.970

Speaker 4 (Community Hall): I'm not seeing any requests to speak at this time. Councilmember Fuin?

87

00:13:34.840 --> 00:13:43.029

Speaker 1 (Community Hall): So I'm... I appreciate that you have sort of this dual scoring that you've set up between what you had originally devised and then what...

88

00:13:43.030 --> 00:13:58.809

Speaker 7 (Community Hall): based on the feedback from the two commissions. Is that something that you anticipate to continue to do as this moves forward, so that we're making a final decision at a later point, or are you asking for a response from us today on those two

89

00:13:59.080 --> 00:14:01.670

Speaker 7 (Community Hall): different rankings. We're asking for a response.

90

00:14:01.670 --> 00:14:03.629

Speaker 6 (Community Hall): today. Okay. Thanks.

91

00:14:07.600 --> 00:14:08.590

Speaker 6 (Community Hall): Vice Mayor?

92

00:14:08.780 --> 00:14:10.790

Speaker 6 (Community Hall): Hi. Oh.

93  
00:14:10.970 --> 00:14:13.710  
Speaker 6 (Community Hall): So, thank you for,

94  
00:14:13.710 --> 00:14:16.380  
Speaker 8 (Community Hall): A very comprehensive staff report.

95  
00:14:16.440 --> 00:14:28.399  
Speaker 8 (Community Hall): And thank you for taking in the input from the Council and the community and the Commission, seriously, and then there has been really a lot of improvement on the plan.

96  
00:14:28.400 --> 00:14:40.399  
Speaker 8 (Community Hall): So, thank you for all the great work going into this, and the suggested guidelines. So, I'm really happy to see, this, comprehensive approach.

97  
00:14:40.800 --> 00:14:57.020  
Speaker 8 (Community Hall): And so regarding the third... I think following up on Mayor's question, so I'm guessing we will... the CIP list will... will be prioritized, as before, we would pick some project to still allocate funding.

98  
00:14:57.420 --> 00:15:07.839  
Speaker 8 (Community Hall): And then... but then there will be an earlier checking with the council with a 30% design. And at that point, we can then evaluate the impact.

99  
00:15:07.940 --> 00:15:20.739  
Speaker 8 (Community Hall): And then, possibly, you can decide, maybe we don't want to move forward, and we might defund the project. So is that... That is correct. Okay, great. And...

100  
00:15:20.850 --> 00:15:22.520  
Speaker 8 (Community Hall): Then,

101  
00:15:23.670 --> 00:15:33.119  
Speaker 8 (Community Hall): I was hoping... is there, like, a map of the project list? Because I see only description in... of intersection.

102  
00:15:33.260 --> 00:15:38.380  
Speaker 8 (Community Hall): just curious, is there a map of all the different projects?

103  
00:15:38.385 --> 00:15:43.644  
Speaker 6 (Community Hall): Is a map included in one of the attachments? I'm sorry there were so many attachments. Yeah.

104  
00:15:43.645 --> 00:15:45.165  
Speaker 8 (Community Hall): Maybe I didn't find...

105

00:15:45.165 --> 00:15:47.415

Speaker 6 (Community Hall): just network recommendations? There is.

106

00:15:47.415 --> 00:15:53.794

Speaker 8 (Community Hall): There's a network, but there is not, like, the... for example, the project list, each project doesn't have a number.

107

00:15:54.345 --> 00:15:57.505

Speaker 8 (Community Hall): Like, I think in the, yeah, in the old,

108

00:15:57.715 --> 00:16:12.544

Speaker 8 (Community Hall): like, a plan. Each project has a number. Then on the project, you can use the number to locate where the project is. That makes it easier, but I don't see any number in the project list.

109

00:16:12.550 --> 00:16:16.950

Speaker 6 (Community Hall): something we could do in the final plan document. We could,

110

00:16:17.440 --> 00:16:23.020

Speaker 6 (Community Hall): Symbolize the network recommendation with the rank, shown there.

111

00:16:23.195 --> 00:16:25.375

Speaker 8 (Community Hall): That would be helpful.

112

00:16:25.715 --> 00:16:35.104

Speaker 8 (Community Hall): So regarding... I think there was a question from the community about the cross-crossing. So, on the list, I see there is

113

00:16:36.805 --> 00:16:48.355

Speaker 8 (Community Hall): wait, on the map, I see there is an overcrossing, there is undercrossing, but in the project list, I searched for crossing, there is only one crossing.

114

00:16:48.375 --> 00:16:57.584

Speaker 8 (Community Hall): So I'm a little confused. Can you, describe a little this under-over crossing, where they are? So there's...

115

00:16:57.585 --> 00:17:09.664

Speaker 6 (Community Hall): projects, one of which is the Carmen Road Bridge. The other is a feasibility study to look at the potential for linking the Stevens Creek Trail to the Linda Vista Trail under McClellan Road.

116

00:17:10.770 --> 00:17:17.509

Speaker 8 (Community Hall): Oh, okay, so the overcrossing is the... that one, we have done the feasibility study.

117

00:17:17.589 --> 00:17:33.120

Speaker 8 (Community Hall): And then the undercrossing is only a feasibility study, that's why the cost, I was surprised that the cost scoring is high. That's because it's only a feasibility study. I see. Okay, thank you.

118

00:17:34.530 --> 00:17:35.890

Speaker 4 (Community Hall): Councilmember Mohan?

119

00:17:36.550 --> 00:17:42.469

Speaker 4 (Community Hall): I want to echo the Vice Mayor's comments. This was a very detailed report.

120

00:17:42.470 --> 00:17:45.270

Speaker 9 (Community Hall): Lots of attachments, as you yourself have pointed out.

121

00:17:45.480 --> 00:17:56.369

Speaker 9 (Community Hall): gave us a ton of information, so thank you for that. I had a question about the 30% design plan. We've already approved it, and you have already picked a vendor, right?

122

00:18:02.140 --> 00:18:04.229

Speaker 9 (Community Hall): We have approved the 30%.

123

00:18:04.390 --> 00:18:04.940

Speaker 9 (Community Hall): Okay.

124

00:18:04.945 --> 00:18:07.665

Speaker 6 (Community Hall): In a hypothetical scenario, is that what we're talking about here?

125

00:18:07.970 --> 00:18:11.159

Speaker 9 (Community Hall): Yes, because that's the only one we have, right? Okay. Okay.

126

00:18:12.330 --> 00:18:24.870

Speaker 6 (Community Hall): Yeah, so we'll have a consultant on board for the design, and we'll probably have allocated budget for, you know, the additional analysis work that would be required. So we would come with the 30% design.

127

00:18:24.870 --> 00:18:34.359

Speaker 6 (Community Hall): present what the impacts are, and Council would tell staff whether or not the impacts are so severe that additional traffic analysis is required to

128

00:18:34.660 --> 00:18:37.759

Speaker 6 (Community Hall): Fully learn exactly what those impacts are.

129

00:18:39.970 --> 00:18:44.019

Speaker 9 (Community Hall): Okay, so where exactly are we on this, 30%.

130

00:18:44.025 --> 00:18:56.144

Speaker 6 (Community Hall): This is just saying for future projects, for the Finch project, for instance, if that were a CIP project and it was initiated by Council, we would come back with the 30% design plans.

131

00:18:56.145 --> 00:19:04.885

Speaker 6 (Community Hall): And 30% design is early enough to modify the project to address those plans, and it also provides us with enough information to

132

00:19:05.035 --> 00:19:22.995

Speaker 6 (Community Hall): accurately either model out what the impacts are, or measure them. So in that scenario, we would then come back to Council with the findings from that analysis, and Council would make a decision on whether or not to move forward with the project, or give staff direction on how to proceed.

133

00:19:23.450 --> 00:19:31.109

Speaker 9 (Community Hall): Okay, so there are many opportunities coming up in the future where we can decide on individual projects. Yes.

134

00:19:32.210 --> 00:19:39.000

Speaker 9 (Community Hall): Okay, one other question. I know in the, maybe the Planning Commission,

135

00:19:39.120 --> 00:19:45.420

Speaker 9 (Community Hall): deliberations. There was some talk about, scoring,

136

00:19:46.120 --> 00:20:00.460

Speaker 9 (Community Hall): streets, I'm specifically talking about Foothill, for example, where there's a serious accident, and I'm not seeing that in your 20 top projects, so am I not seeing it right? No, it's just...

137

00:20:01.150 --> 00:20:07.610

Speaker 6 (Community Hall): A lower scoring project, given its location within the city and the metrics that are used to score the projects.

138

00:20:07.710 --> 00:20:13.029

Speaker 6 (Community Hall): So, it's not a suggestion throughout the school, it's not on the high injury network, and...

139

00:20:13.150 --> 00:20:23.749

Speaker 6 (Community Hall): because a lot of the points come from those two metrics, it's not going to score well. It also doesn't score well, when we look at the active trip potential analysis and in our sustainability category.

140

00:20:23.860 --> 00:20:25.780

Speaker 6 (Community Hall): So it's...

141

00:20:26.790 --> 00:20:35.429

Speaker 6 (Community Hall): it... but that doesn't mean it's not a project that the Council can't move forward. Again, this is just a raw list of projects using a set of metrics that,

142

00:20:36.210 --> 00:20:38.250

Speaker 6 (Community Hall): We feel more appropriate.

143

00:20:38.570 --> 00:20:42.840

Speaker 9 (Community Hall): Okay, and what would be the process to, put that on the project list?

144

00:20:42.845 --> 00:20:53.564

Speaker 6 (Community Hall): the CIP process. It is a project on our ATP project list, and if it's something that Council wanted to initiate, Council could definitely do that.

145

00:20:54.810 --> 00:20:55.490

Speaker 2 (Community Hall): Thank you.

146

00:20:57.610 --> 00:20:58.470

Speaker 4 (Community Hall): Vice Mayor?

147

00:21:03.490 --> 00:21:11.470

Speaker 8 (Community Hall): Sorry, I... I... I'm a little afraid, and I kind of forget what I want to ask.

148

00:21:11.475 --> 00:21:28.294

Speaker 4 (Community Hall): That's okay, I have a question then. With regards to the... you have your current score, and then you have the new ranking, with the changes, it's unclear to me if you have a recommendation between these two that you're wanting to hear from us. I don't know that you provided that.

149

00:21:28.295 --> 00:21:36.035

Speaker 6 (Community Hall): But we feel that the current prioritization framework does a good job at Balancing those trade-offs, while also

150

00:21:36.145 --> 00:21:38.495

Speaker 6 (Community Hall): Providing access and safety.

151

00:21:38.500 --> 00:21:51.580

Speaker 4 (Community Hall): So the new one where you've, taken the injury network and added some weight to it, is that the preference? No, the original one. You prefer the original with the school site, having that 10 points. School proximity?

152

00:21:51.585 --> 00:21:52.714

Speaker 6 (Community Hall): Full proximity to 20 points.

153

00:21:52.925 --> 00:21:59.335

Speaker 4 (Community Hall): Okay, so instead of moving the 10 over to the other side, and why is it that you prefer that?

154

00:21:59.850 --> 00:22:07.600

Speaker 6 (Community Hall): The way that the projects rank using that scoring, it does a good job at

155

00:22:07.750 --> 00:22:12.179

Speaker 6 (Community Hall): Balancing the competing interests that exist in the city, so...

156

00:22:14.030 --> 00:22:17.219

Speaker 6 (Community Hall): I just feel like it's the most appropriate score, given

157

00:22:17.830 --> 00:22:20.929

Speaker 6 (Community Hall): The community's dynamic as it relates to bike projects.

158

00:22:21.720 --> 00:22:27.570

Speaker 4 (Community Hall): Essentially protecting the students on their way to school.

159

00:22:27.570 --> 00:22:29.830

Speaker 6 (Community Hall): Yeah, yeah, yeah, exactly. Okay.

160

00:22:29.835 --> 00:22:31.365

Speaker 4 (Community Hall): Vice Mayor?

161

00:22:31.535 --> 00:22:32.275

Speaker 4 (Community Hall): No.

162

00:22:32.670 --> 00:22:35.640

Speaker 8 (Community Hall): Yeah, remembered my question. So...

163

00:22:35.790 --> 00:22:41.879

Speaker 8 (Community Hall): And I think, I think when we were asking about an earlier check-in with the council for

164

00:22:42.000 --> 00:22:57.069

Speaker 8 (Community Hall): Like, the 30% update, and we were also hoping that... because for a lot of these projects, there are actually multiple options, design options, that might have varying cost, or if...

165

00:22:57.070 --> 00:23:06.170

Speaker 8 (Community Hall): effectiveness. So, I assume when we have the 30% design, we might also have options that the council can

166

00:23:06.270 --> 00:23:07.979

Speaker 8 (Community Hall): Way long.

167

00:23:08.240 --> 00:23:15.080

Speaker 8 (Community Hall): Right? That's something that we can add into the guidelines. Yeah, I don't see that in the current guideline. That would be great.

168

00:23:15.430 --> 00:23:20.690

Speaker 8 (Community Hall): Especially if there are... The different options have different costs.

169

00:23:20.830 --> 00:23:23.640

Speaker 8 (Community Hall): Associating with it.

170

00:23:23.830 --> 00:23:24.510

Speaker 8 (Community Hall): Yeah.

171

00:23:24.840 --> 00:23:30.220

Speaker 8 (Community Hall): Yeah, and good evening, Council. I'm David Stillman, Transportation Manager. We would certainly have the.

172

00:23:30.220 --> 00:23:42.290

Speaker 10 (Community Hall): discretion, or Council could have the discretion to ask staff to come to give details on specific projects that we would be pursuing, even if we don't necessarily foresee a traffic impact, or...

173

00:23:42.470 --> 00:23:47.820

Speaker 10 (Community Hall): impact, we could certainly bring it back for Council review. Yeah.

174

00:23:48.090 --> 00:23:55.100

Speaker 8 (Community Hall): And then, this is more like comments, so maybe I'll do that late after the puppy comment.

175

00:23:55.460 --> 00:24:01.490

Speaker 4 (Community Hall): Okay, Madam City Clerk, do we have any members of the public who would like to speak to this item?

176

00:24:03.020 --> 00:24:14.250

Speaker 4 (Community Hall): Yes, Mayor, we have one request to speak in person, and at this time, I am seeing one hand raised virtually. All right, we're going to open it up for public comment. Okay, so at this time, we will welcome Jennifer Griffin.

177

00:24:17.910 --> 00:24:21.050

Speaker 4 (Community Hall): And as a reminder, members of the public wishing to speak regarding.

178

00:24:21.055 --> 00:24:24.774

Speaker 11 (Community Hall): this item, she'll submit a request to speak or raise their hand virtually within

179

00:24:24.885 --> 00:24:34.874

Speaker 11 (Community Hall): the first 9 minutes at the start of public comment, or before the public

comment period is closed, whichever comes first. So welcome, Jennifer. Hello. Good evening, everyone. I'm Jennifer Griffin.

180

00:24:35.510 --> 00:24:38.900

Speaker 3 (Community Hall): I was very... I just found out tonight that you all were here.

181

00:24:38.900 --> 00:24:44.100

Speaker 4 (Community Hall): when the earthquake hit, last week. So, interesting. I was just going.

182

00:24:44.105 --> 00:24:52.534

Speaker 12 (Community Hall): to say, it was a very, very good report. This, the Active Transportation Plan has...

183

00:24:52.675 --> 00:24:56.995

Speaker 12 (Community Hall): Been with us for quite a while, and it's had many iterations.

184

00:24:57.195 --> 00:25:02.804

Speaker 12 (Community Hall): I... I am always a firm believer that the more iterations that you have.

185

00:25:02.945 --> 00:25:06.934

Speaker 12 (Community Hall): In a project, the more discussions you have.

186

00:25:07.175 --> 00:25:13.494

Speaker 12 (Community Hall): Between the public elected members, the city staff, schools.

187

00:25:13.500 --> 00:25:20.810

Speaker 13 (Community Hall): the better project and plan you have. If you have a document that is drafted by

188

00:25:21.110 --> 00:25:28.290

Speaker 13 (Community Hall): one set of people, and it's implemented, you're gonna have squabbling. And I feel like...

189

00:25:28.800 --> 00:25:36.770

Speaker 13 (Community Hall): The more we discuss this, The better that everyone feels about it, there's more airing going on.

190

00:25:36.870 --> 00:25:48.449

Speaker 13 (Community Hall): I'm not E-R-R, A-I-R-I-N-G, and I just had... I think we're getting there. I had a couple of comments, I am going to start out about

191

00:25:48.450 --> 00:26:03.000

Speaker 13 (Community Hall): e-bikes. I see them constantly in Santa Cruz, all over the Seacliff area, Rio Del Mar, down by, the beaches in Santa Cruz, etc, etc.

192

00:26:03.050 --> 00:26:07.320

Speaker 13 (Community Hall): I still... we were there 2 days over San... over Easter.

193

00:26:07.460 --> 00:26:12.890

Speaker 13 (Community Hall): I see repeatedly e-bikes with more than one child on them.

194

00:26:13.030 --> 00:26:19.610

Speaker 13 (Community Hall): No helmets. We saw one e-bike that had 3 juveniles under 14 on it.

195

00:26:19.880 --> 00:26:22.599

Speaker 13 (Community Hall): Some in swimsuits, no helmets.

196

00:26:22.840 --> 00:26:42.450

Speaker 13 (Community Hall): And I am aware that the City of Santa Cruz and the county and Capitola rent bikes out. I understand they're parked down at the beach area, and it is a really good way to get around, but there are... and if you have a credit card.

197

00:26:42.820 --> 00:26:50.099

Speaker 13 (Community Hall): I guess if you're a juvenile, you can still rent them, but we have a lot of things we need to do. So...

198

00:26:50.100 --> 00:27:03.429

Speaker 13 (Community Hall): I think that it... I did see a Lime scooter that was within the Cupertino City boundaries, down by, Tantau, by the entrance to Apple last week.

199

00:27:03.470 --> 00:27:08.359

Speaker 13 (Community Hall): And it was just sitting there. There was no sign that you had to have a helmet.

200

00:27:08.570 --> 00:27:16.270

Speaker 13 (Community Hall): I understand that it might be fine in Santa Clara, but if we're going to be doing this in Cupertino, we need to have a discussion.

201

00:27:16.330 --> 00:27:36.219

Speaker 13 (Community Hall): About it. I'm not picking on e-bikes, but I think we can do better. I'm also concerned about what's happening on Finch. We're going to have a massive SB330 down there that's wiping out a daycare and a bank, and whatever we're doing with parking, we're going to get cumulative problems. Thank you.

202

00:27:37.020 --> 00:27:38.059

Speaker 11 (Community Hall): Thank you, Jennifer.

203

00:27:38.290 --> 00:27:47.050

Speaker 11 (Community Hall): Next, we'll move to, our virtual request to speak. So, we have one request to speak virtually, so we will welcome San Rao.

204

00:27:50.230 --> 00:27:58.569

San Rao: Good evening, Mayor Moore, Vice Mayor Chao, Councilmembers. I'm speaking on behalf of myself only as a resident, even though I'm on the Planning Commission.

205

00:27:58.900 --> 00:28:18.360

San Rao: My first request to you is, since Councilmember Wong is not there, consider continuing the items so you get the full representation on dais to be able to represent the full spectrum of residents' desires. This project divides the city deeply. It is a highly divisive project.

206

00:28:18.520 --> 00:28:22.809

San Rao: You are being told that there are no impacts from the bike lanes.

207

00:28:23.080 --> 00:28:32.189

San Rao: As a parent of two children that need to be dropped and picked up daily, and to be dropped and picked up with after-school classes, I can tell you there is a fact.

208

00:28:32.460 --> 00:28:33.849

San Rao: There is severe impact.

209

00:28:34.210 --> 00:28:50.500

San Rao: Staff are misrepresenting the situation. The Morta Vista Village in the morning, I welcome you to come there between 8am and 9am. That area is a lifeline for Moda Vista and Lincoln drops and pickups. People turn from Stevens Creek on to Orange, Bern.

210

00:28:50.630 --> 00:29:05.059

San Rao: Imperial Pasadena. Those roads feed to Mona Vista and Lincoln. The only way to get through that clog jam is because we use the space available to make free right turns. If you put in concrete meridian blocks there, or concrete median blocks.

211

00:29:05.400 --> 00:29:09.730

San Rao: you are going to severely impact school drop and pector.

212

00:29:10.080 --> 00:29:13.839

San Rao: Modern Vista and Lincoln, and that is a significant amount ahead.

213

00:29:14.010 --> 00:29:21.060

San Rao: The same issue applies to Lawson Middle. The same issue applies on Finch. The same issue impacts Cupertino High.

214

00:29:21.160 --> 00:29:40.669

San Rao: We can go on and on. It is clear to me that staff have no understanding of the impact to auto drivers from this project. I'm asking you to defund this entire project. You cannot afford to spend 30% on each project to do a study and then come back having spent the money and then cancel the project with that money gone. Please defund this project.

215

00:29:40.930 --> 00:29:49.449

San Rao: We are in a structural deficit. We cannot afford this project, and this project has clearly misrepresented to residents all through the data gathering phase.

216

00:29:49.450 --> 00:30:02.990

San Rao: when the question was never asked in a way that people understood they would lose street parking if these bike lane projects were introduced. I was there when these community hearings occurred at the Senior Center and at a couple of other places.

217

00:30:03.310 --> 00:30:09.579

San Rao: The question of, would you mind if you lost street parking in front of your house was never asked.

218

00:30:10.270 --> 00:30:17.030

San Rao: And to a lot of seniors, that's the thing that matters. If you ask them, would you like to ride a bike, they're gonna say, I don't care. If you ask them.

219

00:30:17.170 --> 00:30:22.270

San Rao: Do you care if you lose parking in front of your house? You better take care. And we never asked that question.

220

00:30:23.240 --> 00:30:26.010

San Rao: I implore you, do one of three things.

221

00:30:26.510 --> 00:30:29.950

San Rao: Continue the items so that Councilmember Wong can participate.

222

00:30:30.160 --> 00:30:44.180

San Rao: Defund and cancel this project, or at a minimum, cancel all of the proposed segregated bike lanes and all bike lane projects other than what are called shadows or bike routes at most.

223

00:30:44.330 --> 00:30:51.520

San Rao: I hope you will pick to either continue or defund this project. Thank you. We cannot afford it. We are in a deficit.

224

00:30:55.550 --> 00:30:59.630

Speaker 11 (Community Hall): Thank you, San. And Mayor, that concludes the request to speak on this item.

225

00:31:00.120 --> 00:31:18.589

Speaker 4 (Community Hall): Okay, thank you, and, thank you for the report as well, and for, taking all the input with regards to the ranking and implementing that into your, update. I do want to, hear a response to,

226

00:31:18.650 --> 00:31:28.390

Speaker 4 (Community Hall): the last caller, regarding this being a project. So, what is the actual implication of the ATP?

227

00:31:30.370 --> 00:31:33.119

Speaker 6 (Community Hall): You can think of the ATP as...

228

00:31:33.560 --> 00:31:50.129

Speaker 6 (Community Hall): really the city's vehicle for securing grant funding for pedestrian and bicycle projects. So, we have a long list of projects that are included in the Active Transportation Plan, having, and I think I said this earlier, having a council-adopted plan that has these projects

229

00:31:50.250 --> 00:32:04.050

Speaker 6 (Community Hall): in there will allow us to secure grant funding for projects like Lawrence Middle, the UP Trail, when the right-of-way may become available, or smaller intersection projects. So, that's its utility. Okay, thanks.

230

00:32:04.055 --> 00:32:08.525

Speaker 4 (Community Hall): Thank you. I do want to make a comment about some of the

231

00:32:08.525 --> 00:32:22.854

Speaker 4 (Community Hall): bike route signage. There's, bike route... bike route signage that's been added to my neighborhood, and the signs are kind of large, and it... common sense will get you to

232

00:32:22.855 --> 00:32:29.904

Speaker 4 (Community Hall): to these schools, without needing these signs. So, I'm not sure that anybody is really,

233

00:32:29.995 --> 00:32:41.004

Speaker 4 (Community Hall): using the signage in order to get to either the high school or the middle school. So I... I would like to have that reviewed before more of this,

234

00:32:41.025 --> 00:32:57.594

Speaker 4 (Community Hall): because it is visually busier to have these signs up on the poles, so I don't know if people really need it, so I want to make sure about that. Then, the second part was the, the fire chief had made some mentions about,

235

00:32:57.765 --> 00:33:01.254

Speaker 4 (Community Hall): Pedestrians and bicyclists being able to, kind of.

236

00:33:01.395 --> 00:33:10.995

Speaker 4 (Community Hall): kind of shut down some intersections, and perhaps the city manager would like to share that, and I think it's something that we might need to remedy.

237

00:33:11.910 --> 00:33:19.479

Speaker 5 (Community Hall): Yes, thank you, Mayor, and I did share that with staff. It may or may not have come up at the, at the BPC meeting.

238

00:33:19.530 --> 00:33:35.490

Speaker 5 (Community Hall): But this was also brought up at our commission chair meeting as well, that there's some concerns around certain schools that, you know, during the time when students are leaving, that it's creating some traffic congestion. So staff is aware of that, and we're looking into that.

239

00:33:37.050 --> 00:33:47.160

Speaker 4 (Community Hall): Thank you, and that's as it relates to, potential need to evacuate and, having these intersections shut down. And... Vice Mayor?

240

00:33:51.500 --> 00:33:58.580

Speaker 8 (Community Hall): First of all, there was one question about e-bike. So this plan doesn't include any e-bike.

241

00:33:58.990 --> 00:34:00.500

Speaker 8 (Community Hall): plant, right?

242

00:34:01.450 --> 00:34:14.059

Speaker 6 (Community Hall): No, it... there is a program and policy memo which makes the recommendation to do a better job at educating the public on what the laws are around e-bikes.

243

00:34:14.060 --> 00:34:16.409

Speaker 8 (Community Hall): So the e-bikes currently can...

244

00:34:16.659 --> 00:34:24.019

Speaker 8 (Community Hall): Use either the vehicle lane or the bike lane, but some of them are on the... Sidewalk 2.

245

00:34:24.550 --> 00:34:29.949

Speaker 6 (Community Hall): Yeah, they're not allowed to be on the sidewalk, and I'm not sure exactly on the laws as they relate to the...

246

00:34:31.010 --> 00:34:34.280

Speaker 6 (Community Hall): classifications for those e-bikes.

247

00:34:34.730 --> 00:34:46.019

Speaker 10 (Community Hall): We will be holding an informational community meeting in May to really address questions around e-bikes and e-scooters, talking about the different classes of e-bikes.

248

00:34:46.139 --> 00:35:02.000

Speaker 10 (Community Hall): Where they are allowed, where they are not. We're having a couple experts in the field come to provide that talk, as well as, hopefully some, sheriff present at the meeting, as well, to answer some questions. So I encourage the council or the community to attend that meeting.

249

00:35:02.140 --> 00:35:05.109

Speaker 10 (Community Hall): To learn everything about bikes.

250

00:35:05.115 --> 00:35:12.614

Speaker 8 (Community Hall): So is that what the city manager mentioned earlier? Or it's a separate effort?

251

00:35:12.615 --> 00:35:25.775

Speaker 5 (Community Hall): It's part of the same effort by Smith. So we, were hosting this meeting, community meeting in May, and the sheriff's office has actually created some educational materials that I shared with Council, I think, last week.

252

00:35:25.785 --> 00:35:35.015

Speaker 5 (Community Hall): And we're currently, you know, engaging with the sheriff's office to see, you know, what does enforcement look like, what does education look like. There are also

253

00:35:35.235 --> 00:35:47.855

Speaker 5 (Community Hall): other cities who are starting to, adopt their own local ordinances on this, so this is something that, you know, that I'll work with the mayor, and if there's interest on Council, we can bring something forward for Cupertino to.

254

00:35:47.855 --> 00:36:06.775

Speaker 8 (Community Hall): consider. Thank you. So, there was a question about, how come you didn't ask about this question, or that question? Like, whether would you like to lose parking in front of your house? So, I'm just curious, what are the... I think the survey, you asked a few questions.

255

00:36:07.155 --> 00:36:13.955

Speaker 8 (Community Hall): How are you using the answers for those questions to influence the plan?

256

00:36:14.495 --> 00:36:18.005

Speaker 8 (Community Hall): And, those questions that some people

257

00:36:18.405 --> 00:36:24.314

Speaker 8 (Community Hall): Related to traffic impact, I think we are trying to address that with a new guideline, right?

258

00:36:24.850 --> 00:36:27.039

Speaker 6 (Community Hall): Yeah, so we're gonna be addressing those

259

00:36:27.450 --> 00:36:33.869

Speaker 6 (Community Hall): potential issues with those guidelines. The questions that I asked at all the community events were about.

260

00:36:34.190 --> 00:36:39.599

Speaker 6 (Community Hall): Well, in Phase 2, that was the network recommendation phase, so we had developed these project recommendations.

261

00:36:39.650 --> 00:36:59.399

Speaker 6 (Community Hall): And we were... the project recommendations are based on design guidance from the Caltrans Design Information Bulletin in 94, based on, design discretion from city staff, and also on

what makes sense given the vehicle speeds on certain roadways, what the level of traffic stress is.

262

00:36:59.450 --> 00:37:13.690

Speaker 6 (Community Hall): So, when talking to the community, we're talking about the projects at a conceptual level, and we're not getting into a degree of design detail about potential parking removal or lane reductions, because those are unknowns at this time.

263

00:37:15.290 --> 00:37:28.690

Speaker 10 (Community Hall): Okay. I'll add also that the neighborhood bike routes that most people live on, there would be no parking removal associated with any of those projects. There's maybe, what, half a dozen

264

00:37:28.740 --> 00:37:40.730

Speaker 10 (Community Hall): streets at most total in the plant where there may be some parking removal, and those are not on local residential streets. So it's really a non-issue for the neighborhood routes. Yeah, thank you.

265

00:37:41.190 --> 00:37:57.900

Speaker 8 (Community Hall): I think the last time there were a lot of questions about the purple bike lanes, so I think people all understand now that we are not removing any parking. We are not adding separated bike lanes on those, right?

266

00:37:58.920 --> 00:38:09.099

Speaker 8 (Community Hall): And... And then, so maybe just to double check, could you share the map with those bike networks?

267

00:38:18.670 --> 00:38:22.299

Speaker 6 (Community Hall): So if IT can share my presentation, there we are. Yeah.

268

00:38:23.410 --> 00:38:37.770

Speaker 6 (Community Hall): So, the dotted lines here are the network recommendations. The orange would be the separated bike lanes. We are proposing separated bike lanes over 280 on Stelling, Blaney, and Wolf.

269

00:38:37.870 --> 00:38:54.459

Speaker 6 (Community Hall): And separated bike lanes on Foothill. And actually, compared to the 2016 plan, this is a scaled-down version of what was proposed in that, because in 2016, the bike plan actually has a recommendation to have separated bike lanes on both Spelling

270

00:38:54.460 --> 00:39:06.669

Speaker 6 (Community Hall): and Blaney for the entire length. So on Blaney from Homestead to Bollinger, and Stelling from Homestead to Prospect. So there's less Class 4 mileage in this ATP than there was in the 2016 bike plan.

271

00:39:08.850 --> 00:39:14.250

Speaker 8 (Community Hall): So, you're not recommending separating the bike land for planning anymore?

272

00:39:15.230 --> 00:39:17.230

Speaker 6 (Community Hall): Just over 280.

273

00:39:17.600 --> 00:39:19.159

Speaker 6 (Community Hall): And on the approach.

274

00:39:19.260 --> 00:39:20.180

Speaker 6 (Community Hall): Yeah.

275

00:39:23.540 --> 00:39:26.249

Speaker 8 (Community Hall): Because of the width. Because of the width.

276

00:39:26.250 --> 00:39:38.300

Speaker 6 (Community Hall): It's a buffered bike lane, and that's a project that would require some parking removal for it to be built, but given the number of driveways along Blaney, a separated bike lane would be...

277

00:39:38.840 --> 00:39:41.459

Speaker 6 (Community Hall): kind of cost prohibitive, honestly.

278

00:39:42.020 --> 00:39:46.130

Speaker 8 (Community Hall): And it's, how about Miller? So, Miller is still...

279

00:39:46.135 --> 00:39:54.175

Speaker 6 (Community Hall): Miller's a... actually, Miller in the 2016 plan was a Class 2B, so a buffered bike lane. It's only a Class 2 in this.

280

00:39:54.175 --> 00:40:08.565

Speaker 6 (Community Hall): Which was our aim to possibly preserve more parking, in doing so, but there still will be parking impacts. So that's a project that, if it moves forward, would come back at the 30% design phase for Council's evaluation.

281

00:40:08.830 --> 00:40:20.430

Speaker 8 (Community Hall): That one, the speed there is higher, because it's a two-lane each direction. Correct. So it buffered, it separated the bike lane might, make more sense there.

282

00:40:20.635 --> 00:40:23.455

Speaker 6 (Community Hall): our recommendation is just the standard Class 2.

283

00:40:27.370 --> 00:40:29.939

Speaker 8 (Community Hall): What do you mean by standard class, too? Oh, just a stripe.

284

00:40:29.945 --> 00:40:30.705

Speaker 6 (Community Hall): cycling, sorry.

285

00:40:30.705 --> 00:40:35.365

Speaker 8 (Community Hall): Stripe. Oh, so, right? The recommendation here is only stripe, though. Yeah.

286

00:40:35.365 --> 00:40:40.165

Speaker 6 (Community Hall): because currently there's no bike lane on Miller on that segment there. Oh, right.

287

00:40:40.165 --> 00:40:42.855

Speaker 8 (Community Hall): Okay, okay, yeah, okay.

288

00:40:42.995 --> 00:40:50.124

Speaker 8 (Community Hall): Thank you. And then, this isn't my comment on the scoring criteria. I think,

289

00:40:50.325 --> 00:41:08.634

Speaker 8 (Community Hall): we have gone through it back and forth, and different commissions have different recommendations. I think whatever is the ranking, it's always a reference to us, and the council, maybe, like, the Council in the past, I think they sometimes will just leave the project up.

290

00:41:09.245 --> 00:41:25.314

Speaker 8 (Community Hall): they want to, promote. So I'm just wondering, maybe, we can have this as a spreadsheet that different people might have their own score, per...

291

00:41:25.485 --> 00:41:36.764

Speaker 8 (Community Hall): put in different weighing... weighing on different parts, and then, so this would be just as a reference. Maybe in the future, bike paths have their own,

292

00:41:37.135 --> 00:41:44.945

Speaker 8 (Community Hall): ranking, and then the council can play around with our ranking, and then maybe...

293

00:41:45.115 --> 00:41:53.064

Speaker 8 (Community Hall): That way, it's... it helps us to... to evaluate them, but it doesn't really make decision for us.

294

00:41:53.375 --> 00:41:55.925

Speaker 8 (Community Hall): Maybe that will be helpful.

295

00:41:57.350 --> 00:42:09.839

Speaker 10 (Community Hall): You're absolutely right, Vice Mayor, that it's... it is a reference. I think it's important, however, for everybody to be speaking the same language, if you will, when they look at the list and maintain a consistent

296

00:42:10.180 --> 00:42:15.909

Speaker 10 (Community Hall): prioritization list. However, it is certainly, But then the councils...

297

00:42:15.930 --> 00:42:23.229

Speaker 10 (Community Hall): discretion to elevate projects, which we've done in the past many times with the bike plan, with the PED plan.

298

00:42:23.230 --> 00:42:38.210

Speaker 10 (Community Hall): If a project is desirable at a certain point in time to pursue because of the availability of grant funding, or maybe there's another project in the vicinity that we can piggyback on to get some cost savings, or there are various reasons why projects that are lower on the list

299

00:42:38.430 --> 00:42:49.179

Speaker 10 (Community Hall): might be important to move them up and do sooner. That's absolutely something that staff can recommend, or council can recommend, regardless of where it lies in the ranking.

300

00:42:51.340 --> 00:42:56.789

Speaker 4 (Community Hall): Okay, just want to make a comment about the Finch Avenue,

301

00:42:56.790 --> 00:43:00.539

Speaker 4 (Community Hall): potential protected bike lane. Because this...

302

00:43:00.540 --> 00:43:24.329

Speaker 4 (Community Hall): when I... I'm looking at the street view of that, area, and it kind of reminds me of Lawson, actually, and it... it seemed like, with Lawson, that they could have... that CUSD could have created a route on their property, and... and basically solved the issue that way, rather than having the city losing the parking, and I'm wondering if this...

303

00:43:24.480 --> 00:43:33.199

Speaker 4 (Community Hall): if Finch Avenue could be something that FUHSD, could provide a solution for on... on site, for.

304

00:43:33.250 --> 00:43:50.160

Speaker 4 (Community Hall): for the bicyclists, rather than losing all of the parking there as well. So, when this project... if and when it does move ahead, I'd like to see if that could be explored. Some of their landscaping needs to be reworked, it's very old.

305

00:43:50.310 --> 00:43:51.710

Speaker 4 (Community Hall): And there may be,

306

00:43:51.850 --> 00:44:09.720

Speaker 4 (Community Hall): a more effective way to protect the bicyclists there. Do you need to have some kind of a straw poll from us with regards to our ranking preferences? I'm inclined to go with your recommendation, which is what you had originally,

307

00:44:09.760 --> 00:44:15.770

Speaker 4 (Community Hall): Provided, as opposed to the new scoring system, but what are you needing from us there?

308

00:44:16.465 --> 00:44:19.465

Speaker 10 (Community Hall): I think, Mayor Strappel would be useful, yes. Okay.

309

00:44:19.465 --> 00:44:20.205

Speaker 4 (Community Hall): Huh.

310

00:44:20.395 --> 00:44:26.395

Speaker 4 (Community Hall): So, would council members like to comment on the two ranking systems? If we have to pay.

311

00:44:26.395 --> 00:44:29.615

Speaker 8 (Community Hall): It amounted to a ranking system.

312

00:44:30.435 --> 00:44:38.885

Speaker 8 (Community Hall): I would prefer the new one, because that prioritized the high accident area, I think.

313

00:44:39.315 --> 00:44:47.069

Speaker 8 (Community Hall): There's... I... I have... I think that's... I...

314

00:44:47.865 --> 00:44:55.684

Speaker 8 (Community Hall): Yeah, I do think that we need to prioritize more to reduce,

315

00:44:55.945 --> 00:45:00.975

Speaker 8 (Community Hall): Those... the... those more dangerous areas, so...

316

00:45:03.380 --> 00:45:10.650

Speaker 4 (Community Hall): Yeah, okay. Thank you, let's see... Councilmember Mohan, and then Councilmember Fuan. Yeah.

317

00:45:10.650 --> 00:45:14.399

Speaker 9 (Community Hall): No, just a request from staff to put that, the slide up.

318

00:45:14.580 --> 00:45:17.690

Speaker 9 (Community Hall): Showing the two different columns.

319

00:45:27.120 --> 00:45:29.260

Speaker 9 (Community Hall): Yeah, thank you, I'll hold my comments from now.

320

00:45:30.460 --> 00:45:36.819

Speaker 4 (Community Hall): Okay, so... but we do need to stop both, though. Councilmember Fuan, will you please share your preference between the two ranking systems?

321

00:45:36.825 --> 00:45:52.415

Speaker 7 (Community Hall): So, I generally tend to agree with the Vice Mayor on this one, for a couple of

reasons. The first, that I just think we should generally be prioritizing things that involve safety, and the high injury network is probably the thing that is best attacked in order to address that.

322

00:45:52.545 --> 00:45:59.405

Speaker 7 (Community Hall): It also seems to me that a lot of the things that are prioritized in the original are...

323

00:45:59.695 --> 00:46:14.435

Speaker 7 (Community Hall): sort of neighborhood streets that are largely going to result in a lot of the signage that the mayor was describing, and I'm not sure that that's the most effective change. It feels to me like, you know, that's really something that we can handle primarily through an education campaign.

324

00:46:14.455 --> 00:46:32.935

Speaker 7 (Community Hall): So I'd really like to focus our efforts on the high injury network, and so I think that the new scoring speaks to that more strongly. If there are particular projects that people have a lot of interest in, I think the Vice Mayor also underscored we can always elevate that specifically. One is labeled here with the Torrey Avenue, Pacifica Avenue.

325

00:46:32.935 --> 00:46:47.344

Speaker 7 (Community Hall): intersection. I know that we've gotten a lot of feedback about that specific space. The other is just, you know, we put this through both of the commissions. They've given us some feedback. It resulted in this. I kind of want to honor the fact that they've wrestled with all of it.

326

00:46:48.930 --> 00:46:51.680

Speaker 4 (Community Hall): Thank you. Councilmember Mohan.

327

00:46:53.850 --> 00:47:00.429

Speaker 9 (Community Hall): Yeah, I'm concerned with that last, item, the Torrey Avenue, Pacifica.

328

00:47:01.090 --> 00:47:06.050

Speaker 9 (Community Hall): That it, shows such a precipitous drop in ranking.

329

00:47:07.830 --> 00:47:12.039

Speaker 9 (Community Hall): If that could somehow be restored, I'm good with the change.

330

00:47:13.850 --> 00:47:15.940

Speaker 9 (Community Hall): Does that confuse the issue?

331

00:47:18.140 --> 00:47:27.979

Speaker 6 (Community Hall): Using the new criteria, that would not be able to be restored, because we are going to be removing points from the school scoring, which this project relies heavily on.

332

00:47:28.250 --> 00:47:36.869

Speaker 6 (Community Hall): So, unfortunately, projects that are closer to schools, are gonna score a little more poorly, whereas projects that are on the high injury network

333

00:47:36.870 --> 00:47:53.820

Speaker 6 (Community Hall): mainly Bollinger, Homestead, De Anza, those intersection projects are going to score better. And again, the Miller project, the bike lane project there, it actually performs better with the new scoring, even though we are going to probably require the removal of parking in order to

334

00:47:54.000 --> 00:47:56.920

Speaker 6 (Community Hall): Make it, built.

335

00:47:58.130 --> 00:48:00.380

Speaker 10 (Community Hall): Okay. If this is helpful,

336

00:48:00.630 --> 00:48:08.269

Speaker 10 (Community Hall): At the Bike Commission meeting, I think it was a couple months ago, we talked about safety along Torrey Avenue between

337

00:48:08.610 --> 00:48:26.699

Speaker 10 (Community Hall): Pacifica and Rodriguez, and there were some recommendations from the Bike Commission that involved making some safety improvements at the Torrey-Pacifica intersection, which we are moving forward with, regardless of where it falls in the active transportation plan, so we will be doing some improvements at that intersection.

338

00:48:27.640 --> 00:48:34.149

Speaker 9 (Community Hall): Okay, so I'm hearing, that there's been some resolution along Tory Avenue.

339

00:48:34.500 --> 00:48:36.469

Speaker 9 (Community Hall): And I'm good with that. Thank you.

340

00:48:38.040 --> 00:48:53.149

Speaker 4 (Community Hall): Okay, so that's... so we have three, approving the... requesting the... the new, criteria? Okay, and that there is a way... there is a way to get the Tory crossing there at that book drop,

341

00:48:53.260 --> 00:48:59.120

Speaker 4 (Community Hall): some... some kind of mitigation for that, because I think everybody with common sense,

342

00:48:59.120 --> 00:49:22.510

Speaker 4 (Community Hall): that having that... that large book drop and the two crossing ways is, it's confusing to people, and it gives an opportunity for a little person to be walking out behind the book, drop and, you know, running across the street, and they're gonna get hit. And we're also... I'm noticing that some school is using this area around 4.30 in the afternoon for a bus drop-off.

343

00:49:22.510 --> 00:49:37.270

Speaker 4 (Community Hall): And there's a lot of parents that are here picking up kids. I don't know how that came to pass, but that's something that needs to be worked on. I don't know that this is the safest location for that to be happening, and the bus will stop right at the book drop.

344

00:49:37.280 --> 00:49:46.970

Speaker 4 (Community Hall): And hold up traffic in both directions. So that is something else, complicating that intersection. And, and Vice Mayor?

345

00:49:47.590 --> 00:49:48.230

Speaker 4 (Community Hall): Oh.

346

00:49:48.230 --> 00:49:48.980

Speaker 8 (Community Hall): Thank you.

347

00:49:49.220 --> 00:49:53.220

Speaker 8 (Community Hall): Thank you for bringing up the Tory and Pacifica.

348

00:49:53.940 --> 00:49:55.090

Community Hall: But that's...

349

00:49:56.890 --> 00:49:59.080

Speaker 8 (Community Hall): not... Boom.

350

00:49:59.900 --> 00:50:01.990

Speaker 8 (Community Hall): Okay, so that's closed.

351

00:50:02.610 --> 00:50:07.620

Speaker 8 (Community Hall): So that's Safe Route 2 to Eaton, Eaton, Eaton Elementary.

352

00:50:07.980 --> 00:50:15.600

Speaker 8 (Community Hall): But, I mean, so that... but there hasn't been, high accident in that area so far.

353

00:50:17.850 --> 00:50:29.499

Speaker 10 (Community Hall): Okay. We have had a few minor incidents there over the past several years, and that's one reason why the Bike Commission had endorsed making some safety improvements, which we are moving forward with.

354

00:50:30.020 --> 00:50:31.560

Speaker 8 (Community Hall): Okay, yeah.

355

00:50:32.980 --> 00:50:37.550

Speaker 8 (Community Hall): Yeah, I'm surprised with that, but I guess that's... this is why this kind of...

356

00:50:37.850 --> 00:50:42.079

Speaker 8 (Community Hall): Ranking is really, like, a reference, right? Because...

357

00:50:42.410 --> 00:50:44.420

Speaker 8 (Community Hall): A lot of this scoring is...

358

00:50:44.780 --> 00:50:48.020

Speaker 8 (Community Hall): Still object... subjective, and then...

359

00:50:48.240 --> 00:50:54.310

Speaker 8 (Community Hall): When combined together, they have different effects. Yeah. Okay, thank you.

360

00:50:54.310 --> 00:51:10.009

Speaker 4 (Community Hall): So, do you have enough information to go on? And we've given you the straw poll, so you have that result as well? Yes. All right, okay. And with that, hearing no further comments from the Council, this meeting is adjourned, and we'll start back up at 6.45. Thank you.

361

00:59:40.000 --> 00:59:50.809

Speaker 4 (Community Hall): Good evening, it is 6.45 on April 7th, 2026, and I call this regular meeting of the Cupertino City Council to order. Please stand for the Pledge of Allegiance.

362

00:59:53.760 --> 00:59:55.890

Speaker 4 (Community Hall): I pledge allegiance to the flag...

363

00:59:55.890 --> 01:00:06.369

Speaker 8 (Community Hall): of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

364

01:00:08.560 --> 01:00:10.719

Speaker 4 (Community Hall): Madam City Clerk, will you please call the roll?

365

01:00:12.740 --> 01:00:15.760

Speaker 11 (Community Hall): Councilmember Fruen? Here. Councilmember Rohan? Here.

366

01:00:15.890 --> 01:00:17.730

Speaker 14 (Community Hall): Councilmember Wong? I'm sorry.

367

01:00:17.730 --> 01:00:20.009

Speaker 11 (Community Hall): Sorry, Councilmember Wong is absent. Vice Mayor Chao?

368

01:00:22.710 --> 01:00:24.179

Speaker 12 (Community Hall): Here. Mayor Moore.

369

01:00:24.510 --> 01:00:28.260

Speaker 4 (Community Hall): Madam City Attorney, do we have any closed session reports?

370

01:00:28.265 --> 01:00:30.134

Speaker 12 (Community Hall): This evening, Mayor, we had no closed session.

371

01:00:30.140 --> 01:00:31.280

Speaker 2 (Community Hall): So, no report, thank you.

372

01:00:31.280 --> 01:00:44.809

Speaker 4 (Community Hall): Correct, thank you. And, first we have our ceremonial items. Our first item is a proclamation in recognition of April as Donate Life Month, and we have a brief presentation

373

01:00:44.810 --> 01:00:53.700

Speaker 4 (Community Hall): from Hoha, the Community Engagement Specialist, from Donor Network West, who will provide some brief comments and receive the proclamation.

374

01:01:01.010 --> 01:01:03.100

Speaker 4 (Community Hall): Welcome. Hi there, good afternoon.

375

01:01:03.540 --> 01:01:08.949

Speaker 4 (Community Hall): My name's Hua, I'm the Community Engagement Specialist for Donor Network West, a nonprofit located in San.

376

01:01:08.950 --> 01:01:22.050

Speaker 15 (Community Hall): I want to take a moment to express my sincere gratitude to Mayor Moore and the team at Cupertino. National Donate Life Month was established by Donate Life America in 2003.

377

01:01:22.500 --> 01:01:34.099

Speaker 15 (Community Hall): Observed each April, National Donate Life Month helps raise awareness about donation and encourages folks to register as organ, eye, and tissue donors, and honors those who have saved lives through the gift of donation.

378

01:01:34.580 --> 01:01:53.179

Speaker 15 (Community Hall): Your efforts have helped to amplify the crucial message reaching countless individuals and inspiring them to consider the life-saving impact of donation. Your commitment to promoting Donate Life Month has undoubtedly made a significant difference, bringing hope to over 100,000 patients waiting for a second chance.

379

01:01:53.410 --> 01:02:01.920

Speaker 15 (Community Hall): And over 612 in the Santa Clara County. Thank you so much for your partnership, your compassion, and your dedication to saving lives. Thank you.

380

01:02:01.925 --> 01:02:06.264

Speaker 4 (Community Hall): Thank you, and please come on to the dais, and we will have a group photo. Thank you.

381

01:02:43.170 --> 01:02:44.670

Speaker 2 (Community Hall): Getting everyone in.

382

01:02:45.080 --> 01:02:45.910  
Community Hall: Okay, thanks.

383  
01:02:46.230 --> 01:02:51.350  
Speaker 2 (Community Hall): 32, 1... And then I'll get some more.

384  
01:02:56.670 --> 01:03:01.250  
Speaker 2 (Community Hall): And then sideways to be fancy. Thank you for your patience.

385  
01:03:06.020 --> 01:03:07.030  
Speaker 2 (Community Hall): Alright, thanks so much.

386  
01:03:09.460 --> 01:03:10.290  
Community Hall: this much.

387  
01:03:13.840 --> 01:03:14.880  
Community Hall: They listened.

388  
01:03:32.720 --> 01:03:54.000  
Speaker 4 (Community Hall): Right, we... our second item is a proclamation in recognition of April as Fair Housing Month. In this year, we've added additional supporters of fair housing in our community, so we'll be providing multiple proclamations. The following individuals will provide brief remarks and accept the Fair Housing Month proclamations. Sujatha.

389  
01:03:54.550 --> 01:04:13.459  
Speaker 4 (Community Hall): Venka Traman, the Executive Director of West Valley Community Services, will please speak first, and then followed by Sherry Burns, the Executive Director of Silicon Valley Independent Living Center, then followed by Sarah Cottrell, the Executive from Project Sentinel Fair Housing. Welcome, Sujatha. Thank you so much.

390  
01:04:13.465 --> 01:04:23.434  
Speaker 5 (Community Hall): Thank you so much, Mayor Moore. Thank you, City Council. My name is Sujata Venkatraman, and I'm the Executive Director of West Valley Community Services, an organization providing critical.

391  
01:04:23.435 --> 01:04:39.955  
Speaker 16 (Community Hall): critical safety needs services to Cupertino residents and other communities, West Valley communities. Our mission is to unite the community to fight hunger and homelessness with a vision that everyone has food on their table and a roof over their head. This proclamation

392  
01:04:39.955 --> 01:04:54.674  
Speaker 16 (Community Hall): helps to support that work. We value this partnership with the city to support the most vulnerable, and in creating an inclusive community for Cupertino residents and others in Best Valley City. Thank you so much. Thank you.

393  
01:04:55.330 --> 01:04:57.409

Speaker 4 (Community Hall): And next, Sherry?

394

01:04:58.000 --> 01:04:59.389

Speaker 4 (Community Hall): Sherry Burns.

395

01:05:07.440 --> 01:05:13.850

Speaker 4 (Community Hall): Thank you, Mayor Moore and the Cupertino City Council, for recognizing April.

396

01:05:13.850 --> 01:05:15.399

Speaker 17 (Community Hall): as Fair Housing Month.

397

01:05:15.950 --> 01:05:19.289

Speaker 9 (Community Hall): Again, my name is Sherry Burns, and as the Executive Director of.

398

01:05:19.295 --> 01:05:29.664

Speaker 17 (Community Hall): Silicon Valley Independent Living Center, I can attest that every year we assist hundreds of county residents with disabilities, including youth.

399

01:05:29.665 --> 01:05:42.844

Speaker 17 (Community Hall): and older adults with chronic health conditions with trying to meet their housing needs. Of the 15 different services that SVILC provides, housing assistance is the most requested.

400

01:05:43.045 --> 01:06:02.785

Speaker 17 (Community Hall): Not only does our community need more deeply affordable housing stock, but we need more accessible housing, too, so that people can safely age in place and not lose their affordable housing due to steps that they can no longer climb, or bathrooms they can no longer access to bathe in.

401

01:06:03.145 --> 01:06:07.765

Speaker 17 (Community Hall): The City of Cupertino rightfully places increasing the supply of

402

01:06:08.005 --> 01:06:20.625

Speaker 17 (Community Hall): And condition of affordable housing at the top of its consolidated housing plan priority list, with stabilizing persons at risk of and experiencing homelessness as a close second.

403

01:06:20.985 --> 01:06:35.785

Speaker 17 (Community Hall): Though Cupertino's area median income is over \$231,000 per year, 26% of Cupertino's households are defined as low income, and 33% of renters are housing cost burden.

404

01:06:36.085 --> 01:06:45.684

Speaker 17 (Community Hall): Jurisdictions across Santa Clara County are struggling with adequately responding to homeless residents' needs with both inadequate funding

405

01:06:45.765 --> 01:07:00.594

Speaker 17 (Community Hall): and inadequate systems for sufficient prevention and provision of support services, such as those provided by SVILC, West Valley Community Services, Project Sentinel, and many

other wonderful agencies.

406

01:07:01.135 --> 01:07:10.555

Speaker 17 (Community Hall): Maintaining these community services, coupled with increasing the housing supply, will allow more Cupertino residents of all ages

407

01:07:10.555 --> 01:07:25.245

Speaker 17 (Community Hall): races and abilities to thrive more robustly in their community and to realize their goals and ambitions. Thank you again to the City of Cupertino for recognizing April as Fair Housing Month.

408

01:07:26.060 --> 01:07:31.629

Speaker 4 (Community Hall): Thank you, Sherry. Next, we have Sarah Cottrell from the Project Sentinel Fair Housing.

409

01:07:33.510 --> 01:07:35.270

Speaker 4 (Community Hall): Welcome, Sarah. Thank you.

410

01:07:36.200 --> 01:07:55.480

Speaker 4 (Community Hall): Good evening, Mayor Moore and Council Members. Thank you for this proclamation and for recognizing Fair Housing Month. My name is Sarah Cottrell, and I'm with Project Sentinel. We've been serving communities like yours for nearly 50 years, providing fair housing services, including counseling, education, and enforcement, to help protect residents from discrimination.

411

01:07:56.280 --> 01:07:59.219

Speaker 4 (Community Hall): Fair housing isn't just a policy, it's about making sure.

412

01:07:59.225 --> 01:07:59.985

Speaker 13 (Community Hall): People feel safe.

413

01:07:59.985 --> 01:08:08.174

Speaker 4 (Community Hall): supported, and have equal access to housing opportunities. We truly appreciate your partnership and continued commitment to this work. Thank you so much.

414

01:08:08.765 --> 01:08:17.095

Speaker 4 (Community Hall): Thank you, Sarah. Now, will Sujatha, Sherry, and Sarah all come onto the dais, and we're going to have a group photo with the proclamations.

415

01:08:29.435 --> 01:08:31.464

Speaker 4 (Community Hall): Are these the same?

416

01:08:31.800 --> 01:08:32.890

Community Hall: Sorry, kidding myself.

417

01:08:39.779 --> 01:08:40.959

Speaker 4 (Community Hall): Such as...

418

01:08:44.069 --> 01:08:46.910

Community Hall: Maybe what they were able to misunderstand.

419

01:08:47.960 --> 01:08:54.040

Community Hall: Yes, very much.

420

01:09:06.160 --> 01:09:11.669

Community Hall: Do you want to have the proclamations?

421

01:09:11.670 --> 01:09:14.490

Speaker 4 (Community Hall): like, centered and passed on outside, or...

422

01:09:14.600 --> 01:09:15.559

Speaker 4 (Community Hall): Show them.

423

01:09:16.090 --> 01:09:25.330

Speaker 4 (Community Hall): Switched on.

424

01:09:45.819 --> 01:09:50.409

Speaker 4 (Community Hall): Thank you so much, thank you again.

425

01:09:50.590 --> 01:10:01.320

Community Hall: Thank you, thank you, thank you so much. Thank you so much.

426

01:10:15.150 --> 01:10:16.180

Community Hall: Alright.

427

01:10:17.430 --> 01:10:33.079

Speaker 4 (Community Hall): So, next item is postponements and orders of the day, and I request that we postpone Chamber Item 14 to April 21st, and I'd like to have a second on that. The agenda packet, as you may know, is 2,882.

428

01:10:33.570 --> 01:10:36.250

Speaker 9 (Community Hall): I'll second. Thank you.

429

01:10:36.395 --> 01:10:42.285

Speaker 4 (Community Hall): Madam City Clerk, will you please set the panel so we can conduct a vote?

430

01:10:42.680 --> 01:10:43.750

Speaker 14 (Community Hall): Yes, and to clarify.

431

01:10:43.755 --> 01:10:45.995

Speaker 11 (Community Hall): if I've... who was it that seconded it? Was it...

432

01:10:45.995 --> 01:10:48.754

Speaker 14 (Community Hall): Councilmember Rohan? Okay, thank you.

433

01:10:53.050 --> 01:10:54.050

Community Hall: Okay...

434

01:10:59.670 --> 01:11:02.749

Speaker 11 (Community Hall): Okay, the motion carries with Wong absent.

435

01:11:03.840 --> 01:11:05.680

Speaker 9 (Community Hall): Okay, thank you.

436

01:11:06.970 --> 01:11:14.099

Speaker 4 (Community Hall): Next, we move on to oral communications. Madam City Clerk, how many speakers do we have at this time?

437

01:11:21.630 --> 01:11:28.640

Speaker 11 (Community Hall): Mayor, at this time I'm seeing 3 requests in person in Community Hall, and I currently see 2 hands raised virtually.

438

01:11:29.360 --> 01:11:34.739

Speaker 11 (Community Hall): And maybe a couple more coming in, but I'm not sure if they're for oral communications or not.

439

01:11:44.730 --> 01:11:49.070

Speaker 11 (Community Hall): We have one more, oral communication, in Community Hall.

440

01:11:49.070 --> 01:12:00.849

Speaker 4 (Community Hall): Okay, so, so far, it looks like we will fit within the 30 minutes, allotting 3 minutes per person. Correct, Mayor. Okay. Madam City Clerk, will you please provide the instructions and conduct oral communications?

441

01:12:00.855 --> 01:12:09.825

Speaker 11 (Community Hall): So this portion of the meeting is reserved for persons wishing to address the Council on any matters within the jurisdiction of the Council and not on the agenda for discussion.

442

01:12:09.825 --> 01:12:29.805

Speaker 11 (Community Hall): Oral communication shall be limited to 30 minutes. Additional speakers wishing to comment on non-agenda items may be given time to speak at the end of the agenda after the City Manager's report. Individual speakers are limited to 3 minutes. As necessary, the mayor may further limit the time allowed to individual speakers, or reschedule remaining comments to the end of the meeting on a first...

443

01:12:29.805 --> 01:12:51.574

Speaker 11 (Community Hall): first-come, first-her 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 council member may, however, briefly respond to statements made or questions posed by speakers. A council member may also ask a question for clarification, provide a reference for factual information requests.

444

01:12:52.445 --> 01:12:59.994

Speaker 11 (Community Hall): 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.

445

01:13:00.275 --> 01:13:14.135

Speaker 11 (Community Hall): As a reminder, members of the public wishing to speak regarding the oral communications item shall submit a request to speak or raise their hand virtually within the first 9 minutes of the start of the public comment period, or before the public comment period is closed, whichever comes first.

446

01:13:14.695 --> 01:13:25.394

Speaker 11 (Community Hall): So at this time, we will welcome Jennifer Griffin, followed by... I believe this is Roger Costa, followed by Rhoda Fry, so welcome, Jennifer.

447

01:13:32.540 --> 01:13:38.159

Speaker 12 (Community Hall): Well, oh, here we go. Anyway, hi, I'm Jennifer Griffin, and...

448

01:13:38.790 --> 01:13:44.579

Speaker 13 (Community Hall): Whoops. The fact that we had a 4.7 earthquake last

449

01:13:45.220 --> 01:13:48.790

Speaker 13 (Community Hall): Tuesday... Wednesday morning at, well, maybe it was Thursday.

450

01:13:48.795 --> 01:13:49.735

Speaker 12 (Community Hall): you mourning it.

451

01:13:49.740 --> 01:13:52.160

Speaker 13 (Community Hall): 1.30 a.m, you all were here.

452

01:13:52.330 --> 01:14:03.610

Speaker 13 (Community Hall): I was at my mother-in-law's. It was a frightening experience. I called my mother at 2 AM. She was in Aptos. She said on the second story, she's 94.

453

01:14:03.920 --> 01:14:08.690

Speaker 13 (Community Hall): She said it was, like, A train hit her house, head on.

454

01:14:08.810 --> 01:14:13.690

Speaker 13 (Community Hall): The shaking was horrible. The epicenter was in Boulder Creek.

455

01:14:13.980 --> 01:14:25.280

Speaker 13 (Community Hall): I knew from going through the 89 earthquake, when I felt the shaking here, that we were not at the epicenter, that it was between

456

01:14:25.930 --> 01:14:34.080

Speaker 13 (Community Hall): after talking to my mother, I knew the epicenter was between us and her, and it was Boulder Creek. I was correct.

457

01:14:34.210 --> 01:14:35.879

Speaker 13 (Community Hall): I want to go back

458

01:14:37.370 --> 01:14:51.729

Speaker 13 (Community Hall): to remind everyone that this is a appropriate wake-up call. We live in earthquake country. We have to be aware of this. Don't put heavy paintings over your bed.

459

01:14:51.900 --> 01:14:58.599

Speaker 13 (Community Hall): Don't remember that loose appliances, like refrigerators, can go over.

460

01:14:58.850 --> 01:15:04.529

Speaker 13 (Community Hall): And if you're on a second, or third, or fourth stirring, the shaking will be worse.

461

01:15:04.930 --> 01:15:15.019

Speaker 13 (Community Hall): April is when the 1906 earthquake hit at 5 AM. The 1989 Loma Prieta was at 5 p.m.

462

01:15:15.060 --> 01:15:34.319

Speaker 13 (Community Hall): October 17, 1989. I remember it well. San Francisco Airport was closed. San Jose Airport was closed. Highway 17 was closed. My brother was in Kansas, had to fly into Sacramento.

463

01:15:34.320 --> 01:15:49.430

Speaker 13 (Community Hall): My youngest brother drove up there to get him, to drive him back to the family home in Los Gatos, where multiple homes had gone off their foundations. My husband's mobile home went off its foundations in San Jose.

464

01:15:49.910 --> 01:15:57.449

Speaker 13 (Community Hall): The epicenter was in, Loma Prieta, near Highway 17 in Santa Cruz.

465

01:15:58.320 --> 01:16:00.400

Speaker 13 (Community Hall): 30 miles away.

466

01:16:00.510 --> 01:16:17.670

Speaker 13 (Community Hall): Where we were, there was massive damage. 30 miles up in the Marina District in San Francisco, there was massive damage, liquefaction, bubbles came up, sidewalks collapsed. I

don't want to scare anyone.

467

01:16:17.790 --> 01:16:35.170

Speaker 13 (Community Hall): But this is life in this area. Alviso, the Port of Alviso, was activated as an emergency area to bring supplies in from San Francisco. A lot of things were shut down for 3 months.

468

01:16:35.300 --> 01:16:38.180

Speaker 13 (Community Hall): Please be aware and ready. Thank you.

469

01:16:38.635 --> 01:16:40.505

Speaker 14 (Community Hall): Thank you, Jennifer. Next, we will welcome.

470

01:16:40.510 --> 01:16:46.850

Speaker 11 (Community Hall): Roger Costa, followed by Rhoda Fry, followed by Monica Faria. Welcome, Roger.

471

01:16:47.290 --> 01:16:48.280

Speaker 11 (Community Hall): Good evening.

472

01:16:48.640 --> 01:16:53.810

Speaker 11 (Community Hall): Madam Mayor, members of the Council, my name is Roger Costa. I am speaking tonight.

473

01:16:53.810 --> 01:17:09.910

Speaker 18 (Community Hall): as a long-term resident of Cupertino. I also serve on the Ad Hoc Wildfire Cupertino Committee, and the purpose of my remarks is basically to ask your assistance in helping to prevent

474

01:17:10.140 --> 01:17:14.790

Speaker 18 (Community Hall): a, Pacific Palisades sort of wildfire event here in Cupertino.

475

01:17:15.070 --> 01:17:31.300

Speaker 18 (Community Hall): Over the last couple of years, the CAL FIRE organization has mapped the entire state in and determined fire hazard severity zones with ranks from very high to high to moderate severity.

476

01:17:31.480 --> 01:17:42.980

Speaker 18 (Community Hall): And the hazard is from airborne embers flying into the area and igniting the homes and the areas where they land.

477

01:17:43.320 --> 01:17:47.660

Speaker 18 (Community Hall): And the, area of Cupertino.

478

01:17:48.030 --> 01:17:50.749

Speaker 18 (Community Hall): That is designated very high.

479

01:17:51.130 --> 01:17:52.440

Speaker 18 (Community Hall): fire hazard.

480

01:17:52.670 --> 01:17:57.400

Speaker 18 (Community Hall): It's somewhere between 15 and 20% of the total city land area.

481

01:17:57.770 --> 01:18:11.400

Speaker 18 (Community Hall): And if you add high and moderate to it, it just goes up from there. So it's an... it's a concern that we should all be concerned with and working to help minimize risk.

482

01:18:12.110 --> 01:18:18.020

Speaker 18 (Community Hall): The specific purpose, though, tonight is to ask for your help in two areas regarding

483

01:18:18.130 --> 01:18:23.760

Speaker 18 (Community Hall): a, a piece of California legislation that was passed in 2022.

484

01:18:23.880 --> 01:18:27.660

Speaker 18 (Community Hall): Labeled Assembly Bill 1572.

485

01:18:27.910 --> 01:18:35.080

Speaker 18 (Community Hall): And this deals with water conservation across the state. It's a very worthwhile goal.

486

01:18:35.560 --> 01:18:44.189

Speaker 18 (Community Hall): One element of that bill is that you will not be able to use potable water, to irrigate

487

01:18:44.380 --> 01:18:50.459

Speaker 18 (Community Hall): Non-functional lawn areas. Non-functional turf is the term in the bill.

488

01:18:50.670 --> 01:18:56.570

Speaker 18 (Community Hall): And the definition of what is functional and non-functional is extraordinarily vague.

489

01:18:56.900 --> 01:19:00.480

Speaker 18 (Community Hall): And environmental advocacy groups across the state

490

01:19:00.620 --> 01:19:09.010

Speaker 18 (Community Hall): Are pushing aggressively to, expand the definition of non-functional turf to minimize water usage.

491

01:19:09.120 --> 01:19:15.500

Speaker 18 (Community Hall): That's all well and good. However, globally, Fire authorities monitor

492

01:19:15.670 --> 01:19:23.670

Speaker 18 (Community Hall): water content, moisture content in grassland areas. And they have a measure called curing value.

493

01:19:23.980 --> 01:19:26.679

Speaker 18 (Community Hall): And so, when a plane or a...

494

01:19:27.760 --> 01:19:32.880

Speaker 18 (Community Hall): A prairie has dried out and all the lawn or grass area is yellow.

495

01:19:33.040 --> 01:19:35.930

Speaker 18 (Community Hall): It has a curing value of 100.

496

01:19:36.720 --> 01:19:43.010

Speaker 18 (Community Hall): A well-maintained lawn area that's irrigated has a curing value of zero.

497

01:19:43.610 --> 01:19:49.430

Speaker 18 (Community Hall): There is no better landscape,

498

01:19:49.870 --> 01:19:54.270

Speaker 18 (Community Hall): Form that is... that is a plant, than that.

499

01:19:54.770 --> 01:20:04.200

Speaker 18 (Community Hall): I ask... may I just finish with the request for this? I ask that you do two things. Ask that the county fire department

500

01:20:05.160 --> 01:20:10.569

Speaker 18 (Community Hall): asks the regional water, water service.

501

01:20:10.575 --> 01:20:11.334

Speaker 14 (Community Hall): This is bored.

502

01:20:11.335 --> 01:20:12.945

Speaker 11 (Community Hall): Thank you, Roger. Sorry, that is your time.

503

01:20:12.945 --> 01:20:13.635

Speaker 14 (Community Hall): Or an again.

504

01:20:13.635 --> 01:20:14.425

Speaker 18 (Community Hall): exemption.

505

01:20:14.645 --> 01:20:22.754

Speaker 18 (Community Hall): and then work with Senator Becker and Assemblyman Ahrens to get an amendment to the law. Thank you.

506

01:20:22.890 --> 01:20:28.199

Speaker 11 (Community Hall): Thank you, thank you, Roger. Next we have Rhoda Frye, followed by Monica.

507

01:20:28.470 --> 01:20:31.459

Speaker 11 (Community Hall): Followed by Jennifer. Well, doom and gloom seems.

508

01:20:31.465 --> 01:20:31.895

Speaker 3 (Community Hall): to be on the.

509

01:20:31.900 --> 01:20:33.010

Speaker 5 (Community Hall): agenda today.

510

01:20:33.460 --> 01:20:44.130

Speaker 3 (Community Hall): First of all, I was really dismayed that the city Did not reveal a evacuation assessment.

511

01:20:44.700 --> 01:20:48.570

Speaker 19 (Community Hall): That had been received in October. We didn't get it until March.

512

01:20:48.880 --> 01:20:51.500

Speaker 19 (Community Hall): I really feel that's a dereliction of duty.

513

01:20:51.580 --> 01:21:09.370

Speaker 19 (Community Hall): And I was just stunned by it. And really appreciate Roger's comments this evening as well. Oh yeah, and then there's earthquakes, too. And we do need to do what we can for hardening, and sometimes that potentially could actually mean

514

01:21:09.510 --> 01:21:13.299

Speaker 19 (Community Hall): Ordering lawns, which is surprising, but he's done his homework.

515

01:21:13.590 --> 01:21:29.209

Speaker 19 (Community Hall): What I came to talk to you tonight is, you know, we've been talking about various ways of, financing. One of the things that the city has talked about in the past is selling our water rights. We have,

516

01:21:29.210 --> 01:21:40.260

Speaker 19 (Community Hall): we actually own some of our own... our water rights. It's the Monta Vista Water Works. Actually, the voters voted it in, and we actually taxed ourselves way, way back.

517

01:21:40.370 --> 01:21:52.399

Speaker 19 (Community Hall): way, way back. Between... before maybe some of you were born, but it did

happen, so this is something that we voted for, so I'm not sure that we can actually sell it to, potentially, to San Jose Water.

518

01:21:52.580 --> 01:22:07.739

Speaker 19 (Community Hall): I, I really don't want that to happen, so... and I'm worried that it could come up, so that's why I'm bringing it up today. The other thing I really want to quickly go over, and I'll hand my paper in to the, to, to the, city clerk, little, story about

519

01:22:08.200 --> 01:22:19.479

Speaker 19 (Community Hall): finance... our finances. I would really encourage people to go over to EMA, which, where you can see what's going on with our city debt. I want to talk a little bit about, how we got into the UUT.

520

01:22:19.480 --> 01:22:33.340

Speaker 19 (Community Hall): The way we got into the UUT was, hey, it would be about \$2.50 a month for tax. Purpose of that, that we voted in, was to buy Blackberry Farm and the Fremont Older School site. And guess what? This was really exciting.

521

01:22:33.590 --> 01:22:35.790

Speaker 19 (Community Hall): How long will I have to pay for Measure T?

522

01:22:36.210 --> 01:22:44.339

Speaker 19 (Community Hall): Measure T will sunset or end after 25 years, or sooner, if the properties can be paid off. So, isn't that cool?

523

01:22:44.345 --> 01:22:49.764

Speaker 4 (Community Hall): Thanks for the interruption. Can we hold time, so that we can actually see the, presentation materials?

524

01:22:53.110 --> 01:22:57.479

Speaker 8 (Community Hall): We couldn't see your projection.

525

01:22:57.480 --> 01:22:59.849

Speaker 4 (Community Hall): We could not see it on the overhead. Oh.

526

01:23:01.310 --> 01:23:04.119

Speaker 4 (Community Hall): There we go, and if that could...

527

01:23:04.125 --> 01:23:22.505

Speaker 19 (Community Hall): hand them in, too, so it'll be in the record, so y'all can see it later. Okay, thank you. Thank you. And anyway, here's the vote, and shall we buy Blackberry Farms open space, acquisition, preservation of land, and actually was also construction of public facilities. Here's the election. So what happened? We've,

528

01:23:22.665 --> 01:23:37.595

Speaker 19 (Community Hall): voted in a debt, it's called a certificate of participation, which is like a bond,

\$32 million. But interestingly, then... pull it up, then there was the li... the library of things. Do we want a big library, or do we want a bigger library? So we voted...

529

01:23:37.655 --> 01:23:43.864

Speaker 19 (Community Hall): for a bigger library, and guess what? That wound up being \$56 million. So instead of getting

530

01:23:44.075 --> 01:24:00.165

Speaker 19 (Community Hall): what would be a bigger library? We got... we refined the whole library. Then we... and then we went and did the UUT a second time. Do you want more? Do you... do you want to continue the tax without any increase of tax? Well, it did if your energy cost goes up. So that's the story.

531

01:24:00.445 --> 01:24:01.255

Speaker 19 (Community Hall): Thanks.

532

01:24:01.690 --> 01:24:02.689

Speaker 14 (Community Hall): Thank you, Rhoda.

533

01:24:02.850 --> 01:24:05.370

Speaker 14 (Community Hall): Our next speaker is Monica.

534

01:24:06.150 --> 01:24:07.390

Speaker 14 (Community Hall): Welcome, Monica.

535

01:24:15.700 --> 01:24:17.020

Speaker 3 (Community Hall): Hi, good evening.

536

01:24:17.295 --> 01:24:21.785

Speaker 12 (Community Hall): Moore, Vice Mayor, Council Members, City Manager. My name is Monica.

537

01:24:21.790 --> 01:24:26.269

Speaker 16 (Community Hall): And I'd like to take this opportunity to communicate and introduce myself.

538

01:24:26.275 --> 01:24:45.015

Speaker 20 (Community Hall): that I'm your local government affairs representative with PG&E. I know that you guys were previously working with my colleague Sergio Jimenez. Sergio is still with our company, but he's assisting in my transition, and I will be representing the City of Cupertino, and I look forward to our continued partnership.

539

01:24:45.015 --> 01:24:46.525

Speaker 20 (Community Hall): Moving forward.

540

01:24:46.525 --> 01:24:56.815

Speaker 20 (Community Hall): I will be your primary point of contact for all PG&E-related matters. If you have questions, concerns, or need information regarding PG&E, I'm here to help.

541

01:24:57.625 --> 01:25:17.415

Speaker 20 (Community Hall): I value strong partnerships with our local government leaders, and I'm committed to being responsive and a collaborative resource. I look forward to connecting, and I'll be reaching out to you individually so that I can best understand your priorities, concerns, and be of service for all PG&E matters. I look forward to working together, and thank you for your time.

542

01:25:19.780 --> 01:25:20.819

Speaker 14 (Community Hall): Thank you, Monica.

543

01:25:21.780 --> 01:25:28.699

Speaker 11 (Community Hall): That concludes the request to speak in person, so we will go to our request to speak virtually. We have two hands raised.

544

01:25:29.160 --> 01:25:32.840

Speaker 11 (Community Hall): At this time, we will welcome call-in user 1.

545

01:25:40.510 --> 01:25:42.830

Speaker 11 (Community Hall): Alright, you're unmuted.

546

01:25:43.990 --> 01:25:44.990

Speaker 11 (Community Hall): Welcome.

547

01:25:45.860 --> 01:25:49.270

Call-In User\_1: Good evening, councils. You can hear me?

548

01:25:49.880 --> 01:25:50.890

Speaker 14 (Community Hall): We can hear you.

549

01:25:51.180 --> 01:26:02.700

Call-In User\_1: Okay, good evening. My name is Jay. I'm a member of the residence long-term... Residence Huang family. I'm here to regarding the property belonging that was taken without a notice.

550

01:26:02.910 --> 01:26:07.989

Call-In User\_1: And, a person was taking 2016, and again.

551

01:26:08.150 --> 01:26:22.010

Call-In User\_1: And without notice, I'm 2021. I've made a repeated effort to resolve this matter with the City of Cupertino and request the meetings, but I have not received a response, for the last few years.

552

01:26:22.010 --> 01:26:29.740

Call-In User\_1: I'm asking the Council to please look into this matter, help facilitate the return of four property, and the issued ongoing...

553

01:26:30.130 --> 01:26:47.900

Call-In User\_1: the retaliation to end, and no further retaliation or raising an issue. We're ready to sit down with the city, we should have been ready for a while, to resolve this promptly, and I expect the return of property and belongings and the end of the retaliations.

554

01:26:48.020 --> 01:26:49.180

Call-In User\_1: Thank you.

555

01:26:50.070 --> 01:26:57.790

Call-In User\_1: And I need to, please let the city official talk to us, and we will request that. Thank you.

556

01:27:00.260 --> 01:27:04.680

Speaker 11 (Community Hall): Thank you. Our next speaker is San Rao. Welcome, San.

557

01:27:06.820 --> 01:27:11.789

San Rao: Good evening, Mayor Moore, Vice Mayor Chao, Councilmember, speaking on behalf of myself only as a resident.

558

01:27:12.540 --> 01:27:21.129

San Rao: Given you are considering a ballot measure for tax increases, I have been looking at our financial situation.

559

01:27:21.320 --> 01:27:23.880

San Rao: And the data that we see

560

01:27:24.430 --> 01:27:31.389

San Rao: Is that over a 10-year period, our population has declined from 67,000 down to 57,000.

561

01:27:31.620 --> 01:27:35.499

San Rao: So we've had a nearly 10,000 decrease in our population.

562

01:27:36.320 --> 01:27:43.960

San Rao: Our staffing, if you look at a metric of staff per thousand restaurants, Our staffing has gone up.

563

01:27:44.230 --> 01:27:45.610

San Rao: In that time frame.

564

01:27:45.890 --> 01:27:49.360

San Rao: From a metric of 2.8 to nearly 3.1.

565

01:27:50.580 --> 01:27:54.400

San Rao: And if you look at our costs, our costs have significantly increased.

566

01:27:54.850 --> 01:27:57.329

San Rao: Much of that increase comes from public works.

567

01:27:58.270 --> 01:28:03.580

San Rao: While we do have increases due to the law enforcement contract that we're all aware of and talking about.

568

01:28:04.170 --> 01:28:07.849

San Rao: There is a significant amount of cost increase in public works.

569

01:28:08.790 --> 01:28:15.529

San Rao: And that continues to... Get reallocated now to departments in the form of cost allocation.

570

01:28:15.900 --> 01:28:20.920

San Rao: And the Parks and Rec Department is probably bearing the biggest cost of that.

571

01:28:21.290 --> 01:28:28.250

San Rao: If you looked at the POC and RECS expenses 10 years ago, in 2015, Parks and Rec was...

572

01:28:28.350 --> 01:28:30.400

San Rao: A third of what it is today.

573

01:28:30.620 --> 01:28:35.219

San Rao: And the reason is because we do this cost allocation and their expense shows up as bloated.

574

01:28:35.340 --> 01:28:37.440

San Rao: I ask you, what are we getting for it?

575

01:28:38.050 --> 01:28:47.419

San Rao: 10 years ago, we had projects that actually delivered new parks to the city, a new library, new facilities. We had real improvements.

576

01:28:48.480 --> 01:28:57.200

San Rao: what do we get now? When was the last time we've had a park? The Lawrence City Park was acquired nearly 4 or 5 years ago. We haven't seen progress on that.

577

01:28:57.600 --> 01:29:01.839

San Rao: We have spent money on studies, on consultants, on projects that

578

01:29:02.050 --> 01:29:04.500

San Rao: Frankly, don't add value to the city.

579

01:29:04.910 --> 01:29:08.099

San Rao: And our plots and write budget has gone up a third.

580

01:29:08.500 --> 01:29:18.119

San Rao: So, as you look at where you're gonna make up the shortfall while you're depending on a potential ballot measure, I'd like you to consider

581

01:29:18.260 --> 01:29:24.449

San Rao: Bringing that staff per thousand resident metric back to the number it was at, 10 years ago.

582

01:29:24.940 --> 01:29:29.910

San Rao: I hear Councilmember Mohan saying that, oh, we have better services now than we had 10 years ago.

583

01:29:30.050 --> 01:29:33.769

San Rao: I would beg to defer. 10 years ago, we had a lot more services.

584

01:29:33.920 --> 01:29:36.129

San Rao: The Sports Center would open at 6 AM.

585

01:29:36.300 --> 01:29:40.039

San Rao: The sports center stayed open till 10pm. We had a teen center.

586

01:29:40.200 --> 01:29:49.620

San Rao: We had many other services. And so, we have lost a number of services. We had the BlackBerry farm serving us at a greater capacity than we have now.

587

01:29:49.810 --> 01:30:05.790

San Rao: And so I'd encourage you to look at creative ways to reduce the cost of public works. That starts with cutting these consultant projects, it starts with cutting these design projects, for which we may or may not get refunded, and it starts with reducing the staffing

588

01:30:05.940 --> 01:30:12.400

San Rao: Because staffing is allocated to these projects, and if you stop these projects, we could reduce our staffing.

589

01:30:12.610 --> 01:30:19.629

San Rao: So I urge you to think about how you get that staff per thousand metric down from where it's at now to where it was 10 years ago.

590

01:30:19.780 --> 01:30:26.779

San Rao: And really start to look at the population-based scenarios so that you can recoup easily

591

01:30:27.580 --> 01:30:29.690

San Rao: 15 to 20 million out of the budget.

592

01:30:29.690 --> 01:30:31.769

Speaker 11 (Community Hall): Thank you, San. That is your time.

593

01:30:32.310 --> 01:30:36.099

Speaker 11 (Community Hall): Mayor, that concludes the request to speak under oral communications this evening.

594

01:30:36.105 --> 01:30:36.915

Speaker 14 (Community Hall): Alright, thank you.

595

01:30:36.920 --> 01:30:42.369

Speaker 4 (Community Hall): Do we... Madam City Clerk, do we have any consent calendar items that have been pulled?

596

01:30:43.600 --> 01:30:48.330

Speaker 4 (Community Hall): No, Mayor. Okay, do we have any members of the Council who wish to pull a consent item?

597

01:30:50.890 --> 01:30:53.799

Speaker 4 (Community Hall): Councilmember Fruen and Councilmember Mohan?

598

01:30:53.800 --> 01:31:00.000

Speaker 7 (Community Hall): So it's not so much to pull an item, but I would ask to be able to make brief comments on item 7.

599

01:31:00.190 --> 01:31:03.519

Speaker 7 (Community Hall): And get a clarifying point from the city manager.

600

01:31:03.640 --> 01:31:08.719

Speaker 7 (Community Hall): And then to make brief comments on item 10, and ask for a separate vote on item 10.

601

01:31:09.710 --> 01:31:12.070

Speaker 4 (Community Hall): Okay, and Councilmember Mohan?

602

01:31:13.470 --> 01:31:19.460

Speaker 9 (Community Hall): Yeah, I had this... I wanted to make a few comments on the number 7.

603

01:31:19.840 --> 01:31:25.970

Speaker 9 (Community Hall): So I didn't really want to pull it, as well, so I don't know when... when is the right time to do that.

604

01:31:26.960 --> 01:31:39.280

Speaker 4 (Community Hall): Okay, so we're going to open up for public comments on the consent calendar, and then you can make your comments regarding the consent calendar after that, and then we can do a separate vote on item 7.

605  
01:31:42.450 --> 01:31:44.320  
Speaker 14 (Community Hall): So, Madam City Clerk, are there any...

606  
01:31:44.325 --> 01:31:51.135  
Speaker 11 (Community Hall): I do not have any requests to speak in person, and I currently do not see any hands raised virtually to speak under the consent calendar.

607  
01:31:51.140 --> 01:31:51.820  
Speaker 14 (Community Hall): Okay.

608  
01:31:51.825 --> 01:32:03.155  
Speaker 4 (Community Hall): So do we have a motion to move items 3 through 6, 8, 9, and 10? No, not 10. Sorry, I'm doing that wrong. You want to go 3 through...

609  
01:32:03.515 --> 01:32:07.615  
Speaker 4 (Community Hall): It's 10 that you want to have separate, so move items 3 through 9.

610  
01:32:08.215 --> 01:32:09.125  
Speaker 4 (Community Hall): Correct?

611  
01:32:10.270 --> 01:32:18.779  
Speaker 8 (Community Hall): Yeah, so moved. But there was a desk item, I think, there was a desk, modification on some...

612  
01:32:19.120 --> 01:32:21.859  
Speaker 8 (Community Hall): Number someone of the items, I think.

613  
01:32:22.030 --> 01:32:23.150  
Speaker 8 (Community Hall): Was it?

614  
01:32:23.580 --> 01:32:28.910  
Speaker 8 (Community Hall): So this function should include Dad, what, what's that? On...

615  
01:32:28.910 --> 01:32:34.160  
Speaker 5 (Community Hall): Item 7, Vice Mayor? Oh. There is a desk item on item 7, if that's what you're asking.

616  
01:32:34.980 --> 01:32:37.480  
Speaker 5 (Community Hall): And there should be hard copies on here.

617  
01:32:37.700 --> 01:32:38.530  
Speaker 5 (Community Hall): Nice.

618

01:32:38.530 --> 01:32:40.750

Speaker 4 (Community Hall): Did this modify item 7?

619

01:32:41.450 --> 01:32:45.580

Speaker 5 (Community Hall): No, we received a clarifying question, so it just answers, so maybe that...

620

01:32:45.585 --> 01:32:49.735

Speaker 8 (Community Hall): was no modification. Modification was for all the...

621

01:32:49.915 --> 01:32:54.235

Speaker 8 (Community Hall): The housing element consulting one, just...

622

01:32:54.240 --> 01:32:56.839

Speaker 9 (Community Hall): Okay, so it makes it easier. Oh, the...

623

01:32:56.845 --> 01:33:00.674

Speaker 8 (Community Hall): The... the ballot major preparation, item 9.

624

01:33:00.975 --> 01:33:02.965

Speaker 8 (Community Hall): I think there was a number...

625

01:33:03.120 --> 01:33:14.870

Speaker 5 (Community Hall): So, our estimate came back a lot lower than what was included in the staff report, so the desk item clarifies that we're not asking Council for 475, we're asking for 375.

626

01:33:14.875 --> 01:33:15.615

Speaker 9 (Community Hall): ship in the.

627

01:33:15.615 --> 01:33:18.525

Speaker 8 (Community Hall): Ocean, reflect that.

628

01:33:19.070 --> 01:33:21.640

Speaker 4 (Community Hall): Yes. Yes, it should. Yeah, thank you.

629

01:33:22.190 --> 01:33:28.970

Speaker 4 (Community Hall): Okay, so are you adjusting your motion? Yeah. Okay, and I'll... I will second that, and...

630

01:33:29.420 --> 01:33:32.810

Speaker 4 (Community Hall): Were there some comments on items 3 through 9?

631

01:33:34.520 --> 01:33:47.210

Speaker 7 (Community Hall): Councilmember Fruan? So, item 7 is a flag-raising policy which looks to be

modeled on San Jose's, I'm presuming, so that we can preserve the government speech doctrine with regard to flag-raising.

632

01:33:47.300 --> 01:33:59.389

Speaker 7 (Community Hall): And not open it up as a general free-for-all for speech. That said, we do have two fairly regular flag raises. One's for the India flag raising ceremony, another one for Pride.

633

01:33:59.530 --> 01:34:03.440

Speaker 7 (Community Hall): Should we be expecting follow-on resolutions on those?

634

01:34:05.220 --> 01:34:22.249

Speaker 5 (Community Hall): Thank you, Councilmember Fruan. So the... once this policy's in place, which clarifies that any request for flag raising should come to Council, so if this gets passed tonight, then at the next meeting, you will see the two flag raisings that are coming up that we normally do for Council to approve.

635

01:34:22.250 --> 01:34:25.919

Speaker 7 (Community Hall): Okay, alright, so we'll expect that at the next meeting? Yes. Okay, great, thank you.

636

01:34:25.920 --> 01:34:27.580

Speaker 4 (Community Hall): And Councilmember Mohan?

637

01:34:27.750 --> 01:34:35.300

Speaker 9 (Community Hall): So follow-up to that question, is this resolution going to come up year after year, or is...

638

01:34:35.715 --> 01:34:44.574

Speaker 5 (Community Hall): The idea, based on the policy, is that any flag-raising request that the city receives, that we will bring it to Council for your consideration and approval.

639

01:34:45.450 --> 01:34:47.100

Speaker 9 (Community Hall): And, and to,

640

01:34:47.230 --> 01:34:56.520

Speaker 9 (Community Hall): question that, Madam Mayor, the Pride flag as well as the India Independence Day flag, that's been going on for years.

641

01:34:56.840 --> 01:35:02.380

Speaker 9 (Community Hall): And so do we... it seems like a waste of time that it comes before the Council, and then we...

642

01:35:02.720 --> 01:35:03.620

Speaker 9 (Community Hall): Oh.

643

01:35:03.960 --> 01:35:06.149

Speaker 9 (Community Hall): Approve it or not approve it.

644

01:35:06.420 --> 01:35:08.250

Speaker 9 (Community Hall): Every year, year after year?

645

01:35:10.070 --> 01:35:28.179

Speaker 5 (Community Hall): Vice Mayor... oh, sorry, not Vice Mayor, Councilmember Mohan, that the policy currently written, if we didn't bring a clarification, doesn't... It makes it really difficult to, approve any... if we were to get any new requests, or any change in requests, so...

646

01:35:28.180 --> 01:35:35.609

Speaker 5 (Community Hall): For consistency purposes, we thought that this was easiest to just bring every single request to Council.

647

01:35:36.270 --> 01:35:45.059

Speaker 4 (Community Hall): It would be, like, at the start of the year, like, at the committee assignments, something like that. Like a ceremony, just to expedite it. There have been other requests, is the issue. Right, so...

648

01:35:45.060 --> 01:35:45.800

Speaker 9 (Community Hall): We're...

649

01:35:45.805 --> 01:35:47.885

Speaker 4 (Community Hall): We're in need of a policy at this point.

650

01:35:47.885 --> 01:35:52.564

Speaker 9 (Community Hall): Why not do it for the new requests, and keep the old requests as they are?

651

01:35:53.290 --> 01:35:56.540

Speaker 4 (Community Hall): It could be written up like that, but it would be...

652

01:35:56.950 --> 01:36:01.410

Speaker 4 (Community Hall): You know, it could be 20 years down the road, where having a

653

01:36:01.600 --> 01:36:10.690

Speaker 4 (Community Hall): a perpetual agreement, it might not be what that council is wanting, and so each year you'll...

654

01:36:11.290 --> 01:36:16.719

Speaker 4 (Community Hall): you'll get to, pass it through. I imagine it would be on consent.

655

01:36:16.850 --> 01:36:23.089

Speaker 4 (Community Hall): It's... yeah, but we're really just dotting our I's and crossing our T's here. No, I understand.

656

01:36:23.095 --> 01:36:28.764

Speaker 9 (Community Hall): but I cannot imagine every... any council saying no to the pride flag, or no to the India independence flag.

657

01:36:29.155 --> 01:36:30.105

Speaker 9 (Community Hall): C-correct.

658

01:36:30.710 --> 01:36:43.669

Speaker 4 (Community Hall): Okay. And that, yeah, and that's not really the purpose of this, item. It's because we're missing a policy, and we really need to have one in place, so that should we have other requests, that we have a clean policy.

659

01:36:44.050 --> 01:36:45.329

Speaker 4 (Community Hall): Okay, moving forward.

660

01:36:45.990 --> 01:36:49.510

Speaker 4 (Community Hall): Thank you. Vice Mayor, yeah.

661

01:36:49.515 --> 01:36:59.284

Speaker 8 (Community Hall): We envision, likely, there will be a consent item in the beginning of the year that we approve all the flag raising requests for that year.

662

01:37:00.110 --> 01:37:04.509

Speaker 5 (Community Hall): Yes, unless there is a new request that comes in during the year.

663

01:37:04.515 --> 01:37:12.074

Speaker 8 (Community Hall): They don't require any staffing time, or would we be approving staffing cost?

664

01:37:12.635 --> 01:37:18.935

Speaker 8 (Community Hall): involved with those during budget time, then we... should we be approving that with the budget?

665

01:37:20.310 --> 01:37:22.630

Speaker 5 (Community Hall): That's a good question.

666

01:37:23.180 --> 01:37:42.370

Speaker 5 (Community Hall): Some of them do require some staff time, but I think that's what Councilmember Mohan was mentioning, like, there's two that are built around events that we do every year, so if we're adding new ones, there's... there's going to be some staff time and resources required, and we'll bring that forward to Council, and I'll bring some estimates on what that might.

667

01:37:42.375 --> 01:37:47.615

Speaker 8 (Community Hall): When you bring that to the council, you can also have information about the staffing cost.

668

01:37:47.615 --> 01:37:57.015

Speaker 5 (Community Hall): Yeah, I'm hoping to put those on consent, but the staff report will include information, and then Council can have a discussion if needed. Great, thank you.

669

01:37:57.830 --> 01:38:04.189

Speaker 4 (Community Hall): All right, Madam City Clerk, will you please reset the panel and conduct a vote for items 3 through 9?

670

01:38:04.195 --> 01:38:07.455

Speaker 11 (Community Hall): Sorry, was there a second? I have, Chao moved.

671

01:38:07.555 --> 01:38:09.005

Speaker 11 (Community Hall): Thank you, Mayor.

672

01:38:09.125 --> 01:38:16.194

Speaker 11 (Community Hall): Move to approve the consent calendars items 3... 3 through 9, with... to include the amendments to item number 9 per the desk item.

673

01:38:16.195 --> 01:38:19.605

Speaker 4 (Community Hall): Okay, and I just want to reiterate that I second this.

674

01:38:19.765 --> 01:38:21.315

Speaker 4 (Community Hall): Item, okay. Thank you.

675

01:38:22.600 --> 01:38:24.559

Speaker 11 (Community Hall): Okay, the votes are ready.

676

01:38:28.750 --> 01:38:31.370

Speaker 11 (Community Hall): Okay, the motion carries with Wong absent.

677

01:38:31.600 --> 01:38:38.379

Speaker 4 (Community Hall): Okay, next is item 10. I'll move item 10. Do I have a second?

678

01:38:40.100 --> 01:38:41.430

Speaker 8 (Community Hall): I'll second.

679

01:38:42.980 --> 01:38:48.179

Speaker 4 (Community Hall): Thank you, and Councilmember Fruen, you wanted to have this as a separate vote. Would you care to speak to that item? Yes, thank you.

680

01:38:48.185 --> 01:39:02.275

Speaker 7 (Community Hall): Thank you very much. I appreciate the effort at collaborating with Mayor Turner on the matter. I am really concerned that asking for a total pause on all housing-related legislation

681

01:39:02.445 --> 01:39:07.515

Speaker 7 (Community Hall): Is not going to be taken as seriously as it should be, perhaps, by the legislature.

682

01:39:07.625 --> 01:39:20.914

Speaker 7 (Community Hall): And in particular by Speaker Rivas. I think it also deprives us of the opportunity of asking for actual reforms that I think would be helpful. There are some opportunities for amending the density bonus law and allowing cities the opportunity to turn it off.

683

01:39:21.045 --> 01:39:29.575

Speaker 7 (Community Hall): Which I think is very useful. I think there's also some very good legislation that's currently in the works to amend existing,

684

01:39:29.865 --> 01:39:48.065

Speaker 7 (Community Hall): construction defect liability that is a major impediment to the construction of condos, which are basically starter homes. I don't think that's really aligned with our legislative platform, and so I can't support this in its current form. I like the other things that it's asking for, but not that particular ask.

685

01:39:48.455 --> 01:39:53.035

Speaker 4 (Community Hall): Okay, thank you. I do want to point out that there is a,

686

01:39:53.165 --> 01:39:55.715

Speaker 4 (Community Hall): There is a bill going through

687

01:39:55.825 --> 01:40:00.695

Speaker 4 (Community Hall): Discussing townhomes this year, and it looks...

688

01:40:00.915 --> 01:40:07.864

Speaker 4 (Community Hall): at first glance, as though, if you have a townhome project, you could have it ministerially approved.

689

01:40:08.175 --> 01:40:24.805

Speaker 4 (Community Hall): And which is a little concerning, considering the last townhome project that we had, but I would appreciate if you did have, something that you could add to modify, the letter that Mayor Turner wrote,

690

01:40:24.805 --> 01:40:38.265

Speaker 4 (Community Hall): that you think that would be more effective and it would be received, better, I'd appreciate that if there was a way to negotiate some sentences to this letter.

691

01:40:38.580 --> 01:40:44.680

Speaker 7 (Community Hall): How soon would you need that? Because I'd be happy to brown act with you on it, and get you language.

692  
01:40:44.850 --> 01:40:46.109  
Speaker 7 (Community Hall): Perhaps for the next meeting?

693  
01:40:46.280 --> 01:40:46.920  
Speaker 7 (Community Hall): I think.

694  
01:40:46.925 --> 01:40:51.265  
Speaker 4 (Community Hall): That could work. Madam City Manager and the City Attorney, what do you think?

695  
01:40:52.170 --> 01:40:54.840  
Speaker 8 (Community Hall): I think that can work. Okay. Great.

696  
01:40:55.050 --> 01:40:56.340  
Speaker 8 (Community Hall): Yeah, I...

697  
01:40:56.490 --> 01:41:14.730  
Speaker 8 (Community Hall): I kind of agree, I like the sentiment of the letter, but there are aggressive housing laws that still need to be fixed. So, I suppose we can write our own letter with the same sentiment, but not exactly the same language. So...

698  
01:41:14.910 --> 01:41:16.590  
Speaker 8 (Community Hall): So are we...

699  
01:41:17.330 --> 01:41:26.929  
Speaker 8 (Community Hall): Are we pulling the item, or are we... can we just make a motion to authorize the mayor and the Councilmember Fluent to,

700  
01:41:27.340 --> 01:41:28.340  
Speaker 8 (Community Hall): Whoa, whoa.

701  
01:41:28.345 --> 01:41:29.205  
Speaker 9 (Community Hall): I'm a letter.

702  
01:41:29.210 --> 01:41:37.340  
Speaker 4 (Community Hall): provide a modified, letter with some suggestions, rather than a flat-out, kind of moratorium. So are we bringing.

703  
01:41:37.345 --> 01:41:39.214  
Speaker 8 (Community Hall): it back.

704  
01:41:39.250 --> 01:41:40.770  
Speaker 4 (Community Hall): I think we can...

705

01:41:41.730 --> 01:41:46.100

Speaker 5 (Community Hall): You can place it on consent at the next meeting. Okay.

706

01:41:46.100 --> 01:41:49.899

Speaker 4 (Community Hall): Okay. Okay, let's do that, and I had one quick.

707

01:41:49.900 --> 01:42:03.619

Speaker 9 (Community Hall): comment? Sure, Mayor. It would be, good if we could have other mayors, supporting, this, this, letter. Right now, it's Mr. Turner, Mayor Turner, and maybe you.

708

01:42:03.860 --> 01:42:13.579

Speaker 9 (Community Hall): It would be good if you could go through the Cities Association, or the League of California Cities, or add some heft to the letter by adding some more names.

709

01:42:13.875 --> 01:42:21.905

Speaker 4 (Community Hall): Okay, and the... so we're kind of forming an ad hoc subcommittee, which can look into that, you know, how to best position this.

710

01:42:21.910 --> 01:42:31.810

Speaker 5 (Community Hall): Yeah, and I can confirm through the mayor, from our understanding, Mayor Turner did share it with other mayors as well in Santa Clara County.

711

01:42:32.140 --> 01:42:32.600

Speaker 5 (Community Hall): And...

712

01:42:32.605 --> 01:42:33.755

Speaker 9 (Community Hall): they agree.

713

01:42:34.000 --> 01:42:37.809

Speaker 5 (Community Hall): I... I don't know, but this letter has been... this request has been shared with us.

714

01:42:37.815 --> 01:42:45.094

Speaker 4 (Community Hall): It's very soon, so we just got it last week and got it placed on our agenda. Yes.

715

01:42:45.095 --> 01:43:03.845

Speaker 8 (Community Hall): So, so I think Turner is on the board of Cities Association, so likely he will be sharing with cities through that, at least, then hopefully he can even go beyond the Cities Association. That, maybe the subcommittee can discuss.

716

01:43:03.850 --> 01:43:23.410

Speaker 4 (Community Hall): Very well. So the motion would be that, the ad hoc subcommittee of, the mayor and Councilmember Fruen will be preparing a modified letter and bring it back to, the Council that we're gonna try to target on the April 21st. Okay.

717

01:43:23.645 --> 01:43:30.075

Speaker 8 (Community Hall): Maybe it could discuss, strategies for... to improve the impact of the latter.

718

01:43:30.620 --> 01:43:35.610

Speaker 4 (Community Hall): And include some strategies for... to increase the impact of the letter. Do I have a second?

719

01:43:37.480 --> 01:43:40.149

Speaker 9 (Community Hall): I'll second. Okay, thank you.

720

01:43:40.900 --> 01:43:45.349

Speaker 4 (Community Hall): Madam City Clerk, will you please clear the panel and set us up for the vote?

721

01:44:05.600 --> 01:44:07.480

Speaker 11 (Community Hall): The motion carries with Wong absent.

722

01:44:07.930 --> 01:44:08.890

Speaker 14 (Community Hall): Okay.

723

01:44:09.290 --> 01:44:23.659

Speaker 4 (Community Hall): Thank you. So, we would be heading into a public hearing. I suggest we take a 5-minute break, since I might take a bit of time. So, we'll head back at 7.36.

724

01:44:23.950 --> 01:44:24.870

Speaker 4 (Community Hall): Thank you.

725

01:51:21.460 --> 01:51:26.709

Speaker 4 (Community Hall): at the Voyager Panera Stevens Creek Office Center site.

726

01:51:26.800 --> 01:51:44.370

Speaker 4 (Community Hall): Are there any ex parte communications the council members need to identify? I can say that I met with a developer several months ago. It's been so long, I can't actually recall when, but it was a long time ago. Any other council members have any ex parte communications to identify?

727

01:51:45.010 --> 01:51:52.409

Speaker 4 (Community Hall): Councilmember Mohan, followed by Councilmember Chao, and... I mean, Vice Mayor Chao and Councilmember Fruen.

728

01:51:52.415 --> 01:52:01.014

Speaker 9 (Community Hall): Yes, I have met with the developers, and I met with them first time about a year ago, I think, and most recently in the last week.

729

01:52:02.330 --> 01:52:04.260

Speaker 4 (Community Hall): followed by Vice Mayor?

730

01:52:04.265 --> 01:52:08.075

Speaker 8 (Community Hall): Me too, twice, more recently this week, yeah. Okay.

731

01:52:08.075 --> 01:52:08.765

Speaker 4 (Community Hall): Councilmember Fran.

732

01:52:08.965 --> 01:52:11.064

Speaker 7 (Community Hall): And I have also met with the applicant.

733

01:52:11.790 --> 01:52:34.200

Speaker 4 (Community Hall): Okay, thank you. The hearing process is going to begin with a staff report, which will be followed by Council clarifying questions, then the developer's report up to 8 minutes, followed by Council clarifying questions of either report, and then we're going to open up for public comment. The applicant may respond to the public comment for 2 minutes, then the public hearing will be closed. So, begin with, Madam City Manager, do we have a staff report?

734

01:52:35.650 --> 01:52:37.130

Speaker 5 (Community Hall): Thank you, Mayor.

735

01:52:37.450 --> 01:52:41.049

Speaker 5 (Community Hall): We do have a presentation and staff report.

736

01:52:41.050 --> 01:52:58.159

Speaker 5 (Community Hall): There also is a desk item, with some clarifying answers for the questions we've received. So, the Council is being requested to review permits to develop a 122-unit townhomes and single-family development on four contiguous lots located between Whole Foods and the Safeway station.

737

01:52:58.180 --> 01:53:10.020

Speaker 5 (Community Hall): The proposed development's utilizing several provisions of various state laws to expedite housing development, including density bonus state bill 330 and AB130.

738

01:53:10.020 --> 01:53:24.890

Speaker 5 (Community Hall): We have, like I said, received questions from Council members related to existing retail uses on the site, Panera Bread and Voyager Coffee. City staff has worked diligently on this project, and we are in communication with both businesses

739

01:53:24.890 --> 01:53:34.209

Speaker 5 (Community Hall): And also the property owner. We've, there's supplemental and there's also a desk item. And presenting the project tonight will be Senior Planner Shelby Maples.

740

01:53:34.210 --> 01:53:47.830

Speaker 5 (Community Hall): And, with her answering questions will be Assistant Director of Community Development, Luke Connolly. Shelby is one of our new planners for the Community Development Department, and this is her first presentation at City Council, so I will turn it over to her.

741

01:53:48.890 --> 01:53:50.230

Speaker 5 (Community Hall): Thank you very much.

742

01:53:50.350 --> 01:53:52.429

Speaker 5 (Community Hall): Good evening, Mayor Moore and City Council.

743

01:53:52.435 --> 01:53:59.575

Speaker 20 (Community Hall): Council members, my name is Shelby Maples, planning staff, and I have a presentation for you on a housing development project.

744

01:53:59.910 --> 01:54:10.699

Speaker 21 (Community Hall): As we mentioned, this project is located on 4 parcels along Stevens Creek, west of Sage Way. It's in the heart of the City-specific plan area in the Crossroads sub-area.

745

01:54:10.700 --> 01:54:20.899

Speaker 21 (Community Hall): There's a Stageway Station Retail and Target, as well as a daycare to the east, Whole Foods and Abundant Life Church to the west, and Residential Uses and the YMCA to the north.

746

01:54:21.490 --> 01:54:31.829

Speaker 21 (Community Hall): At the time of the preliminary application, the zoning designation of the site was Plan Development, Commercial, and Residential. So that's the zoning designation applicable to the proposed project.

747

01:54:32.070 --> 01:54:51.929

Speaker 21 (Community Hall): The project includes 66 for-sale single-family homes, 56 for-sale townhomes, for a total of 122 units, as well as removal of 249 trees. A use permit, architectural site approval, tentative map, and tree removal entitlements have been evaluated to support the project request.

748

01:54:57.750 --> 01:55:15.709

Speaker 21 (Community Hall): For a little bit of background on the project, the site is currently occupied by the Stevens Creek Office Center, as well as Voyager Coffee and Panera. The project submitted a SB330 application, preliminary application, on April 1st, 2024, with a formal application following in September of that year.

749

01:55:15.990 --> 01:55:34.550

Speaker 21 (Community Hall): For some context, the housing element was adopted in May of 2024, where one of the project parcels was identified as Priority Housing Site 9. The SB330 application was submitted prior to adoption of the housing element, locking in that PCG red zoning and lower densities that are currently proposed by the project.

750

01:55:36.550 --> 01:55:54.149

Speaker 21 (Community Hall): As we've seen with the other applications brought before the city, there are several state laws which apply and are utilized by the project. First of all, there's the Housing Accountability Act, which prohibits cities from disproving or adding conditions that would render a project infeasible, or reduce density except specific circumstances.

751

01:55:54.180 --> 01:56:06.400

Speaker 21 (Community Hall): Then we have SB330, or the Housing Crisis Act. This streamlines housing permit processing and allows applicants to vest or lock in their fees and standards that were in effect at the time of their preliminary application.

752

01:56:07.060 --> 01:56:24.790

Speaker 21 (Community Hall): Density bonus law, while it does allow projects to have additional units, that's not the case for this particular project, though it does enable them to use waivers and concessions based on the amount and type of affordable housing proposed. The project requests 12 waivers and 1 concession to support their project.

753

01:56:25.470 --> 01:56:33.430

Speaker 21 (Community Hall): Finally, we have no net loss. The City is required to maintain an inventory of sites by income category consistent with RHNA.

754

01:56:33.570 --> 01:56:46.200

Speaker 21 (Community Hall): This site will not provide the number of units anticipated on Priority Housing Site 9 in the housing element, as the project came in before the housing element was adopted, and it has lower density limits than the current designation.

755

01:56:48.880 --> 01:56:59.760

Speaker 21 (Community Hall): Here's a brief overview of the project development standards, and highlighting some of the waiver standards. They're primarily reducing setbacks in the heart of the city.

756

01:57:02.220 --> 01:57:14.270

Speaker 21 (Community Hall): So, as we've covered some of the project details, 122 units, 66 single-family homes, and 56 townhomes, all... including all of the 24 below-market rate, or BMR, units.

757

01:57:14.980 --> 01:57:21.909

Speaker 21 (Community Hall): All buildings in the project are 3 stories, with 33 of the units having additional access to rooftop decks.

758

01:57:22.670 --> 01:57:30.629

Speaker 21 (Community Hall): The living area for the units ranges from 1,380 square feet to 2,329 square feet.

759

01:57:31.480 --> 01:57:34.789

Speaker 21 (Community Hall): The project does require a use permit due to the vested zoning.

760

01:57:35.330 --> 01:57:45.580

Speaker 21 (Community Hall): The project also includes that tree removal permit for the removal of 249 trees. There are 151 trees that will be replaced on site, with the remainder covered by a new fee.

761

01:57:46.480 --> 01:57:50.919

Speaker 21 (Community Hall): And then the project also includes a vesting tentative map for condominium purposes.

762

01:57:53.350 --> 01:58:05.420

Speaker 21 (Community Hall): So here is the site plan showing the layout of the project. As you can see, the townhomes in the orange and green, those are oriented towards Stevens Creek, with the single-family homes back towards Alves.

763

01:58:05.970 --> 01:58:13.080

Speaker 21 (Community Hall): The BMR units are shown here with the red dots. All 24 of them are located in the townhome portion of the project.

764

01:58:13.430 --> 01:58:18.959

Speaker 21 (Community Hall): The units include two-car garages, and there are an additional 28 parking spaces throughout the project area.

765

01:58:19.430 --> 01:58:27.650

Speaker 21 (Community Hall): Private open space for the project includes side yards for single-family homes, patios, and a common open space green, which will also include public art.

766

01:58:28.850 --> 01:58:30.940

Speaker 21 (Community Hall): And here's a rendering of the project.

767

01:58:34.780 --> 01:58:41.520

Speaker 21 (Community Hall): As far as the project consistency, the project was found to be largely consistent with the objective standards of the general plan.

768

01:58:41.610 --> 01:58:57.649

Speaker 21 (Community Hall): Below Market Rate Housing Mitigation Manual and the Municipal Code. As I mentioned, it has the concession and 12 density bonus waivers, and I wanted to note that concessions and waivers can only be denied under specific circumstances, including significant negative impacts.

769

01:58:57.650 --> 01:59:03.480

Speaker 21 (Community Hall): to Historic Property Health and Safety. And then we will go through the waivers in the following slides.

770

01:59:05.850 --> 01:59:24.389

Speaker 21 (Community Hall): First, there is the waiver of the height limitation in the heart of the City-specific plan for residential uses is 45 feet. If this were enforced, 35 units would be impacted. I wanted to note, I highlighted here the tallest of the homes, which is Building 17, one of the single-family homes.

771

01:59:24.390 --> 01:59:37.019

Speaker 21 (Community Hall): The heart of the city setback is measured from the sidewalk, so while it comes out to be about 50 feet, 50.1 feet, the height of the structure itself is 45 feet and 8 inches.

772

01:59:40.530 --> 01:59:49.960

Speaker 21 (Community Hall): The project is also requesting waivers from several setbacks, including the front side and rear, as well as the side deck and rear deck setbacks, as well as eaves.

773

01:59:52.800 --> 02:00:04.159

Speaker 21 (Community Hall): Additional waivers are requested for lot coverage, lot width, and building forms. Building forms speaks to massing of the buildings adjacent to existing residential uses, and would ordinarily require the buildings to be stepped back.

774

02:00:07.820 --> 02:00:25.669

Speaker 21 (Community Hall): And then there are two additional waivers related to parking, including the construction of four garages that are within the side setback to residential uses, and then also regarding the parking stall size, as that pertains to the dimensions for garages, and the project includes 28 tandem garages.

775

02:00:28.390 --> 02:00:36.569

Speaker 21 (Community Hall): The project includes public art, which will be located in the central grain and ultimately reviewed by the Arts and Culture Commission after project approval.

776

02:00:36.770 --> 02:00:48.310

Speaker 21 (Community Hall): The project is also subject to parkland dedication requirements. However, given the size of the project, they're proposing the payment of in-lieu fees, which will be consistent with the Quimby Act requirements.

777

02:00:51.060 --> 02:01:08.059

Speaker 21 (Community Hall): The project concession is regarding BMR requirements. So, per the BMR manual, 24.4 BMR units are required. The project will be constructing 12 moderate and 12 medium income units, with an in-lieu fee for .4 fractional units.

778

02:01:08.060 --> 02:01:21.790

Speaker 21 (Community Hall): The concession comes in for the size and dispersion of the units, so the units proposed BMR are 3-bedroom units, and they're all located within the townhome portion of the project, not in the single-family homes.

779

02:01:24.460 --> 02:01:39.609

Speaker 21 (Community Hall): On March 24th, the Planning Commission provided a recommendation on the project. Planning Commission recommended approval of the project at a 5-0 vote. The motion on the project also included a recommendation that the

780

02:01:39.610 --> 02:01:45.399

Speaker 21 (Community Hall): City Council, explore additional measures for assisting retail businesses.

781

02:01:45.400 --> 02:01:57.100

Speaker 21 (Community Hall): And possible additional benefits or help with relocation. So there's a summary of the Planning Commission hearing in the staff report, but some of the major items discussed include the loss of retail.

782

02:01:57.100 --> 02:02:09.199

Speaker 21 (Community Hall): And some retail outreach, the number and types of waivers and concessions, as well as discussions on tree removals and replanting. There were 6 speakers, including the adjacent property owners and retail tenants.

783

02:02:12.640 --> 02:02:22.089

Speaker 21 (Community Hall): As far as the California Environmental Quality Act, the project requested an evaluation for a statutory exemptions subject to AB130.

784

02:02:22.150 --> 02:02:39.719

Speaker 21 (Community Hall): The AB130 exemption memorandum is attached to the staff report, and include a review of the Phase 1 Environmental Site Assessment, and as well as a qualification for the exemption. Placeworks is available if you have additional questions on that exemption.

785

02:02:42.800 --> 02:02:51.349

Speaker 21 (Community Hall): Noticing for the project included a site-signed legal ad in the newspaper and mailed notices within 500 feet. Oop.

786

02:02:52.260 --> 02:03:05.619

Speaker 21 (Community Hall): Summary of some of the discussion at Planning Commission. There were 6 speakers at Planning Commission. There were several letters which are included with your packet. Some letters in support of the project as it provides additional housing.

787

02:03:05.620 --> 02:03:21.700

Speaker 21 (Community Hall): There's additional letters that are in opposition to the project, primarily due to the loss of retail. Staff also received a letter from the adjacent property owner regarding a private easement. It was determined at Planning Commission this was outside the scope of the project.

788

02:03:21.760 --> 02:03:30.359

Speaker 21 (Community Hall): Some... a couple of additional letters were received in the last couple days as well, some in support, and some with concerns about construction.

789

02:03:32.680 --> 02:03:46.470

Speaker 21 (Community Hall): I also wanted to touch on one of the other topics that came up. There was additional, questions about outreach to retail tenants on behalf of the city. So, in the City Council report, there's a discussion of that item.

790

02:03:46.470 --> 02:03:59.540

Speaker 21 (Community Hall): Cupertino City staff has had cold conversations, as well as letters, phone calls, and emails with the retail tenants, and is currently assisting with identifying potential places to go within the city.

791

02:04:03.250 --> 02:04:12.920

Speaker 21 (Community Hall): With that, the Planning Commission recommended that the City Council take the actions listed here on your slide and in the staff report. I'm available for any questions. Thank you very much.

792

02:04:15.010 --> 02:04:22.770

Speaker 4 (Community Hall): Thank you, Shelby, and do we have any clarifying questions from the Council at this time, before we go to the applicant report?

793

02:04:25.260 --> 02:04:29.340

Speaker 4 (Community Hall): Councilmember Mohan, followed by Councilmember Fruen.

794

02:04:30.880 --> 02:04:33.780

Speaker 9 (Community Hall): I thank you for the presentation, and welcome to the city.

795

02:04:34.750 --> 02:04:42.090

Speaker 9 (Community Hall): I had a question, I think it was the second last slide, where you talked about the private easement.

796

02:04:42.340 --> 02:04:47.120

Speaker 9 (Community Hall): Could you clarify what the discussion on that was?

797

02:04:47.290 --> 02:04:48.390

Speaker 9 (Community Hall): Why is that?

798

02:04:49.110 --> 02:04:51.189

Speaker 9 (Community Hall): Why has that suddenly come up?

799

02:04:51.855 --> 02:04:59.125

Speaker 21 (Community Hall): So, the, we received a letter the day of the Planning Commission hearing from the adjacent, property management.

800

02:04:59.125 --> 02:05:13.785

Speaker 21 (Community Hall): There's a private access easement that's existing and will be maintained as part of the project. While they have... are having separate discussions about whether or not they need to amend the easement, it's not affected by the proposed development.

801

02:05:13.785 --> 02:05:19.595

Speaker 21 (Community Hall): So it was determined that it... the conversation was between two private parties, and not necessarily relevant to the project.

802

02:05:19.595 --> 02:05:23.935

Speaker 9 (Community Hall): Could you show that slide again, so we know exactly what you're talking about?

803

02:05:24.855 --> 02:05:26.204

Speaker 21 (Community Hall): I don't believe I...

804

02:05:26.205 --> 02:05:27.805

Speaker 9 (Community Hall): Second last one.

805

02:05:27.915 --> 02:05:29.275

Speaker 9 (Community Hall): Last slide.

806

02:05:29.705 --> 02:05:32.795

Speaker 9 (Community Hall): Or at least that's where it talked about the privatization.

807

02:05:33.125 --> 02:05:33.805

Speaker 9 (Community Hall): Sure.

808

02:05:34.540 --> 02:05:43.059

Speaker 21 (Community Hall): So I just included a note because there was discussion on it, but yeah, it was ultimately determined not to be within the scope of the project.

809

02:05:44.480 --> 02:05:46.420

Speaker 21 (Community Hall): Okay, so it's not within the...

810

02:05:46.830 --> 02:06:01.149

Speaker 21 (Community Hall): property site? There is a portion of the existing driveway that is on the project site. It will be walled off by the proposed development, the driveway. So, right now, it serves both commercial sites.

811

02:06:01.150 --> 02:06:08.469

Speaker 21 (Community Hall): the existing Sacreds Creek Office Center, and then as well as Sageway Station, but that driveway will be separated from the residential development.

812

02:06:09.810 --> 02:06:15.569

Speaker 6 (Community Hall): If I could add, it doesn't affect any access, and there were other issues, I think, that

813

02:06:16.020 --> 02:06:22.130

Speaker 6 (Community Hall): When the developments were both commercial developments, they shared things such as recycling and trash pickup.

814

02:06:22.130 --> 02:06:27.880

Speaker 22 (Community Hall): at a central location, which, now that this is going to be an independent development where you have a wall.

815

02:06:28.120 --> 02:06:33.969

Speaker 22 (Community Hall): separating it, which does not affect the drive aisle. You still have complete access to both sites.

816

02:06:34.120 --> 02:06:40.440

Speaker 22 (Community Hall): But conditions like that, where this is gonna have its own trash and recycling pickup for each unit, within.

817

02:06:40.750 --> 02:06:51.940

Speaker 22 (Community Hall): those really are not of issue. It's not affecting either site anymore. I think the

original easement agreement was intended so when you have commercial properties.

818

02:06:52.140 --> 02:06:59.460

Speaker 22 (Community Hall): you had some flow between the sites, so traffic wouldn't have to then, say, circulate back out onto Stevens Creek to go from one to the other.

819

02:06:59.600 --> 02:07:04.499

Speaker 22 (Community Hall): Or for the instance of things like trash and recycling pickup, so you had a central location. Okay.

820

02:07:04.505 --> 02:07:10.005

Speaker 9 (Community Hall): So I'm assuming you're talking about the retail on the, sort of, east side of the... Yes, correct.

821

02:07:10.005 --> 02:07:12.335

Speaker 22 (Community Hall): site just east of here. Yeah, thank you.

822

02:07:13.630 --> 02:07:15.179

Speaker 4 (Community Hall): Great, Councilmember Fruen?

823

02:07:16.040 --> 02:07:23.429

Speaker 7 (Community Hall): So you mentioned that there have been ongoing communications between the city and the retail tenants, and I'm just curious as to

824

02:07:23.550 --> 02:07:32.770

Speaker 7 (Community Hall): where those communications sit? Are we looking at, particular sites for where they might be relocated to? How far along are we in this process?

825

02:07:34.920 --> 02:07:39.409

Speaker 5 (Community Hall): If I can have the Economic Development Manager, Daniel, take that question?

826

02:07:43.740 --> 02:07:57.420

Speaker 10 (Community Hall): Thank you, Councilmember, for the question. Daniel DeGu. Yes, we have been in touch with various property owners here at the City about available spaces that may be online at the current moment, or in the near future. About spaces, we're also.

827

02:07:57.420 --> 02:08:03.379

Speaker 23 (Community Hall): Communicating with their prospective businesses as well to understand their needs and make those connections where appropriate.

828

02:08:05.230 --> 02:08:07.050

Speaker 4 (Community Hall): Thank you. Okay, Vice Mayor?

829

02:08:10.780 --> 02:08:11.410

Speaker 8 (Community Hall): Yep.

830

02:08:11.740 --> 02:08:17.779

Speaker 8 (Community Hall): So, so I...

831

02:08:18.220 --> 02:08:28.029

Speaker 8 (Community Hall): So, can you clarify? I think the... the property is at the joint... is neighboring only one single-family home, right, on the north.

832

02:08:28.220 --> 02:08:29.590

Speaker 8 (Community Hall): West corner.

833

02:08:29.960 --> 02:08:36.949

Speaker 8 (Community Hall): So, could you, clarify exactly what's the setback from that single-family home?

834

02:08:49.610 --> 02:08:52.420

Speaker 21 (Community Hall): I believe the setbacks...

835

02:08:58.950 --> 02:09:07.089

Speaker 21 (Community Hall): So, the required, The required side setback is, like, approximately...

836

02:09:09.120 --> 02:09:13.799

Speaker 21 (Community Hall): 25 feet, and they're about 10 feet from the property line, is what I'm seeing.

837

02:09:22.670 --> 02:09:28.960

Speaker 8 (Community Hall): Okay, so... So it's reduced from 20 feet to about 10 feet.

838

02:09:29.100 --> 02:09:31.580

Speaker 8 (Community Hall): I believe so, but I can confirm.

839

02:09:35.080 --> 02:09:40.209

Speaker 8 (Community Hall): Have we, gotten any communication from that neighbor?

840

02:09:41.990 --> 02:09:43.309

Speaker 8 (Community Hall): I don't believe so.

841

02:09:43.330 --> 02:10:01.149

Speaker 8 (Community Hall): Okay, good to know. So, I'm a little confused. In the very beginning of the presentation, you seemed to say there were four waivers and one concession, but then later on, there were many other waivers.

842

02:10:01.150 --> 02:10:09.119

Speaker 8 (Community Hall): For parking, for interior, so how many waivers are there in total? There's a total of 12 waivers for that. 12 waivers, okay.

843  
02:10:09.520 --> 02:10:13.379  
Speaker 8 (Community Hall): And then we are required to provide to, to...

844  
02:10:13.800 --> 02:10:16.279  
Speaker 8 (Community Hall): To just allow those waivers, right?

845  
02:10:16.580 --> 02:10:22.440  
Speaker 21 (Community Hall): they are entitled to an unlimited number of waivers. Yeah. Okay.

846  
02:10:23.010 --> 02:10:23.770  
Speaker 8 (Community Hall): Thank you.

847  
02:10:24.350 --> 02:10:30.109  
Speaker 8 (Community Hall): Oh, there was a question from a member from the email about the truck route.

848  
02:10:30.330 --> 02:10:36.560  
Speaker 8 (Community Hall): So, are... is there a request to use Elvis as truck route?

849  
02:10:37.200 --> 02:10:50.510  
Speaker 21 (Community Hall): So, following that note, we checked the preliminary construction plan that was provided with the project. There is no current haul route identified on that plan, as that's typically done later in the process.

850  
02:10:50.530 --> 02:11:01.780  
Speaker 21 (Community Hall): So, the typical process was that will happen with either the first building permit or grading permit. That could include demolition, so that's when those plans are reviewed by city staff.

851  
02:11:01.785 --> 02:11:13.875  
Speaker 8 (Community Hall): So right now, Elvis... Elvis is not a truck route. Stevens Creek is a truck route, but in case there is a need to use Elvis, they will...

852  
02:11:14.465 --> 02:11:17.365  
Speaker 8 (Community Hall): make a separate request later. No trunk request.

853  
02:11:17.365 --> 02:11:19.265  
Speaker 21 (Community Hall): identified with the crew.

854  
02:11:19.265 --> 02:11:20.735  
Speaker 8 (Community Hall): proposal. Okay.

855  
02:11:20.975 --> 02:11:21.844  
Speaker 8 (Community Hall): Thank you.

856

02:11:23.970 --> 02:11:32.410

Speaker 4 (Community Hall): Okay, I'm not seeing any further clarifying questions. Next, we'll move on to the applicant report, and the applicant's allotted 8 minutes.

857

02:11:34.020 --> 02:11:37.770

Speaker 5 (Community Hall): Thank you, Mayor. I will call on Harvest Properties now to present.

858

02:11:53.360 --> 02:11:55.469

Speaker 5 (Community Hall): Oh, you do? Yeah. Okay, right?

859

02:11:55.910 --> 02:12:00.660

Speaker 5 (Community Hall): Good evening, Mayor Moore, Vice Mayor Chao, Councilmembers, members of the public.

860

02:12:01.050 --> 02:12:04.320

Speaker 24 (Community Hall): I'm Kevin Choi with Harvest Properties, representing ownership today.

861

02:12:04.870 --> 02:12:18.200

Speaker 24 (Community Hall): I'd like to first, thank staff, and particularly Shelby, for their presentation and work on this project. They have been extremely helpful, and frankly, a phone call away, if we ever had any questions throughout this entire process.

862

02:12:18.740 --> 02:12:22.949

Speaker 24 (Community Hall): And today, I'm excited to present and introduce our vision for the canopies.

863

02:12:25.240 --> 02:12:37.220

Speaker 24 (Community Hall): Tonight, I'll briefly walk you through our project team, the site location, our community engagement process, and the core benefits of the housing project that this project brings to Cupertino.

864

02:12:37.720 --> 02:12:43.350

Speaker 24 (Community Hall): Then, I'll hand it on over to our architect to dive into site design, landscaping, and architecture.

865

02:12:46.490 --> 02:12:49.720

Speaker 24 (Community Hall): Before we jump in, I want to quickly introduce our project team.

866

02:12:50.000 --> 02:12:52.889

Speaker 24 (Community Hall): Again, my name is Kevin Choi, representing ownership.

867

02:12:53.070 --> 02:12:59.259

Speaker 24 (Community Hall): With me today is the property owner, Blair Volkman, whose family has been stewards of the site for over 40 years.

868

02:12:59.790 --> 02:13:09.490

Speaker 24 (Community Hall): We also have our lead design and engineering partners, David Burton from KTG Architecture, Eric Gellerman from Gates Studio, and Terry Reeves and Nigina Iyard from CBNG.

869

02:13:12.670 --> 02:13:13.559

Speaker 24 (Community Hall): Go ahead.

870

02:13:13.870 --> 02:13:20.769

Speaker 24 (Community Hall): Looking at the project location, the 6.8-acre site is currently improved with older office buildings and retail buildings.

871

02:13:21.400 --> 02:13:22.340

Speaker 24 (Community Hall): Go next.

872

02:13:23.050 --> 02:13:39.010

Speaker 24 (Community Hall): I want to explicitly clarify, especially in regards to certain public comments that we have received, that our project footprint does not include the daycare facility at the corner of Alice and Sage, nor does it include the newly constructed retail shops along Sage Way.

873

02:13:39.670 --> 02:13:46.139

Speaker 24 (Community Hall): As was mentioned in the Planning Commission hearing, we do have a private agreement with our Sageway neighbor.

874

02:13:46.340 --> 02:13:52.829

Speaker 24 (Community Hall): But the project as designed, does not require a modification to that agreement, tonight.

875

02:13:53.400 --> 02:14:02.239

Speaker 24 (Community Hall): That said, in an effort to be a good neighbor, we have continued to have conversations with that group in an effort to make some modifications to that REA.

876

02:14:03.490 --> 02:14:20.459

Speaker 24 (Community Hall): As you will hear later, our project includes for-sale residential units, and these future homeowners will have ample access to schools and retail amenities, including Garden Gate Elementary, Sam Lawson Middle School, Whole Foods, Target, and a wide variety of other retail opportunities in Cupertino.

877

02:14:22.980 --> 02:14:27.390

Speaker 24 (Community Hall): Getting to the proposed site plan before you tonight has been a comprehensive journey.

878

02:14:27.870 --> 02:14:37.949

Speaker 24 (Community Hall): Since submitting our initial SB330 application in April of 2024, we have had significant community engagement throughout 2024 and 2025.

879

02:14:38.360 --> 02:14:50.039

Speaker 24 (Community Hall): We listened closely to feedback, which led to our team spending several months, from March through July of 2025, deeply investigating a design alternative that would have preserved the retail on site.

880

02:14:50.680 --> 02:15:00.620

Speaker 24 (Community Hall): Unfortunately, due to determination that the project would have to resubmit and lose its SB330 vesting, that option ultimately proved infeasible.

881

02:15:02.830 --> 02:15:05.640

Speaker 24 (Community Hall): That brings us to what we have heard from the community.

882

02:15:06.160 --> 02:15:14.589

Speaker 24 (Community Hall): While we couldn't preserve the retail buildings, ownership is committed to working with Panera and Voyager Coffee to assist them in finding a new home in Cupertino.

883

02:15:15.660 --> 02:15:23.350

Speaker 24 (Community Hall): And because actions speak louder than words, our team has been engaging with Voyager Coffee, and have come to an agreement with them to assist them in finding a new location.

884

02:15:24.510 --> 02:15:28.080

Speaker 24 (Community Hall): We've also heard how much the community values the urban forest.

885

02:15:28.530 --> 02:15:36.289

Speaker 24 (Community Hall): We worked closely with city staff, and are proudly preserving 6 pear trees along Stevens Creek Boulevard, and we're going to be planting 4 additional ones.

886

02:15:36.610 --> 02:15:44.190

Speaker 24 (Community Hall): And in addition to the response that we heard from Planning Commission, we'll be happy to look and see if we can fit in a couple more.

887

02:15:46.710 --> 02:15:48.470

Speaker 24 (Community Hall): Rather than,

888

02:15:48.660 --> 02:15:57.189

Speaker 24 (Community Hall): Sorry, regarding the site's interior, current high volume of the trees, is solely due to severe overplanting in the areas, too small for mature growth.

889

02:15:57.240 --> 02:16:09.099

Speaker 24 (Community Hall): And so, rather than repeat, past mistakes, we are only going to be planting 65 new, large trees and right-sized courtyards to ensure a sustainable and a healthy canopy for the long term.

890

02:16:10.340 --> 02:16:11.250

Speaker 24 (Community Hall): Connected.

891

02:16:12.700 --> 02:16:16.400

Speaker 24 (Community Hall): I want to highlight the unique opportunity that we have here.

892

02:16:16.940 --> 02:16:24.369

Speaker 24 (Community Hall): For-sale homes have been severely underproduced in this region for the last decade, with development heavily skewed towards rentals.

893

02:16:24.970 --> 02:16:28.910

Speaker 24 (Community Hall): This project helps meet that missing supply for home ownership.

894

02:16:29.070 --> 02:16:33.929

Speaker 24 (Community Hall): Providing a place for families to put down roots, or for empty nesters to downsize.

895

02:16:34.440 --> 02:16:40.630

Speaker 24 (Community Hall): This opportunity exists because the 40-plus-year-old commercial buildings are at the end of their useful life. Apple?

896

02:16:40.860 --> 02:16:48.879

Speaker 24 (Community Hall): Who occupies 65% of the site, has notified us that they are vacating, and the demand for office like this has fundamentally changed.

897

02:16:49.549 --> 02:16:59.200

Speaker 24 (Community Hall): To deliver this much-needed housing, we are utilizing the state density bonus law while still maintaining a relatively low density development in comparison to other projects.

898

02:16:59.780 --> 02:17:06.290

Speaker 24 (Community Hall): To make our affordable housing units physically and financially feasible, we are requesting a concession and multiple waivers.

899

02:17:06.990 --> 02:17:19.209

Speaker 24 (Community Hall): These waivers, which include deviations for height, lot coverage, setbacks, and parking dimensions, are not arbitrary. They are essential mechanical tools that allow us to provide this level of housing and affordability.

900

02:17:21.930 --> 02:17:27.020

Speaker 24 (Community Hall): Finally, before I turn it on over to David, I want to emphasize the benefits of this project.

901

02:17:27.200 --> 02:17:33.279

Speaker 24 (Community Hall): By utilizing state density bonus provisions, we are providing 24 below market rate homes.

902

02:17:33.440 --> 02:17:35.249

Speaker 24 (Community Hall): 20% of our total units.

903  
02:17:35.540 --> 02:17:38.119  
Speaker 24 (Community Hall): To medium and moderate-income households.

904  
02:17:38.309 --> 02:17:46.870  
Speaker 24 (Community Hall): Additionally, we're providing 122 homes, greater than the 51 included in the housing element, resulting in a net positive.

905  
02:17:47.799 --> 02:17:57.200  
Speaker 24 (Community Hall): Beyond housing, this project is a tremendous asset to the city. It is entirely consistent with the City's general plan and zoning designations when submitted.

906  
02:17:57.389 --> 02:18:05.749  
Speaker 24 (Community Hall): And environmentally, our peer-reviewed traffic study demonstrates a 40% net decrease in vehicle trips compared to the existing commercial uses.

907  
02:18:06.230 --> 02:18:17.609  
Speaker 24 (Community Hall): And last but not least, economically, the project generates \$10 million in impact fees, and will provide an estimated \$160,000 of annual net increase to the city's general fund.

908  
02:18:18.340 --> 02:18:25.820  
Speaker 24 (Community Hall): Thank you for your time and consideration. I'll now hand the presentation on over to David Burton from KTGy to walk you through the site design and architecture.

909  
02:18:28.260 --> 02:18:30.909  
Speaker 24 (Community Hall): Thank you, Kevin, and good evening, Mayor.

910  
02:18:31.120 --> 02:18:33.519  
Speaker 24 (Community Hall): Moore and council members, excited to be.

911  
02:18:33.745 --> 02:18:36.545  
Speaker 12 (Community Hall): Before you here this evening, to present what we think will be.

912  
02:18:36.545 --> 02:18:38.194  
Speaker 25 (Community Hall): A great addition to the neighborhood.

913  
02:18:39.084 --> 02:18:55.795  
Speaker 25 (Community Hall): Our goals with this design, were threefold. One was to create a plan that responds to the scale of the context with larger-scale buildings facing Stevens Creek Boulevard and transitioning to a more fine-grained scale as you move through the site to Alves Drive.

914  
02:18:56.575 --> 02:19:02.434  
Speaker 25 (Community Hall): Second was to help fulfill the city's vision that's in the heart of the city's specific plan.

915

02:19:02.934 --> 02:19:10.064

Speaker 25 (Community Hall): And then, to maximize housing opportunities in a location that's got great access to shopping, schools, transit, and bike infrastructure.

916

02:19:10.385 --> 02:19:11.125

Speaker 25 (Community Hall): Next slide.

917

02:19:12.895 --> 02:19:20.905

Speaker 25 (Community Hall): The project includes, as Kevin said, two types of housing. Three-story townhouses oriented towards Stevens Creek, three-story single-family homes.

918

02:19:21.105 --> 02:19:24.115

Speaker 25 (Community Hall): At the interior and facing out towards Alice Drive.

919

02:19:24.605 --> 02:19:35.215

Speaker 25 (Community Hall): Access to the site is provided from both of these streets, and we've meandered the circulation through the site to encourage slower speeds, more conducive to a pedestrian-friendly neighborhood.

920

02:19:36.014 --> 02:19:38.774

Speaker 25 (Community Hall): All homes have front doors facing Stevens Creek.

921

02:19:39.004 --> 02:19:42.385

Speaker 25 (Community Hall): Alves Drive, or Landscape Courtyard in the site.

922

02:19:42.695 --> 02:19:50.785

Speaker 25 (Community Hall): The courtyards connect to our central circulation spine and provide a strong, continuous pedestrian connection from homes out to the larger neighborhood.

923

02:19:50.785 --> 02:19:54.044

Speaker 4 (Community Hall): Pardon, you only have about 10 seconds left. Nope.

924

02:19:54.045 --> 02:19:58.415

Speaker 25 (Community Hall): I guess we'll call it quits. Thanks.

925

02:19:58.420 --> 02:20:11.350

Speaker 4 (Community Hall): Thank you, and at this time, we'll be having another round of Council clarifying questions of the applicant, or it can be of staff report as well. Do we have any Council clarifying questions?

926

02:20:12.890 --> 02:20:13.580

Speaker 4 (Community Hall): Hmm.

927

02:20:15.940 --> 02:20:17.510

Speaker 4 (Community Hall): Councilmember Fruen?

928

02:20:17.900 --> 02:20:20.540

Speaker 4 (Community Hall): Followed by Councilmember Mohan, then Vice Mayor.

929

02:20:21.190 --> 02:20:26.640

Speaker 7 (Community Hall): This is probably best addressed by, excuse me, Mr. Choi.

930

02:20:27.020 --> 02:20:34.279

Speaker 7 (Community Hall): there had been some commentary with regard to Voyager, I'm just curious as to how things sit with Panera and their potential relocation.

931

02:20:41.420 --> 02:20:47.759

Speaker 24 (Community Hall): So Panera, is currently on a percentage lease, through June of this year.

932

02:20:47.850 --> 02:20:54.609

Speaker 24 (Community Hall): We've not had any direct communication with them yet on what they want to do past June of this year.

933

02:20:54.670 --> 02:21:12.909

Speaker 24 (Community Hall): But what we're happy to offer is the flexibility to stay at their current location through about May of next year, when we anticipate construction would start, and give them that flexibility, during this time when they're trying to find a new space. And we're also happy to help in terms of finding them that new space, too. Okay, great, thanks.

934

02:21:14.570 --> 02:21:16.330

Speaker 4 (Community Hall): Councilmember Mohan?

935

02:21:17.060 --> 02:21:17.730

Speaker 9 (Community Hall): Oh.

936

02:21:17.870 --> 02:21:32.209

Speaker 9 (Community Hall): I wanted to add to, the comments that Mr. Choi made. As of yesterday, I think I met with you yesterday or the day before, they had had no communication with Panera, and I do want to commend staff as well as,

937

02:21:32.300 --> 02:21:37.960

Speaker 9 (Community Hall): Daniel for, making this last-minute, outreach, and actually.

938

02:21:38.100 --> 02:21:50.010

Speaker 9 (Community Hall): getting through to someone in Panera, and so the news in your most recent communication that they are genuinely interested in staying in Cupertino.

939

02:21:50.010 --> 02:21:59.030

Speaker 9 (Community Hall): just gives a lot of hope, and it's just a very positive thing. And this is not something we knew even as of yesterday.

940  
02:21:59.500 --> 02:22:02.190  
Speaker 9 (Community Hall): So thank you, staff and Daniel.

941  
02:22:02.640 --> 02:22:03.969  
Speaker 9 (Community Hall): And Mr. Choi.

942  
02:22:06.150 --> 02:22:08.860  
Speaker 4 (Community Hall): Thank you for that, and Vice Mayor? Yeah.

943  
02:22:08.970 --> 02:22:16.480  
Speaker 8 (Community Hall): So, can you show the Stevens Creek frontage what it will look like, and what it looks like from Elves?

944  
02:22:17.980 --> 02:22:26.140  
Speaker 8 (Community Hall): And then the... the trees that... the top two layers of... the layers of trees you are planning for... Can you bring up...

945  
02:22:26.145 --> 02:22:26.945  
Speaker 18 (Community Hall): Probably...

946  
02:22:26.950 --> 02:22:29.610  
Speaker 24 (Community Hall): One... one walk.

947  
02:22:30.690 --> 02:22:32.560  
Speaker 1 (Community Hall): Alright, right there.

948  
02:22:32.970 --> 02:22:48.940  
Speaker 24 (Community Hall): So this is our rendering on, Stevens Creek, and so, kind of in the foreground right there, you can see that the existing pear trees, plus the ones that we're going to be planting, I'm in the... within that landscaping strip between the road and the public sidewalk.

949  
02:22:49.060 --> 02:22:57.059  
Speaker 24 (Community Hall): And then beyond that, there is the second layer of landscaping, and trees that provide additional, kind of...

950  
02:22:58.810 --> 02:23:06.759  
Speaker 24 (Community Hall): buffering between those residential units that do front on Stevens Creek, in comparison to the cars that are there.

951  
02:23:06.765 --> 02:23:14.835  
Speaker 8 (Community Hall): There is currently only one row of trees. That is correct. And you are adding a second row of trees. That is correct.

952  
02:23:15.100 --> 02:23:15.670

Speaker 24 (Community Hall): Yeah.

953

02:23:15.880 --> 02:23:31.459

Speaker 24 (Community Hall): And then this is our rendering along Alves, showing our single-family homes and the various design options that we got there. If you want to know more, we can always have David come up here and talk to you more about that, but, the... here along Alves, we're going to be, you know, matching.

954

02:23:31.640 --> 02:23:50.039

Speaker 24 (Community Hall): The sidewalk condition that's there today along a lot of the single-family homes that are there, which is sidewalk, landscaping buffer, and then front yards for those, single-family homes, which does include that layer of trees in addition to kind of the more typical ground cover, shrubs, flowers, landscaping, you name it.

955

02:23:50.060 --> 02:23:52.460

Speaker 24 (Community Hall): Okay, thank you.

956

02:23:54.250 --> 02:24:01.369

Speaker 4 (Community Hall): I was wondering if someone could show the, the public art, suggested, location?

957

02:24:10.680 --> 02:24:17.289

Speaker 24 (Community Hall): This will work, so the public art proposed location as of right now would be basically dead center on the site.

958

02:24:17.400 --> 02:24:20.220

Speaker 24 (Community Hall): In the linear park that's right there.

959

02:24:21.460 --> 02:24:25.620

Speaker 4 (Community Hall): Okay, and this is along Stevens Creek

960

02:24:25.790 --> 02:24:29.060

Speaker 4 (Community Hall): Boulevard, so I believe there's some...

961

02:24:29.160 --> 02:24:37.290

Speaker 4 (Community Hall): public art requirement for, for Stevens Creek Boulevard that is, different from,

962

02:24:37.530 --> 02:24:48.200

Speaker 4 (Community Hall): other streets. So, for instance, design criteria, Municipal Code 19.148.060,

963

02:24:48.400 --> 02:25:01.980

Speaker 4 (Community Hall): D. Artwork located along Stevens Creek Boulevard or Danza Boulevard corridors shall be large in scale and oriented to the view corridors of the motorist, so that wouldn't be meeting that requirement.

964

02:25:04.070 --> 02:25:20.940

Speaker 4 (Community Hall): appropriate artwork in these corridors will most likely be sculptural. However, other forms of art may be considered if consistent with the intent of this chapter. Artwork should have a visual impact upon passengers in a moving vehicle or pedestrians not less than 100 feet away.

965

02:25:21.100 --> 02:25:24.999

Speaker 4 (Community Hall): Was this addressed in the... in the report?

966

02:25:26.890 --> 02:25:40.750

Speaker 4 (Community Hall): And I do know that across the street, this... the, Summerhill Staples Project has a, a large seating area with an artwork proposal that they made there, which will be,

967

02:25:41.260 --> 02:25:48.749

Speaker 4 (Community Hall): Clearly visible to the public, and they're even allowing, you know, seating for members of the public on their property.

968

02:25:50.360 --> 02:26:02.559

Speaker 22 (Community Hall): Now, I don't believe the staff report had any comment on the location, but you are correct for Stevens Creek and DeAnza. I think the intent was to, since they are the major corridors, to have art in a location that would be

969

02:26:02.730 --> 02:26:04.600

Speaker 22 (Community Hall): Viewable from that corridor.

970

02:26:05.130 --> 02:26:06.450

Speaker 4 (Community Hall): Correct. Alright.

971

02:26:07.510 --> 02:26:17.270

Speaker 24 (Community Hall): And we would be happy to have the art move up to... or along Stevens Creek Boulevard, if that's the intent there, so there's no concern from our side from that perspective.

972

02:26:17.270 --> 02:26:19.169

Speaker 4 (Community Hall): Okay, thank you, Vice Mayor.

973

02:26:19.330 --> 02:26:35.239

Speaker 8 (Community Hall): Yeah, I think I made the same comment in our meeting, that I would prefer the public art to be, seen from the Steepest creek, and then since we will have art from the Summerhill site, if the two art can be somehow

974

02:26:36.050 --> 02:26:49.500

Speaker 8 (Community Hall): resonate in nature, so they... they look nice together, that would be nice, but that's, I guess, for the art commissioning, and for you guys to work together later. I do have a question regarding

975

02:26:49.610 --> 02:26:58.530

Speaker 8 (Community Hall): the windows, I think I asked a question in our meeting, but can you talk about

the windows facing the single-family home... homes?

976

02:27:02.450 --> 02:27:07.209

Speaker 24 (Community Hall): Yeah, so I think you're referring to the homes that are on, kind of, the top right-hand side of the...

977

02:27:07.990 --> 02:27:08.970

Speaker 24 (Community Hall): Excuse me.

978

02:27:09.860 --> 02:27:16.609

Speaker 24 (Community Hall): the mic is not, playing nice with me today. The... the home's on the top right-hand side of the... the...

979

02:27:16.630 --> 02:27:33.560

Speaker 24 (Community Hall): slide we're looking today. So, the homes that, face the single-family neighborhood there, there are some windows that, face that side, but I would describe those windows as the very small windows that you would might find, on the, you know, like, within a bathroom.

980

02:27:33.560 --> 02:27:37.649

Speaker 24 (Community Hall): Or something that... maybe in a bedroom on the smaller side, on the...

981

02:27:37.650 --> 02:27:44.179

Speaker 24 (Community Hall): Within that bedroom, to really provide additional light within those spaces, but not necessarily as a viewing corridor.

982

02:27:44.240 --> 02:27:47.530

Speaker 24 (Community Hall): If you see the,

983

02:27:47.530 --> 02:28:06.980

Speaker 24 (Community Hall): from the slides that we looked at before for the front door elevations, right, you'll see some fairly large windows. That's not what we're going to be proposing on the side of that home, to avoid any, you know, issues with that. And I would also like to add that we did actually make contact with the neighbor, and talked about the project a little bit, to our

984

02:28:06.980 --> 02:28:08.119

Speaker 24 (Community Hall): Northwest.

985

02:28:08.120 --> 02:28:23.090

Speaker 24 (Community Hall): She asked, a couple quick questions about windows, like I... and I just answered this, just as I did. And then we also talked a little bit about the landscaping that we're going to be putting along that edge as well, which will provide some additional buffering between our two, properties.

986

02:28:23.120 --> 02:28:24.469

Speaker 24 (Community Hall): Great, thank you.

987

02:28:28.670 --> 02:28:36.620

Speaker 9 (Community Hall): Councilmember Mohan? A quick question for the applicant. I'm sorry, I have to bring you back here.

988

02:28:37.280 --> 02:28:44.750

Speaker 9 (Community Hall): I think one of the slides said that the Traffic, reduction would be... Like, 40... 40%?

989

02:28:46.080 --> 02:28:54.030

Speaker 9 (Community Hall): Which seems a little counterintuitive. You're building 122 new units, and the traffic's gonna go down by 40%.

990

02:28:54.880 --> 02:29:12.950

Speaker 24 (Community Hall): Yeah, happy to speak more to that. So, the use today, commercial office, is a fairly dense use for commercial office here in the area. If you were just actually just to count the number of parking stalls on our site today versus the number of parking stalls we'll have in the proposed development, that will go down.

991

02:29:12.950 --> 02:29:20.410

Speaker 24 (Community Hall): And then in addition to that, and this was developed by our traffic consultant and peer-reviewed by the city and the city's, traffic consultant.

992

02:29:20.410 --> 02:29:29.989

Speaker 24 (Community Hall): The anticipated number of trips per square foot, right, for the commercial office versus that of the residential, is dramatically lower, and so...

993

02:29:30.050 --> 02:29:40.709

Speaker 24 (Community Hall): With 122 homes, which are for sale, they're 3 and 4 bedrooms, right? The number of trips that are anticipated coming out of that will, result in a dramatic reduction of about 40%.

994

02:29:43.180 --> 02:29:56.570

Speaker 9 (Community Hall): Okay, that's a good rationale for us all to remember when we... other developments come up, because we're always hearing complaints that any new development adds to the traffic, and... and you're saying the opposite.

995

02:29:57.880 --> 02:29:58.679

Speaker 22 (Community Hall): That is correct.

996

02:29:59.240 --> 02:30:07.190

Speaker 22 (Community Hall): Thank you. If I could add, that actually is the case with most major corridors for, like, vehicle miles traveled and trips.

997

02:30:07.320 --> 02:30:11.759

Speaker 22 (Community Hall): Is residential, tends to reduce, even though it seems counterintuitive.

998

02:30:12.110 --> 02:30:18.990

Speaker 22 (Community Hall): You may have parking, but restaurants have a lot higher turnover, so you get a lot more vehicle trips per square footage.

999

02:30:20.610 --> 02:30:22.199

Speaker 9 (Community Hall): Yeah, I see that, thank you.

1000

02:30:23.240 --> 02:30:30.690

Speaker 4 (Community Hall): Thank you. I'm not seeing any further Council clarifying questions. Next, we'll have public speakers on the item, Madam City Clerk.

1001

02:30:36.210 --> 02:30:40.950

Speaker 11 (Community Hall): Yes, Mayhair, we do have some requests to speak on this item I currently have.

1002

02:30:42.090 --> 02:30:43.720

Speaker 14 (Community Hall): 3 requests to...

1003

02:30:43.960 --> 02:30:45.090

Speaker 11 (Community Hall): before.

1004

02:30:45.090 --> 02:30:45.469

Speaker 14 (Community Hall): this is.

1005

02:30:45.475 --> 02:30:48.535

Speaker 11 (Community Hall): in person, and I'm currently seeing one hand raised virtually.

1006

02:30:49.740 --> 02:30:50.510

Speaker 9 (Community Hall): All right.

1007

02:30:56.690 --> 02:30:58.530

Speaker 14 (Community Hall): So, at this time, we will,

1008

02:30:58.530 --> 02:31:01.519

Speaker 11 (Community Hall): Welcome, Jennifer Griffin, followed by.

1009

02:31:01.525 --> 02:31:02.655

Speaker 14 (Community Hall): Lauren?

1010

02:31:02.655 --> 02:31:18.025

Speaker 11 (Community Hall): followed by Eason. And, as a reminder, members of the public wishing to speak regarding this item shall submit a request to speak or raise their hand virtually within the first 9 minutes of the start of public comment, or before public comment period is closed, whichever comes first. So, welcome.

1011

02:31:18.025 --> 02:31:18.865  
Speaker 14 (Community Hall): Jennifer?

1012  
02:31:18.870 --> 02:31:24.849  
Speaker 12 (Community Hall): Thank you. Hi, I'm Jennifer Griffin. I did attend the Planning Commission meeting with this item.

1013  
02:31:25.070 --> 02:31:40.480  
Speaker 13 (Community Hall): I am going to state that I had not been aware that there were any community meetings on this. I was never alerted. There may have been, but I was never alerted. I didn't know. I would have liked to have gone and spoken. And I...

1014  
02:31:40.750 --> 02:31:48.410  
Speaker 13 (Community Hall): I hope in future that we will have a robust outreach for community for SB330s.

1015  
02:31:48.610 --> 02:32:01.120  
Speaker 13 (Community Hall): As I said before, we have anticipate a wipeout down by Finch and Cupertino High School, which is going to be a battle. We're wiping out a daycare. Anyway.

1016  
02:32:01.250 --> 02:32:03.649  
Speaker 13 (Community Hall): This project is nice.

1017  
02:32:03.890 --> 02:32:13.650  
Speaker 13 (Community Hall): The architecture's nice. The problem is that there are 7 SB330s that are pretty much wiping out retail down our traditional

1018  
02:32:13.790 --> 02:32:31.350  
Speaker 13 (Community Hall): shopping corridor. My grandmother has lived in Cupertino since 1950. I was here quite often as a child, and, we shopped all over the place around this area. I was also in the meetings 12 years ago when the retail

1019  
02:32:31.520 --> 02:32:34.899  
Speaker 13 (Community Hall): When they took out the restaurant that had been there.

1020  
02:32:35.000 --> 02:32:43.959  
Speaker 13 (Community Hall): very popular, and then we put in the Panera site, and we put in the Voyager site, which I guess was Pete's Coffee, someone had reminded me.

1021  
02:32:44.480 --> 02:32:52.880  
Speaker 13 (Community Hall): I sat for hours in the meeting, and as I stated, I lost a brother 10 years ago. If I had that time to go back.

1022  
02:32:53.060 --> 02:33:00.980  
Speaker 13 (Community Hall): I wouldn't have wasted my time on this project. I would have... if I had known what happened to my brother so fast.

1023

02:33:01.020 --> 02:33:06.160

Speaker 13 (Community Hall): I would have... I would have just spent that time with him. But this is what happened.

1024

02:33:06.190 --> 02:33:24.200

Speaker 13 (Community Hall): I feel that the... there was good retail. There were good decisions made. We have active retail on the west side of Seish, which was not there before. There were dumpsters, and there was rats, and all sorts of strange things. So, I...

1025

02:33:24.520 --> 02:33:30.610

Speaker 13 (Community Hall): Coming out of this, we have... I've been told that the retail on the west side of Sage is staying there.

1026

02:33:30.670 --> 02:33:44.019

Speaker 13 (Community Hall): Eyeglass stores there, etc, etc. I'm... I'm glad that Voyager and Panera are being handled like priorities in this city. We are losing retail.

1027

02:33:44.040 --> 02:33:55.059

Speaker 13 (Community Hall): I want retail to stay. We don't just kick them out because we're converting it to housing. Okay, that's great, that's wonderful, but it's not the property owner's problem.

1028

02:33:55.060 --> 02:34:06.720

Speaker 13 (Community Hall): The city has to step up and offer. I attended a community meeting in Santa Clara, at Lawrence and at Homestead, and it was pathetic. The Cayo

1029

02:34:06.770 --> 02:34:20.939

Speaker 13 (Community Hall): Super Coyote Shopping Center, the tenants didn't have a clue what was going on. I'm also concerned about what happens to Sage if Target sells and the traffic. Thank you.

1030

02:34:21.740 --> 02:34:23.870

Speaker 14 (Community Hall): Thank you, Jennifer. Next, we will welcome Lauren.

1031

02:34:23.870 --> 02:34:27.400

Speaker 11 (Community Hall): Followed by Eason, followed by David. Welcome, Lauren.

1032

02:34:32.380 --> 02:34:35.869

Speaker 3 (Community Hall): Thank you, Madam Mayor, Vice Mayor, and members of City Council.

1033

02:34:36.260 --> 02:34:38.669

Speaker 20 (Community Hall): For being here tonight, and for everything you do for the city.

1034

02:34:39.370 --> 02:34:44.289

Speaker 20 (Community Hall): My name is Lauren Burns, and I'm the owner and co-founder of Voyager Craft Coffee.

1035

02:34:45.330 --> 02:34:50.769

Speaker 26 (Community Hall): Before anything else, I want to say thank you. I've reached out to several of you and have already heard back.

1036

02:34:51.190 --> 02:34:57.190

Speaker 26 (Community Hall): And I can't express how much I appreciate the willingness to connect with us and to support us in the next steps.

1037

02:34:58.450 --> 02:35:01.179

Speaker 26 (Community Hall): I also want to sincerely thank Blair and his team.

1038

02:35:02.230 --> 02:35:03.740

Speaker 26 (Community Hall): Harvest Properties.

1039

02:35:04.170 --> 02:35:10.850

Speaker 26 (Community Hall): We're grateful for their support and for the opportunity that support gives us to continue to create a space in this community.

1040

02:35:12.410 --> 02:35:15.610

Speaker 26 (Community Hall): I'm here tonight because we are doing everything we can to stay in Cupertino.

1041

02:35:16.220 --> 02:35:17.530

Speaker 26 (Community Hall): And we need your help.

1042

02:35:18.600 --> 02:35:22.910

Speaker 26 (Community Hall): Over the past 4 years, Voyage has become so much more than a coffee shop.

1043

02:35:23.990 --> 02:35:26.210

Community Hall: It's become a gathering place for the city.

1044

02:35:26.790 --> 02:35:28.740

Speaker 26 (Community Hall): A place for Dianza student study.

1045

02:35:29.090 --> 02:35:30.810

Speaker 26 (Community Hall): Family spend time together.

1046

02:35:31.120 --> 02:35:32.790

Speaker 26 (Community Hall): Neighbors run into each other.

1047

02:35:33.040 --> 02:35:35.340

Speaker 26 (Community Hall): And community happens in a very real way.

1048  
02:35:36.980 --> 02:35:39.640  
Speaker 26 (Community Hall): We opened the space after years of isolation.

1049  
02:35:39.990 --> 02:35:41.659  
Speaker 26 (Community Hall): and fear during COVID.

1050  
02:35:42.280 --> 02:35:44.630  
Speaker 26 (Community Hall): Hoping to create something full of warmth.

1051  
02:35:45.000 --> 02:35:48.560  
Speaker 26 (Community Hall): Color in life. A place that could bring people back together again.

1052  
02:35:49.370 --> 02:35:56.499  
Speaker 26 (Community Hall): And this... And this can... And this community made up exactly that.

1053  
02:35:56.620 --> 02:35:58.420  
Speaker 26 (Community Hall): We will be forever grateful.

1054  
02:35:58.730 --> 02:35:59.899  
Speaker 26 (Community Hall): We love the city.

1055  
02:36:01.690 --> 02:36:11.380  
Speaker 26 (Community Hall): Many of our team members are Cupertino natives, are De Anza students, and we care deeply about staying here and continuing to be part of the city's future.

1056  
02:36:12.730 --> 02:36:18.779  
Speaker 26 (Community Hall): Right now, we are working hard to find a new home in Cupertino, but we've not found a viable space.

1057  
02:36:20.600 --> 02:36:23.289  
Speaker 26 (Community Hall): We need to secure something within the next year.

1058  
02:36:24.320 --> 02:36:28.059  
Speaker 26 (Community Hall): So we're asking for your help in identifying possible spaces.

1059  
02:36:28.540 --> 02:36:30.749  
Speaker 26 (Community Hall): Supporting flexibility where it's needed.

1060  
02:36:31.180 --> 02:36:34.349  
Speaker 26 (Community Hall): And helping us move quickly through permitting when the time comes.

1061  
02:36:35.580 --> 02:36:37.559  
Speaker 26 (Community Hall): We will fight to stay in Cupertino.

1062

02:36:38.260 --> 02:36:42.070

Speaker 26 (Community Hall): We're simply asking that you meet us in that fight, however you can.

1063

02:36:43.180 --> 02:36:46.539

Speaker 26 (Community Hall): We appreciate the city will continue to grow and change.

1064

02:36:46.730 --> 02:36:48.869

Speaker 26 (Community Hall): We support the increased housing.

1065

02:36:50.010 --> 02:36:53.130

Speaker 26 (Community Hall): We just hope there will still be room for places like Voyager.

1066

02:36:53.630 --> 02:36:56.760

Speaker 26 (Community Hall): Places that help people feel connected, grounded.

1067

02:36:56.880 --> 02:36:58.860

Speaker 26 (Community Hall): And part of something bigger.

1068

02:36:59.270 --> 02:37:02.330

Speaker 26 (Community Hall): Thank you for your time, your leadership, and your support.

1069

02:37:06.190 --> 02:37:08.869

Speaker 14 (Community Hall): Thank you, Lauren. Next, we will welcome Eason.

1070

02:37:08.870 --> 02:37:10.190

Speaker 11 (Community Hall): Followed by David.

1071

02:37:10.480 --> 02:37:11.719

Speaker 11 (Community Hall): Welcome, Eason.

1072

02:37:18.980 --> 02:37:20.270

Speaker 9 (Community Hall): Good evening, Mayor.

1073

02:37:20.830 --> 02:37:23.149

Speaker 9 (Community Hall): and the members of the City Council.

1074

02:37:23.500 --> 02:37:29.689

Speaker 9 (Community Hall): My name is Isinde Mirrodo, and I have lived in Cupertino for 38 years.

1075

02:37:30.470 --> 02:37:36.419

Speaker 9 (Community Hall): I'm here tonight because I'm deeply frustrated and honestly heartbroken.

1076

02:37:36.460 --> 02:37:38.909

Speaker 17 (Community Hall): By what's happening to our city.

1077

02:37:40.540 --> 02:37:46.080

Speaker 9 (Community Hall): Although I really like the proposed development in many aspects.

1078

02:37:46.180 --> 02:37:53.190

Speaker 9 (Community Hall): I strongly oppose the proposed removal of Voyager Cafe, and Panera Bread.

1079

02:37:53.560 --> 02:37:55.699

Speaker 9 (Community Hall): I raised my family here.

1080

02:37:56.070 --> 02:38:01.960

Speaker 9 (Community Hall): Cupertino wasn't just where we lived, it was where we built our lives.

1081

02:38:02.170 --> 02:38:06.080

Speaker 9 (Community Hall): And that life was centered around local businesses.

1082

02:38:06.340 --> 02:38:12.620

Speaker 9 (Community Hall): Places where we gathered, where our kids grew up, where memories were made.

1083

02:38:13.460 --> 02:38:19.669

Speaker 9 (Community Hall): Daily trips to town and country more than once a day, sometimes.

1084

02:38:19.950 --> 02:38:28.609

Speaker 9 (Community Hall): Goodert for family branches, Fatima for dinners, Outback for date nights, Mandarin gourmet for celebrations.

1085

02:38:29.000 --> 02:38:33.930

Speaker 9 (Community Hall): Pizza Hut after the games of the kids' sports teams.

1086

02:38:34.580 --> 02:38:36.280

Speaker 9 (Community Hall): Now they are all gone.

1087

02:38:37.240 --> 02:38:40.340

Speaker 9 (Community Hall): One by one, they disappeared.

1088

02:38:40.660 --> 02:38:41.689

Speaker 9 (Community Hall): Not because.

1089

02:38:41.695 --> 02:38:42.364

Speaker 17 (Community Hall): the community.

1090  
02:38:42.365 --> 02:38:46.885  
Speaker 9 (Community Hall): They didn't care, but because we allowed them to be replaced.

1091  
02:38:47.625 --> 02:38:49.944  
Speaker 9 (Community Hall): And now we are about to do it again.

1092  
02:38:50.765 --> 02:38:55.334  
Speaker 9 (Community Hall): Voyager Cafe and Panera Bread are not just businesses.

1093  
02:38:55.535 --> 02:38:57.645  
Speaker 9 (Community Hall): They are among the last remaining.

1094  
02:38:57.645 --> 02:39:00.025  
Speaker 17 (Community Hall): places where people in this community.

1095  
02:39:00.025 --> 02:39:01.494  
Speaker 9 (Community Hall): And simply sit.

1096  
02:39:01.725 --> 02:39:05.224  
Speaker 9 (Community Hall): Meet, Talk, and belong.

1097  
02:39:06.420 --> 02:39:08.270  
Speaker 17 (Community Hall): If this project is approved as.

1098  
02:39:08.275 --> 02:39:10.795  
Speaker 9 (Community Hall): is. What will be left?

1099  
02:39:11.085 --> 02:39:14.784  
Speaker 9 (Community Hall): At what point do we say enough?

1100  
02:39:16.780 --> 02:39:19.699  
Speaker 17 (Community Hall): Because right now, it feels like there is no line.

1101  
02:39:20.080 --> 02:39:24.629  
Speaker 9 (Community Hall): No protection. No real effort to preserve what makes this city a.

1102  
02:39:24.635 --> 02:39:26.504  
Speaker 17 (Community Hall): community, instead of just.

1103  
02:39:26.510 --> 02:39:28.989  
Speaker 9 (Community Hall): Just a collection of buildings.

1104  
02:39:30.050 --> 02:39:32.529  
Speaker 17 (Community Hall): And what is most concerning is the pattern.

1105  
02:39:32.975 --> 02:39:34.884  
Speaker 9 (Community Hall): We keep hearing that preserving.

1106  
02:39:34.885 --> 02:39:36.275  
Speaker 17 (Community Hall): Commercial space is.

1107  
02:39:36.695 --> 02:39:38.724  
Speaker 9 (Community Hall): financially viable.

1108  
02:39:39.335 --> 02:39:41.255  
Speaker 9 (Community Hall): But where is the evidence?

1109  
02:39:41.965 --> 02:39:42.725  
Speaker 17 (Community Hall): are we.

1110  
02:39:42.725 --> 02:39:46.334  
Speaker 9 (Community Hall): Accepting that answer without demanding transparency.

1111  
02:39:46.485 --> 02:39:50.775  
Speaker 9 (Community Hall): Without pushing back, without exploring alternatives.

1112  
02:39:51.405 --> 02:39:56.705  
Speaker 9 (Community Hall): Why does it always feel like the answer is... There's nothing we can do.

1113  
02:39:57.735 --> 02:40:01.355  
Speaker 9 (Community Hall): There is something you must be able to do

1114  
02:40:01.705 --> 02:40:11.314  
Speaker 9 (Community Hall): You can demand better, you can require solutions, you can work with the developer to preserve these spaces, or at the very least.

1115  
02:40:11.715 --> 02:40:16.285  
Speaker 9 (Community Hall): Ensure that community-serving businesses are not erased.

1116  
02:40:17.415 --> 02:40:18.705  
Speaker 9 (Community Hall): the mayor.

1117  
02:40:18.905 --> 02:40:24.365  
Speaker 9 (Community Hall): at the State of the City address, Spoke of good stabbermanns.

1118

02:40:25.345 --> 02:40:29.875

Speaker 9 (Community Hall): Good governance is not just approving development. Thank you. Good governance... Thank you.

1119

02:40:30.370 --> 02:40:32.860

Speaker 9 (Community Hall): The social fabric of this city.

1120

02:40:32.980 --> 02:40:37.320

Speaker 9 (Community Hall): And the protecting the... Businesses.

1121

02:40:37.580 --> 02:40:39.589

Speaker 9 (Community Hall): commercial areas. Thank you for your.

1122

02:40:39.595 --> 02:40:40.785

Speaker 11 (Community Hall): Thank you, Eason.

1123

02:40:41.525 --> 02:40:44.415

Speaker 11 (Community Hall): Our next speaker is David. Welcome, David.

1124

02:40:50.585 --> 02:40:56.814

Speaker 11 (Community Hall): Mayor Moore, Vice Mayor Chao, Council Members, thank you so much for this opportunity to speak tonight.

1125

02:40:57.425 --> 02:40:59.415

Speaker 24 (Community Hall): This proposed development project.

1126

02:40:59.415 --> 02:41:03.744

Speaker 27 (Community Hall): that you're considering isn't a part of the city known as the heart of the city.

1127

02:41:03.785 --> 02:41:20.644

Speaker 27 (Community Hall): And while you can make a case for many places being the heart of Cupertino, Blackberry Farm, the Sports Center, the Library, Memorial Park, tonight I actually want to make the case that on a day-by-day basis, Voyager and Panera, are actually the heart of the city.

1128

02:41:20.815 --> 02:41:39.015

Speaker 27 (Community Hall): Why? Because Voyager and Panera are active, thriving, vital community hubs. Do a quick online search for meetups in Cupertino, doesn't matter if it's political activism, or startups, knitting, book clubs, vast majority of them take place in this complex.

1129

02:41:39.235 --> 02:41:43.775

Speaker 27 (Community Hall): We've heard the phrase over and over, Cupertino is losing retail.

1130

02:41:43.805 --> 02:42:03.834

Speaker 27 (Community Hall): But I think the term retail here is a little bit of a misnomer, and in the case of

this project, we should be using the term community instead of retail. Again, day in and day out, Voyager and Panera offer seniors, students, and people of all ages a vital gathering space. And if you ask me what's the sign of a vital, thriving city.

1131

02:42:03.835 --> 02:42:06.735

Speaker 27 (Community Hall): A thriving city has a place just like this.

1132

02:42:06.735 --> 02:42:08.125

Speaker 27 (Community Hall): Right in the heart of it.

1133

02:42:08.625 --> 02:42:25.334

Speaker 27 (Community Hall): So, my request tonight is very simple. Please do everything within your power to keep these businesses, here in Cupertino. My focus is especially on Voyager, since it's a small business with South Bay roots, started with... as a coffee cart 10 years ago.

1134

02:42:25.415 --> 02:42:40.505

Speaker 27 (Community Hall): Do you have connections that can help Voyager find a great new space? Can the permitting process be just made really, really fast? Can business license fees be waived? I'm sure you've got other great ideas that might help, you know, keep Voyager nearby.

1135

02:42:40.765 --> 02:43:00.505

Speaker 27 (Community Hall): Of course, in my heart of hearts, I would love to see these businesses preserved as they are, but I understand SB330 and the brute force mechanics behind it. I know you don't have much of a choice without putting the city in, you know, financial danger. So, I'm asking for the next best thing, which is to support these businesses and help them stay nearby.

1136

02:43:00.505 --> 02:43:19.454

Speaker 27 (Community Hall): There is Cupertino history at this site. People have mentioned much of Apple's early history took place in the office park. I'm told Steve Jobs used to have dinner every night at the Good Earth, where Panera currently is. At the Planning Commission meeting, Commissioner David Fung mentioned how there's kind of a very special mojo

1137

02:43:19.455 --> 02:43:21.365

Speaker 27 (Community Hall): at this site.

1138

02:43:21.645 --> 02:43:33.865

Speaker 27 (Community Hall): I've experienced it myself. I do think today is a sad day, because I think the special magic of this site should be available to everyone for the price of a matcha, and not just to the few who can afford a townhome.

1139

02:43:33.965 --> 02:43:52.575

Speaker 27 (Community Hall): We're living in a time where the prices of everything are skyrocketing, young people and seniors often are the ones that don't have a place to go. Anyway, I would love to see the city partner closely with Voyager, who wants so much to stay here, to help create the next heart of the city right here in Cupertino. Thank you so much.

1140

02:43:54.380 --> 02:44:05.330

Speaker 11 (Community Hall): Thank you, David. So, next we will move to our request to speak virtually. We have four hands raised. We will start off with Witt Turner, followed by Connie Cunningham. Welcome, Whit.

1141

02:44:10.060 --> 02:44:11.320

Witt Turner: Hi, can y'all hear me?

1142

02:44:11.630 --> 02:44:12.610

Speaker 11 (Community Hall): We can hear you.

1143

02:44:12.960 --> 02:44:16.880

Witt Turner: Hi, good evening, Mayor Moore, Vice Mayor Chao, and members of the Council.

1144

02:44:16.880 --> 02:44:39.610

Witt Turner: Whit Turner, on behalf of the Housing Action Coalition, we are a member-supported nonprofit dedicated to creating more homes at all income levels to address the statewide housing crisis. We're super excited about this project. Cupertino is a world-class center of innovation and opportunity, but the chance to own a home here has become a real vanishing reality for families and workers who want to live in the city.

1145

02:44:39.620 --> 02:44:42.730

Witt Turner: So this project is a necessary and logical solution.

1146

02:44:42.730 --> 02:45:07.369

Witt Turner: I really want to highlight the below-market rate units here, which anchor this project's commitment to the community, pardon me, and delivering high-quality, family-sized housing at varying price points fosters long-term stability, and insurance Cupertino remains an inclusive city where people can raise their children near where they work. Also, transitioning this aging office site into housing responds directly to the market conditions and community needs.

1147

02:45:07.370 --> 02:45:30.299

Witt Turner: The proposal replaces unutilized asphalt with thoughtfully designed community and superior landscaping strategy with the new trees and evergreen buffer. Also, we're really excited about the ownership's commitment to finding a new home for Voyager and Panera, ensuring these businesses remain valued in the community. And finally, we wish to remind the Council that this project adheres to, you know, all the objective standards with the HAA.

1148

02:45:30.300 --> 02:45:35.490

Witt Turner: mandating its approval tonight, so we respectfully ask that you approve these 122 homes. Thank you so much.

1149

02:45:38.690 --> 02:45:43.049

Speaker 11 (Community Hall): Thank you, Whit. Next, we will move to Connie Cunningham. Welcome, Connie.

1150

02:45:45.970 --> 02:45:48.290

Connie Cunningham: Good evening, can you hear me?

1151

02:45:49.910 --> 02:45:50.770  
Speaker 14 (Community Hall): We can hear you.

1152  
02:45:51.300 --> 02:46:09.770  
Connie Cunningham: Great. My name is Connie Cunningham. I'm a 38-year resident, also serving on the Housing Commission, but speaking for myself only. Honorable Mayor Moore, Vice Mayor, and Council Members, I strongly support this application.

1153  
02:46:09.770 --> 02:46:13.109  
Connie Cunningham: Cupertino needs more homes of all types.

1154  
02:46:13.110 --> 02:46:26.409  
Connie Cunningham: These townhomes include a variety. Especially, it includes below-market rate purchase homes and is an excellent step forward toward our commitment expressed earlier this evening for April as Fair Housing Month.

1155  
02:46:26.660 --> 02:46:45.099  
Connie Cunningham: I agree with the speakers who have made important testimony about Panera Bread and Voyager Coffee as community hubs. I urge City Council and staff to continue the Planning Commission's idea for finding incentives to keep Panera Bread and Voyager Coffee in the city.

1156  
02:46:45.400 --> 02:46:56.610  
Connie Cunningham: I urge City Council to approve this prop... Harvest Properties Townhome project tonight, and I thank you for this opportunity to speak on behalf of this application.

1157  
02:47:00.970 --> 02:47:02.329  
Speaker 14 (Community Hall): Thank you, Connie.

1158  
02:47:02.335 --> 02:47:06.455  
Speaker 11 (Community Hall): Next, we'll move to San Rao, followed by Nori. Welcome, San.

1159  
02:47:09.890 --> 02:47:15.500  
San Rao: Good evening, Mayor Moore, Vice Mayor, Councilmember, speaking on behalf of myself only, I'm a Planning Commissioner, but

1160  
02:47:15.780 --> 02:47:18.240  
San Rao: Speaking only as a resident.

1161  
02:47:18.640 --> 02:47:24.640  
San Rao: I do support the project and want to express my appreciation for Harvest Properties and,

1162  
02:47:24.760 --> 02:47:36.090  
San Rao: And the work they have done with the community, as I mentioned at the Planning Commission hearing, it is very unusual for an operator to own a property for 45 years.

1163

02:47:36.230 --> 02:47:39.140

San Rao: Typically, properties transact in 5 to 10 years.

1164

02:47:39.410 --> 02:47:43.049

San Rao: The depreciation benefits on a property reduce after 5 years.

1165

02:47:43.340 --> 02:47:55.150

San Rao: So it's very unusual for someone to remain invested in the community for the long term, over such a long period, and to then invest back into the property by choosing to develop it themselves.

1166

02:47:55.460 --> 02:48:01.019

San Rao: I think we should be grateful for operators that choose to remain in the community, because that shows

1167

02:48:01.290 --> 02:48:03.569

San Rao: That they are treating it as...

1168

02:48:04.310 --> 02:48:09.070

San Rao: As a piece of skin in the game, as opposed to a financial transaction.

1169

02:48:09.510 --> 02:48:15.359

San Rao: I think that deserves some special recognition and merit. Throughout the hearing, we have not recognized that.

1170

02:48:16.010 --> 02:48:23.460

San Rao: Having said that, I also want to mention that the Planning Commission hearing dived a little bit into the matter of

1171

02:48:23.880 --> 02:48:27.000

San Rao: How we may curtail height, and...

1172

02:48:27.130 --> 02:48:31.420

San Rao: The continued expansion of height in Our city with these projects.

1173

02:48:31.930 --> 02:48:33.789

San Rao: So, I would encourage you to...

1174

02:48:33.990 --> 02:48:37.280

San Rao: Dig a little bit into how and whether

1175

02:48:37.560 --> 02:48:40.569

San Rao: staff have any measures to be able to curtail height?

1176

02:48:40.860 --> 02:48:45.009

San Rao: Most of the townhome projects have... Been under 40 feet.

1177

02:48:45.720 --> 02:48:58.640

San Rao: 30 feet, is the standard R3TH, but I understand this is part of the city. The heart of the city, while it has mixed use, we do have, in this case, single-family homes that are at close to 50 feet.

1178

02:48:59.030 --> 02:49:01.130

San Rao: So I hope you will use your,

1179

02:49:01.270 --> 02:49:15.609

San Rao: your deliberations to dig in a little bit into how we manage height. It's also fair to ask the question whether buyers really have the tenacity to climb 50 feet up and down, or whatever that may be, in units of this type.

1180

02:49:16.050 --> 02:49:35.509

San Rao: I also want to see if there's any way you may retain a little bit more setback on the Stevens Creek facing side. That's another one that we did look into. And then finally, if this is an AB130 project, which I believe it is, you should ask staff to start to include the AB130 exemption checklist as a part of the written evidence.

1181

02:49:35.730 --> 02:49:41.749

San Rao: And if the written evidence includes any further additional use of criteria to avoid exemptions.

1182

02:49:42.410 --> 02:49:47.930

San Rao: That should be further included in the written evidence as well, so I would, urge us to...

1183

02:49:48.250 --> 02:49:53.500

San Rao: to apply more rigor and not assume that every project is automatically an AB130.

1184

02:49:53.800 --> 02:50:07.220

San Rao: And as a part of that discussion, hopefully you will also be able to think about questions around how fire is able to reach to a roof at 50 feet in height, and what sort of accommodations are needed for that. Thank you.

1185

02:50:09.470 --> 02:50:10.450

Speaker 14 (Community Hall): Thank you, Sam.

1186

02:50:11.560 --> 02:50:14.429

Speaker 14 (Community Hall): Next, we will welcome Nori. Welcome, Nori.

1187

02:50:18.910 --> 02:50:20.360

Nori: Hello, can you hear me?

1188

02:50:20.510 --> 02:50:21.599

Speaker 14 (Community Hall): We can hear you.

1189

02:50:21.600 --> 02:50:37.100

Nori: Thank you very much for this opportunity. Cupertino is losing so many good retail stores for building so many townhouses along Stevens Creek. I often go to Panera Bread to get bagel, salad, or soup.

1190

02:50:37.110 --> 02:50:54.590

Nori: I often meet friends at Voyager, and then enjoy the coffee. Those stores are located at a good, great location. Location is important for business. Panera Bread and Voyager always have so many customers.

1191

02:50:54.590 --> 02:51:05.829

Nori: and good business. They have to leave for the new development? Please leave them where they are now, and redesign the townhouse complex

1192

02:51:05.830 --> 02:51:19.679

Nori: Even if it takes another year or two, make it right for not only retail store, but also for residents in Cupertino. Cupertino, a college student and visitor.

1193

02:51:19.680 --> 02:51:34.270

Nori: to Memorial Park, go there too. It is so sad, they have to move out. We already lost so many retail stores. Fantana Italian Restaurant, Stable, Staple, Pizza Hut.

1194

02:51:34.340 --> 02:51:48.629

Nori: Furniture store, small sandwich store on Stevens Creek. YCD does not support those retail stores instead of developers who purchase land and build more buildings.

1195

02:51:48.870 --> 02:51:51.280

Nori: And, Cupertino.

1196

02:51:53.190 --> 02:51:56.150

Nori: Cupertino will be bedtown.

1197

02:51:56.360 --> 02:52:08.750

Nori: And the people has to go other stores to shop or gathering. Building so many houses caused bad traffic on Stevens Creek to 85.

1198

02:52:08.850 --> 02:52:15.630

Nori: I don't know well enough about old Valco land issues. Why city?

1199

02:52:16.090 --> 02:52:24.230

Nori: does not focus on building many housings at the old Valcomo land.

1200

02:52:24.330 --> 02:52:43.459

Nori: It has been empty for over 10 years. It looks like some construction happening now, but developers can build thousands of houses there. Please help retail stores. Please leave Penelope and

1201  
02:52:43.650 --> 02:52:48.800  
Nori: Voyager, where they are now. Thank you very much for your support.

1202  
02:52:50.980 --> 02:52:54.420  
Speaker 11 (Community Hall): Thank you, Nori. Mayor, this concludes the request to speak on this item.

1203  
02:52:54.705 --> 02:53:01.874  
Speaker 4 (Community Hall): Thank you. Now we have 2 minutes allocated for the applicant to respond to the public speakers, if you would like to.

1204  
02:53:08.225 --> 02:53:18.985  
Speaker 4 (Community Hall): No, you're okay. Okay. So, do we have any further clarifying questions? Otherwise, I'm going to close the public hearing. Do we have any further clarifying questions?

1205  
02:53:23.075 --> 02:53:24.105  
Speaker 4 (Community Hall): Okay?

1206  
02:53:26.635 --> 02:53:28.874  
Speaker 4 (Community Hall): Okay, Vice Mayor? Yeah.

1207  
02:53:28.880 --> 02:53:29.490  
Speaker 8 (Community Hall): Okay.

1208  
02:53:29.740 --> 02:53:31.880  
Speaker 8 (Community Hall): So, I will...

1209  
02:53:33.350 --> 02:53:42.040  
Speaker 8 (Community Hall): So, I'd like to clarify the size of the units. I think there is a slide... Or on...

1210  
02:53:42.240 --> 02:53:45.829  
Speaker 8 (Community Hall): The square... the square footage of the units.

1211  
02:53:46.200 --> 02:53:47.860  
Speaker 8 (Community Hall): That's on this site.

1212  
02:53:48.630 --> 02:53:52.370  
Speaker 8 (Community Hall): Do you have that, or... I can share my screen, too.

1213  
02:53:53.175 --> 02:53:59.635  
Speaker 21 (Community Hall): I differentiated in the slides the net living area, so that's, you know, where

1214  
02:53:59.895 --> 02:54:13.105  
Speaker 21 (Community Hall): the living areas, including the garage and things like that. That net area is

1,380 square feet for the smallest unit, and 2,329 square feet for the largest unit.

1215

02:54:13.920 --> 02:54:23.839

Speaker 8 (Community Hall): Okay, so my question for the applicant is, what is the expected, will be the expected selling price for this unit?

1216

02:54:31.480 --> 02:54:47.760

Speaker 24 (Community Hall): Is this working? There we go. A quick clarification on the size. The largest homes get up to about 2,700 square feet. But, selling price, so we would anticipate that the, you know, it will be set by the market, if you were selling them today.

1217

02:54:47.760 --> 02:54:56.520

Speaker 24 (Community Hall): At market rate level, that's somewhere in the neighborhood of about a million and a quarter, up to about \$3 million, based on the size of the unit.

1218

02:54:56.530 --> 02:54:59.599

Speaker 8 (Community Hall): So, most of the single-family homes are...

1219

02:54:59.710 --> 02:55:06.260

Speaker 8 (Community Hall): close to 2,700 feet, right? So that's about \$3 million.

1220

02:55:07.000 --> 02:55:07.750

Speaker 4 (Community Hall): There's about two.

1221

02:55:07.755 --> 02:55:21.994

Speaker 24 (Community Hall): thirds that are the 2,200 square feet, and about a third that are 2,800 square feet, if memory serves. I can grab my computer and verify that. So the general rule of thumb is right around \$1,000 a foot. Okay.

1222

02:55:21.995 --> 02:55:33.255

Speaker 8 (Community Hall): And so there was a question about the fire access for... to reach the roof, or I guess in general, how to get to the units, during the units.

1223

02:55:33.255 --> 02:55:46.835

Speaker 24 (Community Hall): Yeah, so we worked closely with the fire department and staff, if you want to jump in here too, feel free, but we have a combination of aerial access for some of the townhomes and the single-family dwelling units, and ground ladder access for the remainder of the single-family homes.

1224

02:55:48.060 --> 02:55:56.700

Speaker 8 (Community Hall): So the fire truck would have ladders to be able to reach them? Yes. So, the single-family homes, I assume they...

1225

02:55:57.150 --> 02:56:01.859

Speaker 8 (Community Hall): Are they still allowed to add ADUs? How big is each lot?

1226

02:56:03.780 --> 02:56:06.250

Speaker 24 (Community Hall): I think each lot is about...

1227

02:56:07.440 --> 02:56:12.499

Speaker 24 (Community Hall): 29 by 55, and I can't do that math in my head that fast.

1228

02:56:16.190 --> 02:56:31.700

Speaker 24 (Community Hall): About 1,600 square feet on the lot. And in regards to adding an ADU later, I frankly will have to defer to staff on that. We do not have any ADUs planned for the development, as of, you know, with this proposal.

1229

02:56:32.240 --> 02:56:36.490

Speaker 8 (Community Hall): It doesn't look like there's space for ADU, I'm just curious.

1230

02:56:36.720 --> 02:56:41.679

Speaker 22 (Community Hall): There's certainly not space for an ADU at the ground level, that's for sure.

1231

02:56:42.020 --> 02:56:45.330

Speaker 22 (Community Hall): Yeah, I mean, these are... these are very small lots. Yeah.

1232

02:56:45.335 --> 02:56:54.175

Speaker 8 (Community Hall): 1,600 square foot, that's very small lots. Okay, and someone mentioned the... the history about...

1233

02:56:54.575 --> 02:57:06.554

Speaker 8 (Community Hall): Steve Jobs. I think the owner is a long-time property owner. It seems Steve Jobs used to have an office in the commercial building.

1234

02:57:06.995 --> 02:57:13.805

Speaker 8 (Community Hall): on... Do you know some history about that? That was well before my time.

1235

02:57:13.810 --> 02:57:15.780

Speaker 18 (Community Hall): My, my.

1236

02:57:15.785 --> 02:57:16.505

Speaker 1 (Community Hall): My father was the.

1237

02:57:16.505 --> 02:57:20.214

Speaker 18 (Community Hall): the one that originally developed it. And I do believe.

1238

02:57:20.215 --> 02:57:29.954

Speaker 28 (Community Hall): that Apple did have an early office in this location. I don't know whether Steve Jobs officed out of it or not, but I know they was in one of their earlier offices.

1239

02:57:29.955 --> 02:57:44.215

Speaker 8 (Community Hall): I hope to get information on that, because I thought a possible way of it could be there could be a plaque on Stevens Creek to recognize this site as an early office.

1240

02:57:44.215 --> 02:57:47.255

Speaker 28 (Community Hall): We are open to that, and I can look through the files.

1241

02:57:47.255 --> 02:57:48.714

Speaker 8 (Community Hall): Value to your project.

1242

02:57:48.925 --> 02:57:59.895

Speaker 28 (Community Hall): I'm happy to look through our files. I haven't come across anything... anything definitive, but again, that's totally up to the city to dictate as well. Okay, thank you.

1243

02:58:00.990 --> 02:58:14.930

Speaker 4 (Community Hall): I have a question for staff. There was a comment about the heights and the setbacks, and given the state laws that they're using, what is our flexibility to deny these waivers?

1244

02:58:15.700 --> 02:58:34.440

Speaker 21 (Community Hall): There is very, very little flexibility, so the density bonus law basically gives them unlimited waivers from our development standards, so unless you can make a finding that there's a significant negative impact to public health, safety, or, like, our property, then there's very little discretion on that.

1245

02:58:35.190 --> 02:58:44.769

Speaker 22 (Community Hall): Okay, thank... The height limit here is 45 feet, so even the tallest buildings are just 5 feet higher than that. It's not a big departure from the standard.

1246

02:58:44.770 --> 02:58:59.520

Speaker 4 (Community Hall): Okay, I kind of think that we could use another informational memo regarding this. It seems like, as we're seeing more of these projects come through, that the public perception is that we are,

1247

02:58:59.630 --> 02:59:14.740

Speaker 4 (Community Hall): we have flexibility, but we're not using that, and I think that would really help. And perhaps another one regarding retail loss and how this is happening, because we're up over 1.3 million square feet of retail lost.

1248

02:59:15.000 --> 02:59:22.140

Speaker 4 (Community Hall): In the city, and all due to, state housing laws and their ability to, to use them.

1249

02:59:22.270 --> 02:59:28.720

Speaker 4 (Community Hall): Yeah, do you have a clarifying question? Otherwise, we're going to close the public hearing and have a motion.

1250

02:59:28.725 --> 02:59:39.795

Speaker 8 (Community Hall): So, one of the questions was about, I think many of... a few speakers spoke on why we cannot keep the retail, so could the staff please explain

1251

02:59:39.795 --> 02:59:49.355

Speaker 8 (Community Hall): How this site is currently zoned as mixed use, even though it allows residential office and retail, but...

1252

02:59:49.395 --> 02:59:56.694

Speaker 8 (Community Hall): we cannot prevent any applicant from wiping out the retail. Why is that?

1253

02:59:56.835 --> 03:00:09.984

Speaker 8 (Community Hall): And then... and there was the question about why can we build on Valco? So, but we do have, a proposal already approved on Valco, if you can speak on... about that for information.

1254

03:00:09.985 --> 03:00:18.425

Speaker 22 (Community Hall): Yeah, on the first question, the zoning allows either retail or residential, and it's really the applicant's choice, where you have

1255

03:00:18.675 --> 03:00:31.725

Speaker 22 (Community Hall): the ability to do residential, you can do an entirely residential project, and that's really what we have here. So, had we received a project that included retail, we would have been happy to have that as well.

1256

03:00:31.725 --> 03:00:38.674

Speaker 8 (Community Hall): Our current zoning doesn't have any requirement, like, the project has to be at least 30% retail.

1257

03:00:39.225 --> 03:00:44.755

Speaker 22 (Community Hall): There are requirements in part of the city for things like that, but again, they're all waivable.

1258

03:00:44.885 --> 03:00:47.485

Speaker 22 (Community Hall): It all goes back to the density bug.

1259

03:00:47.485 --> 03:00:50.384

Speaker 8 (Community Hall): So the heart of Citi does have the...

1260

03:00:50.575 --> 03:00:56.454

Speaker 8 (Community Hall): requirement for, I think, 75% frontage for Stevens Creek to be retail.

1261

03:00:56.555 --> 03:01:14.745

Speaker 8 (Community Hall): Yes. So we had that, but unfortunately, the state law allows them to waive all these requirements. That is correct, yes. And that's the reason we are losing all the retail in our heart of the city, which is supposed to be the commercial corridor for Cupertino.

1262

03:01:15.655 --> 03:01:19.295

Speaker 8 (Community Hall): Okay. That is correct. And then the vocal update?

1263

03:01:20.880 --> 03:01:26.479

Speaker 22 (Community Hall): I don't know that I would be giving a Valco update on this.

1264

03:01:27.320 --> 03:01:29.509

Speaker 5 (Community Hall): Just if she was one scripture. Yeah.

1265

03:01:29.760 --> 03:01:31.770

Speaker 4 (Community Hall): It's not germane.

1266

03:01:32.290 --> 03:01:44.980

Speaker 8 (Community Hall): Because the... I think the public is wondering why can we build on Vocal, but we already have an approved project on Vocal site, and they are still planning on building,

1267

03:01:45.200 --> 03:01:52.390

Speaker 8 (Community Hall): I don't know how many units there. There will be residential, and retail, and office there.

1268

03:01:53.300 --> 03:01:57.339

Speaker 8 (Community Hall): But much, much, much smaller retail with each version.

1269

03:01:58.990 --> 03:02:15.770

Speaker 4 (Community Hall): Okay, I do have a question for the City Manager with regards to the Voyager Coffee and Panera. Do you have some kind of plan in the works to assist them, or was there something that came out of the Planning Commission that's, actionable?

1270

03:02:16.420 --> 03:02:25.150

Speaker 5 (Community Hall): Yes, thank you, Mayor. So there's quite a bit of outreach that we have conducted, both to Voyager and Panera.

1271

03:02:25.250 --> 03:02:36.740

Speaker 5 (Community Hall): And Daniel continues to work with Lauren, and I'm really... I'm really glad that they're in touch even earlier today, looking at possible locations that Voyager can go.

1272

03:02:36.760 --> 03:02:49.019

Speaker 5 (Community Hall): And continue to stay in Cupertino, and as Councilmember Mohan mentioned, Panera also confirmed yesterday, just yesterday, that they're interested in staying in Cupertino, so we're continuing now

1273

03:02:49.020 --> 03:03:07.809

Speaker 5 (Community Hall): I'm also glad to hear that the applicant's on board in trying to support these two retail tenants, so we'll be in touch with you to see what that support looks like and how we can all come together on that. And retail in general is also a work program item there, so we can bring more updates when we have that discussion as well.

1274

03:03:08.560 --> 03:03:10.470

Speaker 4 (Community Hall): Thank you. Councilmember Fruan?

1275

03:03:11.380 --> 03:03:17.109

Speaker 7 (Community Hall): I think my question was just answered, which was, what direction do you need from us, if any?

1276

03:03:17.110 --> 03:03:34.229

Speaker 7 (Community Hall): with respect to the retail preservation, knowing that we have the work program item, knowing that all of this engagement has already been going on, is there something else that you need from us today to ratify the Planning Commission recommendation? It would just be a minute order anyway, it's not part of the normal recommended action.

1277

03:03:34.235 --> 03:03:52.994

Speaker 5 (Community Hall): Yeah, I think Planning Commission recommendation was that Council consider certain concessions and what we can do, but I don't have that information today. It is a work program item, we're thinking about, it's really important to all of us, so at that time, when we have that discussion, I will look for some guidance and direction from Council.

1278

03:03:52.995 --> 03:03:58.734

Speaker 7 (Community Hall): Great, so for anybody who's made a comment with regard to retail, please engage with us on that process. I think it's important. Thanks.

1279

03:03:59.450 --> 03:04:01.790

Speaker 4 (Community Hall): Great, thank you.

1280

03:04:02.020 --> 03:04:07.529

Speaker 4 (Community Hall): I'm not seeing any further clarifying questions, is that correct?

1281

03:04:07.830 --> 03:04:25.860

Speaker 4 (Community Hall): at that... oh, thank you. So we're closing the public hearing, and do I have a motion to move the recommended action, perhaps with the municipal code requirement 19.148.060 art on Stevens Creek Boulevard will be followed?

1282

03:04:26.030 --> 03:04:26.860

Speaker 4 (Community Hall): Hmm.

1283

03:04:27.500 --> 03:04:29.810

Speaker 8 (Community Hall): Hmm, I'm happy to move it.

1284

03:04:30.110 --> 03:04:33.689

Speaker 8 (Community Hall): More so... With the medical code.

1285

03:04:33.695 --> 03:04:36.345

Speaker 4 (Community Hall): Thank you. Moore second?

1286

03:04:36.495 --> 03:04:40.164

Speaker 4 (Community Hall): Do we have any further discussion, or shall we go to a vote?

1287

03:04:41.645 --> 03:04:47.224

Speaker 4 (Community Hall): Councilmember... I mean, Vice Mayor, your hand is raised. Oh, still? Oh, sorry.

1288

03:04:47.225 --> 03:04:50.175

Speaker 8 (Community Hall): Okay.

1289

03:04:50.850 --> 03:04:55.909

Speaker 4 (Community Hall): Seeing no further requests to speak, Madam City Clerk, will you please set the vote? Panel.

1290

03:05:02.080 --> 03:05:06.509

Speaker 8 (Community Hall): I do have one comment, if I could... Please do.

1291

03:05:07.220 --> 03:05:13.910

Speaker 8 (Community Hall): I... this is a really great project, and I really like the design, the thought you have put into that.

1292

03:05:14.040 --> 03:05:26.820

Speaker 8 (Community Hall): However, I think a lot of speakers keep talking about, oh, this would be... add variety to Cupertino housing, but it does not, because I think that the units are still about

1293

03:05:26.940 --> 03:05:30.839

Speaker 8 (Community Hall): The size of existing single-family homes.

1294

03:05:30.940 --> 03:05:44.900

Speaker 8 (Community Hall): it's... I wish we can have more smaller starter homes, senior flats. For Cupertino, that's the kind of products we are missing in Cupertino. So, this is great product, but...

1295

03:05:44.990 --> 03:05:51.889

Speaker 8 (Community Hall): Yeah, so I hope that we get more that can meet those needs. Thank you.

1296

03:05:52.160 --> 03:05:54.180

Speaker 4 (Community Hall): Thank you. Councilmember Fruen.

1297

03:05:54.185 --> 03:06:03.064

Speaker 7 (Community Hall): Yeah, just in follow-up to that, I'm not sure that I share that analysis. These are all new construction products.

1298

03:06:03.065 --> 03:06:21.725

Speaker 7 (Community Hall): if you were to buy, median price right now of a single-family home built in the 1960s is \$3 million. These are all coming in underneath that. A lot of them are bigger. The ones that are smaller are also priced lower. I mean, at one and a quarter, there's very little in the city that you can find for that. You would have to buy...

1299

03:06:21.725 --> 03:06:33.065

Speaker 7 (Community Hall): something in the waterfall across the street over here, which is an apartment conversion project, in essence. So, I think that you're adding something really significant and different to the city that we do need.

1300

03:06:34.550 --> 03:06:58.649

Speaker 4 (Community Hall): Thank you, Councilmember Fruen, and I tend to agree with you. I do want to mention one thing with regards to that public art. Please get in touch with Summerhill. At the Staples site, they vetted several different artists, and they presented many, many different options there, so they've done a lot of their homework on that, and I think you'll be able to find something of an appropriate scale, probably within the research that they've already done.

1301

03:06:58.660 --> 03:07:05.660

Speaker 4 (Community Hall): And that should help you out. And with that, we are... our vote panel's set, and we are ready to vote.

1302

03:07:07.380 --> 03:07:09.690

Speaker 11 (Community Hall): The motion carries with Wong absent.

1303

03:07:11.310 --> 03:07:16.690

Speaker 4 (Community Hall): Alright, thank you. And next, we move on to the action calendar.

1304

03:07:16.690 --> 03:07:32.439

Speaker 4 (Community Hall): Item 12 is a contract with Placeworks to prepare a housing element update-related rezoning and all necessary environmental review and associated budget modification to address no net loss. Madam City Manager, do we have a report?

1305

03:07:34.170 --> 03:07:49.840

Speaker 5 (Community Hall): Mayor, we don't have a presentation. There is a staff report in the packet, and Council is being asked to approve a consultant agreement with Place Works to work on a housing element amendment in order to comply with state law no-net loss requirements.

1306

03:07:49.840 --> 03:08:04.069

Speaker 5 (Community Hall): Staff held a study session on low net loss on March 3rd. There's no formal presentation, as I mentioned, but, CDD staff is here and happy to answer any questions on the topic. And with that, I will,

1307

03:08:04.460 --> 03:08:09.510

Speaker 5 (Community Hall): Yeah, we have Luke Connolly, Assistant Director, and Pew, Planning Manager, to answer questions.

1308

03:08:09.515 --> 03:08:12.734

Speaker 4 (Community Hall): Thank you. And is some of the funding a pass-through item?

1309

03:08:14.195 --> 03:08:15.135

Speaker 4 (Community Hall): For this?

1310

03:08:16.030 --> 03:08:25.479

Speaker 5 (Community Hall): There is, there... some of the funding will be part... will be covered by the developer, as per, the agreement details.

1311

03:08:25.480 --> 03:08:29.860

Speaker 4 (Community Hall): Okay, thank you. Do we have any Council clarifying questions?

1312

03:08:30.040 --> 03:08:32.159

Speaker 4 (Community Hall): On this item at this time.

1313

03:08:35.130 --> 03:08:36.630

Speaker 4 (Community Hall): Councilmember Fruan?

1314

03:08:37.850 --> 03:08:52.190

Speaker 7 (Community Hall): you know, given that we have this concern over retail, I think I've discussed this with planning staff a bit, is there any way that we can knit into this arrangement, this concern?

1315

03:08:52.740 --> 03:08:59.079

Speaker 22 (Community Hall): Yes, there is. It is not part of the placework scope of work, but, if the time...

1316

03:08:59.850 --> 03:09:07.910

Speaker 22 (Community Hall): The timing would be appropriate to address preservation of retail through doing this, because That would likely involve...

1317

03:09:08.140 --> 03:09:18.530

Speaker 22 (Community Hall): rezoning some sites that currently allow residential, and we would have to account for it at the same time we're upzoning, which is likely what we're going to be doing through this exercise of no net loss. Got it.

1318

03:09:18.530 --> 03:09:29.799

Speaker 7 (Community Hall): Okay, just to the extent that we can get a little bit creative, I think everyone would appreciate that, including the site owners. I don't know exactly what that looks like.

1319

03:09:29.960 --> 03:09:38.919

Speaker 7 (Community Hall): But, you know, you've heard some discussion of the need for third spaces, and maybe that means that we need to...

1320

03:09:39.030 --> 03:09:54.800

Speaker 7 (Community Hall): look back at what our standards are in the heart of the city that aren't necessarily built around that. They're built around what the streetscape is like when you're driving down the

street, as opposed to what the actual uses are on those parcels. So, if we can look at that, I'd appreciate it.

1321

03:09:56.410 --> 03:10:08.799

Speaker 4 (Community Hall): To that point, do you have a suggestion that when we make a motion, that it needs to be modified a certain way to address retail, or, can you simply take it as comments?

1322

03:10:09.720 --> 03:10:20.369

Speaker 22 (Community Hall): I think taking it as comments would be fine. Essentially, this is a contract approval, but I think we're all really aware, and that also came on the March 3rd study session,

1323

03:10:20.810 --> 03:10:27.999

Speaker 22 (Community Hall): That preservation of retail is a high priority, and it has to pretty much be timed to something like this, otherwise you can't really do it.

1324

03:10:28.830 --> 03:10:36.820

Speaker 4 (Community Hall): Okay, thank you. I'm not seeing any further clarifying questions. Vice Mayor, you... Yeah. Interesting.

1325

03:10:37.060 --> 03:10:37.840

Community Hall: Okay.

1326

03:10:38.180 --> 03:10:43.990

Speaker 8 (Community Hall): Soon... I think, one way of...

1327

03:10:44.140 --> 03:10:47.830

Speaker 8 (Community Hall): Put this, added this as a work program item.

1328

03:10:48.120 --> 03:11:00.220

Speaker 8 (Community Hall): item. At the same time, I also mentioned that Sunnyvale has done something to change the zoning so that they are able to preserve retail.

1329

03:11:00.230 --> 03:11:11.630

Speaker 8 (Community Hall): So, I think with the state law as it is, it seems the only way to preserve retail is if we can carve out a portion

1330

03:11:11.670 --> 03:11:15.890

Speaker 8 (Community Hall): of a site to be retail only. That's the only...

1331

03:11:16.160 --> 03:11:25.560

Speaker 8 (Community Hall): only if you have retail-only zoning, that's when you can preserve retail, right? Is that...

1332

03:11:26.160 --> 03:11:32.290

Speaker 8 (Community Hall): Is there any other way? Because if we say any percentage, any other, they can't waive it.

1333

03:11:32.860 --> 03:11:40.130

Speaker 22 (Community Hall): Yeah, I think the issue is that if you allow residential, it's kind of like our last project discussion, if residential is allowed.

1334

03:11:40.440 --> 03:11:44.230

Speaker 22 (Community Hall): You can end up with a 100% residential project, so...

1335

03:11:45.230 --> 03:11:52.329

Speaker 22 (Community Hall): It would largely be an exercise of removing residential from sites that are now currently mixed-use zoning.

1336

03:11:52.640 --> 03:11:58.239

Speaker 8 (Community Hall): And so on the frontage of Stevens Creek, likely a portion will be retail.

1337

03:11:58.245 --> 03:12:04.084

Speaker 22 (Community Hall): Yeah, identifying those areas that the community feels strongest about preserving retail.

1338

03:12:05.005 --> 03:12:14.234

Speaker 5 (Community Hall): Vice Mayor, this is the kind of research and information we're hoping to bring forward when we talk about the preservation of retail item. Yeah. Yeah.

1339

03:12:14.240 --> 03:12:20.560

Speaker 8 (Community Hall): And then another question is, we understand that with a known net loss law.

1340

03:12:20.780 --> 03:12:33.199

Speaker 8 (Community Hall): and also that some... probably some other law, we cannot up... down zone if we don't up-zone. So, since we are going to upzone.

1341

03:12:33.450 --> 03:12:40.280

Speaker 8 (Community Hall): a few sites. So, I wonder if there are some... And...

1342

03:12:40.410 --> 03:12:44.939

Speaker 8 (Community Hall): See, some housing elements sideways, had that identified.

1343

03:12:45.080 --> 03:12:54.279

Speaker 8 (Community Hall): And... This might be an opportunity to down-zone if the units we have assigned to them might be...

1344

03:12:54.640 --> 03:13:12.509

Speaker 8 (Community Hall): too much. For example, I remember with the Adriana, I think Adriana area, that's a really weird triangular lot, with only a very narrow entrance. Is... could this... might be an opportunity where we down zone it a little bit?

1345

03:13:12.680 --> 03:13:14.669

Speaker 8 (Community Hall): So it's more realistic.

1346

03:13:15.620 --> 03:13:27.300

Speaker 22 (Community Hall): this would be the time, and that site you're referring to does not have an application on it. It only had a very slight increase when we upzoned in the housing element. It was our...

1347

03:13:27.840 --> 03:13:31.260

Speaker 22 (Community Hall): Most negligible property in terms of units it could add.

1348

03:13:31.470 --> 03:13:36.499

Speaker 22 (Community Hall): it, I think, went from, like, 5 or 6 to maybe 12 or 13, so...

1349

03:13:36.790 --> 03:13:40.370

Speaker 22 (Community Hall): it was a really minor increase, so it...

1350

03:13:40.375 --> 03:13:41.875

Speaker 8 (Community Hall): At this moment, I...

1351

03:13:41.875 --> 03:13:48.535

Speaker 17 (Community Hall): I feel like I need to interrupt. I'm sorry. Oh, okay. It's not agendized. I think we just need to move on. Okay, sure.

1352

03:13:48.790 --> 03:13:49.930

Speaker 8 (Community Hall): Great.

1353

03:13:49.930 --> 03:13:51.050

Speaker 4 (Community Hall): Councilmember Fuin?

1354

03:13:51.250 --> 03:14:10.540

Speaker 7 (Community Hall): at the risk of straying slightly, one of the other alternatives that I could certainly see is simply offering an alternative ministerial pathway that includes retail. Then you're outside of this, and you can preserve things that you would like to see, and to the extent that that's economically more valuable to somebody.

1355

03:14:10.540 --> 03:14:12.390

Speaker 7 (Community Hall): then I could see them using it, so...

1356

03:14:12.390 --> 03:14:15.769

Speaker 7 (Community Hall): Maybe that's something else to explore. Perhaps we can move on now?

1357

03:14:15.770 --> 03:14:17.130

Speaker 29 (Community Hall): Thank you. Thank you.

1358

03:14:17.235 --> 03:14:22.375

Speaker 4 (Community Hall): Okay, so we've finished our clarifying questions. I do see one more hand raised.

1359

03:14:22.375 --> 03:14:24.985

Speaker 9 (Community Hall): One quick question.

1360

03:14:26.555 --> 03:14:39.755

Speaker 9 (Community Hall): We had talked about the 180-day limit before you respond to this state. Is that separate from... from this, or is... is this, analysis by Placeworks

1361

03:14:40.075 --> 03:14:41.515

Speaker 9 (Community Hall): Part of that, though.

1362

03:14:42.135 --> 03:15:01.675

Speaker 22 (Community Hall): The 180 days of state law that is in effect. Placeworks would be coming on board to try to help us resolve the no net loss issue. Frankly, there is no chance we're going to meet that 180 days, which would be the middle of June. For what it's worth, I think HCD staff is even well aware of the 180 days is...

1363

03:15:02.125 --> 03:15:07.414

Speaker 22 (Community Hall): fairly unrealistic to assume cities can not only identify sites, but to rezone them, but I think

1364

03:15:07.805 --> 03:15:11.554

Speaker 22 (Community Hall): as I said, in March, the goal is to show that we are

1365

03:15:11.735 --> 03:15:15.304

Speaker 22 (Community Hall): Proactively moving on this item, but...

1366

03:15:15.495 --> 03:15:22.274

Speaker 22 (Community Hall): We would definitely need assistance, like Place Works, who did our housing element in the first place, to help us get through this process.

1367

03:15:23.085 --> 03:15:23.875

Speaker 22 (Community Hall): Thank you.

1368

03:15:24.730 --> 03:15:29.960

Speaker 4 (Community Hall): Okay, Madam City Clerk, do we have members of the public who would like to comment on this item?

1369

03:15:30.420 --> 03:15:36.619

Speaker 11 (Community Hall): Yes, Mayor, we have one request to speak in person in Community Hall, and at this time, I see one hand raised virtually. Great.

1370

03:15:37.110 --> 03:15:51.050

Speaker 11 (Community Hall): So just a reminder to members of the public wishing to speak regarding this item shall submit a request to speak or raise their hand virtually within the first 9 minutes of the start of public comment, or before the public comment period is closed, whichever comes first. At this time, we will welcome Jennifer Griffin.

1371

03:15:51.570 --> 03:15:55.269

Speaker 12 (Community Hall): Good evening, City Council. I have been following.

1372

03:15:56.350 --> 03:16:11.769

Speaker 13 (Community Hall): For 17 years now, the housing bills, I counted it up this morning, and it's... the hell started in 2014... 2013. I am painfully aware of what has happened to our state and the loss of local control.

1373

03:16:12.660 --> 03:16:15.260

Speaker 13 (Community Hall): I find it very interesting.

1374

03:16:15.360 --> 03:16:33.769

Speaker 13 (Community Hall): that retired Senator Nancy Skinner wrote both SB 133 and SB 166, the no net loss bill. She's been out of office since December of 2024, and the governor plopped her on

1375

03:16:34.060 --> 03:16:38.859

Speaker 13 (Community Hall): the California Energy Commission, board.

1376

03:16:39.410 --> 03:16:48.229

Speaker 13 (Community Hall): I'm watching her very, very carefully. I find it very interesting that these two bills are being used

1377

03:16:48.450 --> 03:16:54.950

Speaker 13 (Community Hall): to pill retail in this city, and obviously, from what happened in Santa Clara.

1378

03:16:55.280 --> 03:17:03.000

Speaker 13 (Community Hall): many, many other cities. Now, I, you know, I respect elected officials, et cetera, et cetera, But...

1379

03:17:03.690 --> 03:17:10.359

Speaker 13 (Community Hall): Why are these bills being enacted after she has been out of office?

1380

03:17:10.660 --> 03:17:12.549

Speaker 13 (Community Hall): for 18 months.

1381

03:17:12.930 --> 03:17:23.539

Speaker 13 (Community Hall): I'm sorry, I, you know, maybe I'm a dumb public participant, but the known at last law stuff just is over the top.

1382

03:17:25.580 --> 03:17:39.080

Speaker 13 (Community Hall): I see, and I respect the other lady in the audience who spoke so eloquently about the loss of retail. We have a massive problem in this city.

1383

03:17:39.260 --> 03:17:48.030

Speaker 13 (Community Hall): And... it has... Evolved out of the housing element, I have lost all trust.

1384

03:17:48.250 --> 03:17:51.070

Speaker 13 (Community Hall): In the decisions made at the state level.

1385

03:17:51.320 --> 03:17:55.909

Speaker 13 (Community Hall): I won't even go into the federal situation. But the last...

1386

03:17:56.150 --> 03:18:03.809

Speaker 13 (Community Hall): 14 years has been a complete erosion of the public trust in Sacramento.

1387

03:18:04.670 --> 03:18:07.920

Speaker 13 (Community Hall): Our previous governor and this governor have not helped.

1388

03:18:08.240 --> 03:18:17.490

Speaker 13 (Community Hall): There are a lot of very strange things about AB130 and how that was created a year ago.

1389

03:18:18.060 --> 03:18:23.209

Speaker 13 (Community Hall): And I'm talking about AI, And data centers?

1390

03:18:23.610 --> 03:18:27.149

Speaker 13 (Community Hall): And where the heck we're going down there?

1391

03:18:27.490 --> 03:18:32.179

Speaker 13 (Community Hall): No, let's don't do no net loss. It's... it's totally bogus.

1392

03:18:32.370 --> 03:18:36.210

Speaker 13 (Community Hall): Wow, I've... how much more time do I have, or am I done?

1393

03:18:37.390 --> 03:18:42.950

Speaker 11 (Community Hall): Jennifer, I was just checking, I believe you are done, I forgot to reset your timer, so thank you for your time and your patience.

1394

03:18:42.955 --> 03:18:44.084

Speaker 14 (Community Hall): Yeah, let's don't do.

1395

03:18:44.085 --> 03:18:44.455

Speaker 13 (Community Hall): No.

1396

03:18:44.460 --> 03:18:46.759

Speaker 12 (Community Hall): lost its focus. Thank you, Jennifer.

1397

03:18:48.360 --> 03:18:53.529

Speaker 11 (Community Hall): Okay, at this time, we will move to the request to speak virtually at, Welcome San Rao.

1398

03:18:56.760 --> 03:19:01.410

San Rao: Good evening, Mayor Bo, Vice Mayor Chao, Councilmember, speaking on behalf of myself only as a resident.

1399

03:19:01.640 --> 03:19:08.270

San Rao: I would urge the City Attorney to be more proactive in cutting off non-agendized conversations.

1400

03:19:08.320 --> 03:19:22.400

San Rao: I'm very concerned that the conversation that transpired around retail was not agendized, and a discussion on that that was extended is really a violation, potentially, of the Brown Act. Members of the public were not here to speak on that topic.

1401

03:19:22.700 --> 03:19:28.570

San Rao: I'm also concerned that the... The item...

1402

03:19:28.970 --> 03:19:35.919

San Rao: Teemed to be pre-planned and pre-prepared, because the question that was asked seemed to have a ready-made answer from staff.

1403

03:19:36.140 --> 03:19:39.760

San Rao: As if they were prepared for the question, and so we need to make sure

1404

03:19:39.910 --> 03:19:44.529

San Rao: That items that are being discussed are only items on the agenda, nothing further.

1405

03:19:44.700 --> 03:19:46.689

San Rao: I'm further concerned that

1406

03:19:46.800 --> 03:19:53.009

San Rao: Any addition of retail is going to come at the addition of greater density to housing element sites, and we do not.

1407

03:19:53.210 --> 03:19:58.149

San Rao: want Copatino to turn into projects that are at 80 DU per acre.

1408

03:19:58.410 --> 03:20:00.640

San Rao: Under the guise of protecting retail.

1409

03:20:00.820 --> 03:20:14.790

San Rao: I think we need a more thoughtful discussion with retail. We cannot rush the retail topic, attaching it to this item, because this is a time bound based on state laws. So I urge you to not accept any sort of agenda amendment

1410

03:20:14.980 --> 03:20:21.999

San Rao: or motion that tries to include anything having to do with retail on this item. That is simply not agendized, and

1411

03:20:22.060 --> 03:20:39.969

San Rao: Further, if you need to discuss retail, I would recommend you, you let that discussion flow through the Planning Commission and allow us to bring you the recommendations that would make sense without compromising density. I do not think Cupertino wants to see density at 80 BU per acre. Not only is it a concern.

1412

03:20:40.100 --> 03:20:46.369

San Rao: From the neighborhood and quality of life, but it is also a concern from financial feasibility, as we have seen with the rise.

1413

03:20:46.500 --> 03:20:54.310

San Rao: And so let's be thoughtful about this. What we also have seen with the past iteration of the housing element is that we put out

1414

03:20:54.530 --> 03:21:01.900

San Rao: notices to lot owners of a certain acreage, and those that showed interest were included, and I don't believe we want to take that passive approach.

1415

03:21:02.050 --> 03:21:09.950

San Rao: I believe we want to target Class C or Class B office buildings, and take a thoughtful approach of looking at how can we shift

1416

03:21:10.210 --> 03:21:17.890

San Rao: an old legacy office vintage product, as we just saw with the harvest properties, into housing while preserving retail.

1417

03:21:18.080 --> 03:21:21.390

San Rao: And so I'm not... I'm not confident that Placeworks did...

1418

03:21:21.430 --> 03:21:32.100

San Rao: any of that in the last, and if they did, we certainly didn't see the results. So, I urge you to direct Place Works very prescriptively to focus on bringing in the properties that we would like to see developed.

1419

03:21:32.100 --> 03:21:44.060

San Rao: As opposed to just putting our postcards and letting greedy parcel owners to come in, and then we have to accept that. Please be thoughtful in what sites we pick. Let's learn lessons from the last time. Let's not have another really devastated drive. Thank you.

1420

03:21:45.910 --> 03:21:49.110

Speaker 11 (Community Hall): Thank you, Sam. Mayor, that concludes the request to speak on this item.

1421

03:21:49.220 --> 03:21:50.010

Speaker 11 (Community Hall): Opens.

1422

03:21:50.010 --> 03:21:50.880

Speaker 4 (Community Hall): Thank you.

1423

03:21:51.050 --> 03:21:53.860

Speaker 4 (Community Hall): At this time, do we have a motion on this item?

1424

03:22:00.110 --> 03:22:02.600

Speaker 4 (Community Hall): Would anyone care to move the recommended action?

1425

03:22:03.890 --> 03:22:05.419

Speaker 4 (Community Hall): Sorry.

1426

03:22:07.450 --> 03:22:10.209

Speaker 9 (Community Hall): Yeah, I move to accept the staff report.

1427

03:22:10.600 --> 03:22:12.589

Speaker 9 (Community Hall): On, on item number.

1428

03:22:13.690 --> 03:22:14.580

Speaker 9 (Community Hall): 12?

1429

03:22:15.700 --> 03:22:18.030

Speaker 4 (Community Hall): And to... Do you want me to read out?

1430

03:22:18.035 --> 03:22:18.795

Speaker 9 (Community Hall): everything?

1431

03:22:18.795 --> 03:22:22.025

Speaker 4 (Community Hall): Well, you can just say to move the recommended action, if you want.

1432

03:22:22.030 --> 03:22:26.240

Speaker 9 (Community Hall): recommended action, that is laid out.

1433

03:22:26.390 --> 03:22:28.070

Speaker 9 (Community Hall): On the agenda.

1434

03:22:28.260 --> 03:22:29.560

Speaker 9 (Community Hall): Do we have a second?

1435

03:22:33.180 --> 03:22:38.450

Speaker 4 (Community Hall): Second. Okay, thank you, and do we have any further discussion from the council members on this item?

1436

03:22:38.620 --> 03:22:39.800

Speaker 4 (Community Hall): Vice Mayor?

1437

03:22:40.010 --> 03:22:40.860

Speaker 4 (Community Hall): Ew.

1438

03:22:42.530 --> 03:22:57.680

Speaker 8 (Community Hall): So, the placeworks did our housing element update, so, will they be... will they be charging us for the work that they have done for the housing element again for this project?

1439

03:22:59.340 --> 03:23:02.600

Speaker 22 (Community Hall): No, this is an entirely different scope of work.

1440

03:23:02.605 --> 03:23:18.054

Speaker 8 (Community Hall): So they will build on top of the work they have done, done before, right? So the estimate is about half a million dollars. And, so this is... no net loss is mandated by the state.

1441

03:23:18.335 --> 03:23:24.924

Speaker 8 (Community Hall): And... but there is... is there any funding from the state for any housing element work?

1442

03:23:26.880 --> 03:23:28.720

Speaker 22 (Community Hall): I'm not aware of any for this.

1443

03:23:28.720 --> 03:23:36.319

Speaker 8 (Community Hall): So this is an unfunded mandate by the state, and if we don't do it, we will be in trouble.

1444

03:23:38.130 --> 03:23:42.209

Speaker 22 (Community Hall): We have 180 days under state law to address it. Okay.

1445

03:23:42.445 --> 03:23:51.864

Speaker 8 (Community Hall): How much did we... sorry, I sent in the question late. I'm wondering, how much did we send... spend on the housing element update?

1446

03:23:53.315 --> 03:23:56.854

Speaker 8 (Community Hall): The one we adopted, like, in 2024, yeah.

1447

03:23:56.855 --> 03:24:07.785

Speaker 22 (Community Hall): The entire contract, which is not fully expended because it was for the housing element, and the safety element update, and objective design standards for mixed-use and multifamily projects.

1448

03:24:07.995 --> 03:24:12.045

Speaker 22 (Community Hall): The total contract amount that was just over \$1.2 million.

1449

03:24:13.840 --> 03:24:16.119

Speaker 8 (Community Hall): So that's 1.2 million.

1450

03:24:17.460 --> 03:24:21.750

Speaker 22 (Community Hall): The element and objective design standards are still active projects.

1451

03:24:22.810 --> 03:24:23.790

Speaker 22 (Community Hall): Shit.

1452

03:24:25.470 --> 03:24:35.739

Speaker 8 (Community Hall): And... So this one, an extension will be health of that. Did that include... that included an environmental assessment?

1453

03:24:35.880 --> 03:24:36.990

Speaker 8 (Community Hall): That is correct.

1454

03:24:37.570 --> 03:24:49.970

Speaker 8 (Community Hall): So the \$1.2 million is an estimate, but it's still ongoing, right? And this one will include an environmental assessment, or an EIR.

1455

03:24:51.090 --> 03:25:01.330

Speaker 22 (Community Hall): This will not include an environmental assessment. That was reached through the settlement agreement on the housing element. This has two options, either an addendum

1456

03:25:01.630 --> 03:25:06.450

Speaker 22 (Community Hall): to the general plan EIR, or a standalone EIR.

1457

03:25:06.620 --> 03:25:13.940

Speaker 22 (Community Hall): The dollar amount you're being asked to approve is for a standalone EIR, which appears to be the more likely of the two options.

1458

03:25:14.690 --> 03:25:27.390

Speaker 8 (Community Hall): So, the half a million will be... we will be able to do a stand-alone EIR, which

we didn't do for the 2024 adopted housing element. That is correct.

1459

03:25:27.390 --> 03:25:31.460

Speaker 22 (Community Hall): This would be an environmental impact report, and that was an environmental assessment.

1460

03:25:33.080 --> 03:25:45.380

Speaker 8 (Community Hall): Okay, then what would, be the advantage to the city to have an EIR rather than just the environmental assessment?

1461

03:25:45.610 --> 03:25:50.110

Speaker 22 (Community Hall): An EIR makes your environmental review more clear.

1462

03:25:50.520 --> 03:25:55.380

Speaker 22 (Community Hall): With the action taken, EIRs can be tiered off of for future development.

1463

03:25:55.790 --> 03:26:04.160

Speaker 22 (Community Hall): They could be deemed to have fully analyzed that development. They give you a basis under CEQA that the environmental assessment did not.

1464

03:26:05.220 --> 03:26:10.410

Speaker 8 (Community Hall): And, for example, if we have an upcoming new project, on...

1465

03:26:11.100 --> 03:26:14.540

Speaker 8 (Community Hall): What would be different about that new project?

1466

03:26:15.300 --> 03:26:20.210

Speaker 22 (Community Hall): you would likely be able to use the EIR to see if it analyzed

1467

03:26:20.380 --> 03:26:24.389

Speaker 22 (Community Hall): That project fully, and if it did not, you could focus on areas

1468

03:26:24.840 --> 03:26:30.510

Speaker 22 (Community Hall): That you think need further... a further look, rather than starting, say, from ground zero.

1469

03:26:30.930 --> 03:26:37.930

Speaker 22 (Community Hall): the environmental assessment, while it is a lot of information, does not allow us to use it like you do in EIR.

1470

03:26:37.930 --> 03:26:57.129

Speaker 8 (Community Hall): And, for example, for the Avilage Court project we just did last week, and it seems we found out kind of late that there are some pits on the site that hasn't been studied. So, would EIR be able to find out about that, or it's different?

1471  
03:26:58.440 --> 03:27:03.869  
Speaker 22 (Community Hall): all projects would be different in the case of that it qualified for a CEQA exemption.

1472  
03:27:04.050 --> 03:27:06.949  
Speaker 22 (Community Hall): Just like the project did tonight, so...

1473  
03:27:08.100 --> 03:27:13.040  
Speaker 22 (Community Hall): having an EIR doesn't mean a project wouldn't qualify for an exemption if it weren't eligible.

1474  
03:27:13.660 --> 03:27:29.770  
Speaker 8 (Community Hall): But having an EIRS, I remember, when we find the significant unavoidable impact, we would be able to identify mitigation measures that we can adopt, and then future projects will

1475  
03:27:30.010 --> 03:27:33.480  
Speaker 8 (Community Hall): have to... You implement those.

1476  
03:27:33.630 --> 03:27:36.530  
Speaker 8 (Community Hall): Adopted mitigation measures, right?

1477  
03:27:36.535 --> 03:27:46.665  
Speaker 22 (Community Hall): That, that is correct, that you could have mitigation measures that EIR analyzed that carry through to projects that come afterward. Okay, great. Thank you.

1478  
03:27:47.250 --> 03:27:51.100  
Speaker 8 (Community Hall): So here is a question for the city attorney, though. I...

1479  
03:27:51.350 --> 03:28:10.950  
Speaker 8 (Community Hall): I don't think we will be able to afford to do a separate process to consider retail. And so, can we include the retail? I look... the scope of work right now doesn't include the retail, so should we still amend it so it's included?

1480  
03:28:11.200 --> 03:28:14.219  
Speaker 8 (Community Hall): And if we don't amend it, would...

1481  
03:28:14.590 --> 03:28:17.640  
Speaker 8 (Community Hall): They... would the consultant still be able to do that?

1482  
03:28:18.450 --> 03:28:22.809  
Speaker 29 (Community Hall): I think I'd have to ask Luke to, opine on that.

1483  
03:28:24.760 --> 03:28:30.649  
Speaker 22 (Community Hall): I don't know that I caught the whole thing, but was this, again, going to the

commercial retail discussion?

1484

03:28:31.590 --> 03:28:36.740

Speaker 22 (Community Hall): I think that the scope of work Placeworks has, I mean, this is particularly with

1485

03:28:37.370 --> 03:28:44.450

Speaker 22 (Community Hall): their housing team, and this is to address no net loss, period. That's what their work is.

1486

03:28:44.455 --> 03:28:54.214

Speaker 8 (Community Hall): So, if... I don't... my question is, I don't think we will be able to afford a separate process that look at,

1487

03:28:54.675 --> 03:29:02.835

Speaker 8 (Community Hall): how to preserve retail zoning. So, what's the possibility of amending this one, so we consider...

1488

03:29:02.995 --> 03:29:06.765

Speaker 8 (Community Hall): The housing and retail together.

1489

03:29:07.630 --> 03:29:16.199

Speaker 5 (Community Hall): Vice Mayor, I'm gonna suggest again to... we should think about this when we're talking about the retail preservation item, to see if we need to amend the...

1490

03:29:16.205 --> 03:29:17.305

Speaker 8 (Community Hall): Coming...

1491

03:29:17.695 --> 03:29:19.935

Speaker 5 (Community Hall): That should be coming soon.

1492

03:29:19.935 --> 03:29:25.065

Speaker 8 (Community Hall): outcomes, maybe then we can talk about amending... If need be.

1493

03:29:25.500 --> 03:29:34.019

Speaker 5 (Community Hall): Or... okay. And by then, we'll also look into if that's something that we could possibly do, so we'll bring all options to Council. Okay.

1494

03:29:35.500 --> 03:29:36.220

Speaker 4 (Community Hall): Thank you.

1495

03:29:36.470 --> 03:29:39.509

Speaker 4 (Community Hall): Thank you. And with that,

1496

03:29:39.920 --> 03:29:46.750

Speaker 4 (Community Hall): We have a motion and a second. Madam City Clerk, will you please set the vote panel? And we will vote.

1497

03:29:57.690 --> 03:29:59.819

Community Hall: The motion carries with Wong absent.

1498

03:30:01.410 --> 03:30:02.080

Speaker 4 (Community Hall): Alright.

1499

03:30:02.360 --> 03:30:09.699

Speaker 4 (Community Hall): Thank you. Next we have item 13. These are updates to the Commission's and Committee's Handbook.

1500

03:30:09.850 --> 03:30:13.219

Speaker 4 (Community Hall): Madam City Manager, do we have a staff report?

1501

03:30:13.395 --> 03:30:29.324

Speaker 5 (Community Hall): Yes, Mayor, we do, and for this item tonight, the Interim City Attorney, Floyd Andrews, will review suggested updates to the Commissioner's Handbook. A preview of these were presented at the Commissioner's Training last week, so with that, I will turn it over to Floyd.

1502

03:30:32.010 --> 03:30:35.809

Speaker 29 (Community Hall): Thank you, City Manager. Good evening, Mayor and Council.

1503

03:30:35.810 --> 03:30:53.960

Speaker 29 (Community Hall): So a few months ago, we had a study session on these items, and the direction was to, bring back, a distilled version of the conversation, and that's what I'm presenting today. It's basically, suggested updates to the Commissioner's Handbook.

1504

03:30:54.680 --> 03:31:14.220

Speaker 29 (Community Hall): And the updates that we're, describing today involve providing, alternates, the possibility of having alternates for commissions. We are also discussing ways to promote broad community participation, and then we'll be talking about,

1505

03:31:14.380 --> 03:31:20.860

Speaker 29 (Community Hall): continuing attendance requirements, but having Council approve removals.

1506

03:31:21.240 --> 03:31:29.539

Speaker 29 (Community Hall): And we'll be talking about, recognizing Commissioner autonomy and ensuring commission's actions are fairly presented.

1507

03:31:29.900 --> 03:31:35.170

Speaker 29 (Community Hall): Represented. And then we also have general updates prepared by staff.

1508

03:31:39.980 --> 03:31:42.590

Speaker 29 (Community Hall): So, appointing alternates.

1509

03:31:42.590 --> 03:32:02.980

Speaker 29 (Community Hall): So when members miss meetings, oftentimes you have quorum issues, and then the commission is unable to do business. So, the idea had come up that we would appoint alternates who, when a commissioner is going to be absent, the chair could seat that alternate, and this alternate could vote, and then that would help make sure that we had

1510

03:32:02.980 --> 03:32:13.700

Speaker 29 (Community Hall): quorums for our meetings. It also increases community participation, because you have yet another, seat that the community can, participate in, sit in.

1511

03:32:13.700 --> 03:32:27.949

Speaker 29 (Community Hall): And it sort of sets up a potential future commissioner for that commission, although you would still need to, have a recruitment before you replaced a vacant seat.

1512

03:32:27.950 --> 03:32:31.009

Speaker 29 (Community Hall): I will say that staff suggests that

1513

03:32:31.010 --> 03:32:50.469

Speaker 29 (Community Hall): Appointing alternates will create more work for staff, because you'll have an extra person for each commission, and that means an extra city email, forms... they will all have to fill out Form 700s, communicating with the extra people, so it's... it's not a complete wash. It is a little bit of extra time for staff.

1514

03:32:50.630 --> 03:32:57.130

Speaker 29 (Community Hall): And so, but the recommended action is that the Council do appoint alternates for their commissions.

1515

03:32:59.480 --> 03:33:16.869

Speaker 29 (Community Hall): We also talked about, Council recognized the importance of broad community participation, and, by restricting individuals to serving on only one advisory body, enhances participation by providing greater opportunity to the community.

1516

03:33:17.890 --> 03:33:28.970

Speaker 29 (Community Hall): The new update would discourage, but not forbid individuals from serving on two advisory bodies. There was a discussion about, in some instances, it makes sense for them to do so.

1517

03:33:32.360 --> 03:33:50.059

Speaker 29 (Community Hall): We talked about attendance requirements. I just basically, the requirements would stay the same, but before somebody is auto... there wouldn't be any automatic removal when somebody missed the, number of meetings. Instead, it would come to the Commission, I mean, the Council, to make that determination.

1518

03:33:50.650 --> 03:33:55.000

Speaker 29 (Community Hall): Regarding Commissioner Autonomy,

1519

03:33:55.520 --> 03:34:10.770

Speaker 29 (Community Hall): sitting commissioners don't abandon their autonomy and their First Amendment's rights to be able to, you know, express their personal viewpoint. And so we are, suggesting updates to 3 different provisions within the Commissioner's Handbook to address that.

1520

03:34:12.000 --> 03:34:15.000

Speaker 29 (Community Hall): One, pertains to,

1521

03:34:15.990 --> 03:34:28.049

Speaker 29 (Community Hall): the Commission's section of the handbook, and it suggests that we remove this paragraph. I'm not sure if it makes sense for me to read the paragraph. I'm happy to do so if that would make it easier.

1522

03:34:29.180 --> 03:34:37.689

Speaker 29 (Community Hall): Am I saying nobody's nodding? Okay, so we would remove this paragraph, And... We would add this paragraph.

1523

03:34:37.920 --> 03:34:54.749

Speaker 29 (Community Hall): And maybe I will just quickly read this. Individual Commissioners are at liberty to express their personal opinions to the City Council on items within the scope of their Commission's jurisdiction if they clearly state that they are speaking on behalf of themselves only.

1524

03:34:55.280 --> 03:35:03.459

Speaker 29 (Community Hall): The Council appreciates hearing the rationale supporting both the majority position and the minority position, as this enriches the decision-making process.

1525

03:35:04.440 --> 03:35:13.830

Speaker 29 (Community Hall): There was also discussion about potentially adding this next sentence, which is why it's highlighted. It's something I think we'll need to decide on, because it wasn't clear from the last study session.

1526

03:35:13.830 --> 03:35:29.010

Speaker 29 (Community Hall): However, if the individual commissioner's personal recommendation is inconsistent with the position taken by the full commission, the individual commissioner should also provide the City Council with a general description of the full Commission's position.

1527

03:35:34.540 --> 03:35:38.670

Speaker 29 (Community Hall): So I'll keep going, and then we can come back and...

1528

03:35:38.780 --> 03:35:46.899

Speaker 29 (Community Hall): organized voting, etc. The second, section pertains to recommendations and reports.

1529

03:35:47.180 --> 03:35:58.670

Speaker 29 (Community Hall): And it would update this section as follows. The Commissioner selected by the Chair as the Commission Representative should strive to represent the position of the Commission

1530

03:35:58.670 --> 03:36:10.039

Speaker 29 (Community Hall): as a whole, at the meeting, as necessary, regardless of the Commissioner's personal views. So this pertains specifically to the Commissioner who has been selected to speak on behalf of the Commission.

1531

03:36:10.040 --> 03:36:16.519

Speaker 29 (Community Hall): They, if they're presenting to the City Council, should be presenting the majority vote of the Commission.

1532

03:36:19.170 --> 03:36:25.750

Speaker 29 (Community Hall): And then finally, we have a few updates to the use of email section. So this language

1533

03:36:25.910 --> 03:36:28.950

Speaker 29 (Community Hall): on the screen would be removed. I won't read it.

1534

03:36:30.320 --> 03:36:32.460

Speaker 29 (Community Hall): And this language would be added.

1535

03:36:32.820 --> 03:36:55.460

Speaker 29 (Community Hall): When advocating or discussing a matter within the scope of your Commission's jurisdiction, ensure that the email cannot be construed as representing the views of the full Commission, unless the Commission has affirmatively voted to approve the position presented. Please do not forward or reply to a City email from your personal email address. Once your term on the Commission is over.

1536

03:36:55.460 --> 03:36:57.610

Speaker 29 (Community Hall): Your city email will be terminated.

1537

03:37:00.730 --> 03:37:06.680

Speaker 29 (Community Hall): So you need to ensure that you're not...

1538

03:37:06.960 --> 03:37:12.420

Speaker 29 (Community Hall): Suggesting that you're representing the views of the full commission when you're not... when you're using your city email.

1539

03:37:13.290 --> 03:37:15.359

Speaker 29 (Community Hall): And the second update would be...

1540

03:37:15.470 --> 03:37:27.110

Speaker 29 (Community Hall): All city emails are subject to the Public Records Act, and you should use your city email... oh, this is removing... this language is to be removed. I'll only read the language to be added in its place.

1541

03:37:28.490 --> 03:37:37.530

Speaker 29 (Community Hall): All city emails are subject to the Public Records Act, and you should use your city email to communicate about any matter within the jurisdiction of your commission.

1542

03:37:38.020 --> 03:37:46.880

Speaker 29 (Community Hall): Emails sent from a personal email account are also subject to the Public Records Act to the extent they address a matter related to your Commission's jurisdiction.

1543

03:37:47.230 --> 03:38:03.389

Speaker 29 (Community Hall): Please use your city email when so communicating to enhance efficiency and transparency. Please do not forward or reply to a city email from your personal email address. Once your term on the commission is over, your city email will be terminated.

1544

03:38:07.360 --> 03:38:22.050

Speaker 29 (Community Hall): And those were the, discussed updates from our last study session. And then we also have, updates, clarifying updates, such as clarifying the roles for staff liaison, commission administrator, and the chair.

1545

03:38:22.940 --> 03:38:26.570

Speaker 29 (Community Hall): Adding guidelines for hybrid meetings and remote participation.

1546

03:38:27.140 --> 03:38:30.619

Speaker 29 (Community Hall): Including language on Commission work plans.

1547

03:38:30.980 --> 03:38:35.280

Speaker 29 (Community Hall): Details on training requirements, and other administrative updates.

1548

03:38:40.650 --> 03:38:41.550

Speaker 29 (Community Hall): Thank you.

1549

03:38:42.790 --> 03:38:53.670

Speaker 4 (Community Hall): Thank you. So, we'll begin first with, Council clarifying questions, and thank you for the report. And I know there was a lot of, details that went into this, and

1550

03:38:53.910 --> 03:38:59.450

Speaker 4 (Community Hall): A lot of issues that we were trying to work out and do so as fairly as possible.

1551

03:39:00.520 --> 03:39:02.759

Speaker 4 (Community Hall): So, Councilmember Mohan?

1552

03:39:05.250 --> 03:39:13.170

Speaker 9 (Community Hall): Thank you. Thank you, Madam City Attorney. I did need a clarification on Update 1.

1553

03:39:13.670 --> 03:39:16.360

Speaker 9 (Community Hall): Where you've added.

1554

03:39:19.060 --> 03:39:21.809

Speaker 9 (Community Hall): You could get that. If you're ready for it, let me know.

1555

03:39:24.850 --> 03:39:26.910

Speaker 9 (Community Hall): And that is, in...

1556

03:39:29.070 --> 03:39:36.339

Speaker 9 (Community Hall): There's something in parentheses at the end. However, if the individual commissioner's personal recommendation is inconsistent.

1557

03:39:36.670 --> 03:39:39.259

Speaker 9 (Community Hall): With a position taken by the full commission.

1558

03:39:39.510 --> 03:39:46.889

Speaker 9 (Community Hall): The individual Commissioner should also provide the City Council with a general description of the full Commission's position.

1559

03:39:47.220 --> 03:39:56.340

Speaker 9 (Community Hall): So my question is, at that point, is the individual commissioner representing himself or herself as a commissioner, or as

1560

03:39:56.600 --> 03:40:00.440

Speaker 9 (Community Hall): As a resident, or a... Of the community.

1561

03:40:00.445 --> 03:40:05.705

Speaker 29 (Community Hall): The way I understand that is a commissioner would say, I'm... this is my personal opinion.

1562

03:40:05.995 --> 03:40:11.185

Speaker 29 (Community Hall): But I should let you know that the commission that I sit on, has voted

1563

03:40:11.485 --> 03:40:14.715

Speaker 29 (Community Hall): to support this alternate viewpoint.

1564

03:40:14.715 --> 03:40:17.145

Speaker 9 (Community Hall): Speaking in my personal capacity? Correct.

1565

03:40:17.485 --> 03:40:23.545

Speaker 9 (Community Hall): Okay, if that's what it's intended to be, I'm good with it. Correct. Thank you.

1566

03:40:24.680 --> 03:40:30.330

Speaker 4 (Community Hall): Pardon, Councilmember Mohan, are you in support of the however section at

the end? Yes, if...

1567

03:40:30.335 --> 03:40:32.595

Speaker 9 (Community Hall): If that's what it means. Okay.

1568

03:40:32.595 --> 03:40:35.365

Speaker 4 (Community Hall): So you would like to see it included. Okay.

1569

03:40:35.935 --> 03:40:41.264

Speaker 4 (Community Hall): Do we have any other clarifying questions? Vice Mayor?

1570

03:40:43.630 --> 03:40:48.779

Speaker 8 (Community Hall): Actually, I would like to see that, however section removed.

1571

03:40:49.410 --> 03:40:53.370

Speaker 8 (Community Hall): I don't think that's really necessary.

1572

03:40:53.800 --> 03:40:55.829

Speaker 8 (Community Hall): Confuse the issue.

1573

03:40:57.330 --> 03:40:58.010

Speaker 8 (Community Hall): Hmm...

1574

03:40:59.560 --> 03:41:07.839

Speaker 8 (Community Hall): Because when they say they represent themselves, it's their own opinion. I don't think it's necessary for them to...

1575

03:41:07.910 --> 03:41:17.010

Speaker 8 (Community Hall): have a... describe the gen... to have a general description of the four commissions position, because when they talk to the Council, we all...

1576

03:41:17.010 --> 03:41:33.159

Speaker 8 (Community Hall): No, and sometimes these general des... sometimes the recommendation might be pretty low. The general description might not capture it accurately, and then people might complain, right? So, that's sufficient just to say this is my personal opinion.

1577

03:41:34.410 --> 03:41:38.529

Speaker 8 (Community Hall): So I don't think that, part is necessary.

1578

03:41:39.710 --> 03:41:46.470

Speaker 8 (Community Hall): Yeah, I have other, more minor comments, I think I'll do that later, yeah.

1579

03:41:48.700 --> 03:41:52.929

Speaker 4 (Community Hall): To your point, Vice Mayor, I would...

1580

03:41:53.180 --> 03:42:12.789

Speaker 4 (Community Hall): perhaps as a question for the City Attorney, if... if you were... if one was the chair of the Planning Commission, and you agreed with what the Planning Commission voted on something, you could come to the Council, and correct me if I'm wrong, but you could come to the Council and say the

1581

03:42:12.900 --> 03:42:28.870

Speaker 4 (Community Hall): Planning Commission voted 3-2 in favor of this item, and I'm strongly in support of it, and I just wanted you to know, so that's perfectly acceptable. Yes, yes. Okay. But is there something that says,

1582

03:42:29.830 --> 03:42:39.779

Speaker 4 (Community Hall): that I'm... I'm here representing myself only, and I strongly oppose this position.

1583

03:42:39.960 --> 03:42:48.550

Speaker 4 (Community Hall): Is that... right? You can't... are we saying that you cannot be the... the chair of the Planning Commission and say,

1584

03:42:48.890 --> 03:42:58.689

Speaker 4 (Community Hall): identify yourself as such, and then say, I'm strongly in opposition to this, to this item. Is that...

1585

03:42:58.695 --> 03:42:59.425

Speaker 12 (Community Hall): If you.

1586

03:42:59.430 --> 03:43:02.400

Speaker 29 (Community Hall): Leave out the highlighted language, then you could do that.

1587

03:43:02.630 --> 03:43:16.260

Speaker 29 (Community Hall): But if you include the highlighted language, you would have to say, I'm the chair of the planning commission, and my personal viewpoint is X, but I should also say that the, you know, the planning commission I'm the chair of, voted in the opposite.

1588

03:43:18.280 --> 03:43:36.059

Speaker 4 (Community Hall): Okay, hold on, I'm not quite sure I'm catching this. So, what the way this is saying is that this ad is that, an individual commissioner can, say their own personal opinions as long as they say they're speaking on behalf of themselves only.

1589

03:43:36.290 --> 03:43:42.820

Speaker 4 (Community Hall): Okay. That's the first part. Okay, so if we leave out the however part at the end,

1590

03:43:43.230 --> 03:44:02.069

Speaker 4 (Community Hall): And the... so if... so the individual can go either way. If I'm saying I'm speaking on behalf of myself only, I'm not using my title, and I support what the Commission voted for, the majority

voted for, or you can say, I oppose what they... what they voted for, you're good.

1591

03:44:02.070 --> 03:44:06.450

Speaker 4 (Community Hall): Either way. But if you're going to use the title,

1592

03:44:06.730 --> 03:44:15.359

Speaker 4 (Community Hall): that's... that's not what this is addressing. If you're using the title, you can really only say, I'm in support of what the majority voted for.

1593

03:44:15.360 --> 03:44:21.779

Speaker 29 (Community Hall): I am not making a distinction between using the title and not using the title.

1594

03:44:21.880 --> 03:44:23.230

Speaker 29 (Community Hall): I'm...

1595

03:44:23.230 --> 03:44:45.470

Speaker 29 (Community Hall): Oftentimes people say, I'm a member of the Housing Commission, but I'm speaking on behalf of myself alone. Right, that's... So now you fall within this section. If instead you're the chair of the Housing Commission, and you show up and say, I'm the chair of the Housing Commission, and this is what I personally believe, there you're using personally again, but by the way, the Housing Commission voted the other way.

1596

03:44:45.470 --> 03:44:51.939

Speaker 29 (Community Hall): I think you're still within the bounds of this. But if you say, I'm the chair of the Planning Commission, and

1597

03:44:52.110 --> 03:44:53.839

Speaker 29 (Community Hall): I voted for X.

1598

03:44:55.380 --> 03:45:05.539

Speaker 29 (Community Hall): then you're not saying... it's your own personal opinion, you're saying you're the chair and you voted for X, and I think you're suggesting that that's probably what the Planning Commission did, too.

1599

03:45:05.545 --> 03:45:18.224

Speaker 4 (Community Hall): Okay. Well, what I'm saying is that it is okay for the Planning Commission Chair, if they voted for something, the majority voted for it, for them to come and let us know that. Yes. Yeah, perfectly fine. Okay.

1600

03:45:19.225 --> 03:45:24.085

Speaker 4 (Community Hall): So I'm not sure that we necessarily need the bracketed section.

1601

03:45:24.695 --> 03:45:25.495

Speaker 4 (Community Hall): Okay.

1602

03:45:27.095 --> 03:45:30.454

Speaker 4 (Community Hall): Are there any further clarifying questions at this point?

1603

03:45:30.835 --> 03:45:32.715

Speaker 4 (Community Hall): Councilmember Fruen.

1604

03:45:33.920 --> 03:45:38.409

Speaker 7 (Community Hall): Turning to update 3A, if we can go there for a moment.

1605

03:45:42.860 --> 03:45:51.620

Speaker 7 (Community Hall): So, this line finishes, ensure that the email cannot be construed as representing the views of the full commission.

1606

03:45:52.420 --> 03:46:02.829

Speaker 7 (Community Hall): I don't see in this... A means for encapsulating representation, especially for an email to the outside.

1607

03:46:03.000 --> 03:46:05.099

Speaker 7 (Community Hall): Of the organization.

1608

03:46:05.380 --> 03:46:20.729

Speaker 7 (Community Hall): the city's position, because I could see somebody outside of the city of Cupertino, say, an email going to some other public agency somewhere, misconstruing what a commissioner is, for example, and assuming that that's staff

1609

03:46:21.040 --> 03:46:27.779

Speaker 7 (Community Hall): And that that's the position of the city. So, is there a way that we can amend this language to

1610

03:46:27.900 --> 03:46:30.970

Speaker 7 (Community Hall): perhaps embrace that concept. Sort of the however.

1611

03:46:30.975 --> 03:46:33.485

Speaker 29 (Community Hall): language from the earlier one.

1612

03:46:33.485 --> 03:46:41.164

Speaker 7 (Community Hall): Something along those lines, just so that it's clear that it's not the position of the city. Got it. Yes.

1613

03:46:42.145 --> 03:46:50.005

Speaker 7 (Community Hall): Because even if the commission voted in favor of that, like I said, it might not be clear to someone on the outside that a commissioner is an appointee.

1614

03:46:50.135 --> 03:46:57.675

Speaker 7 (Community Hall): of the City Council, and generally speaking, is acting in an advisory capacity

and is not a staff member, for example, trying to coordinate a response.

1615

03:46:57.675 --> 03:47:02.664

Speaker 29 (Community Hall): So you're saying that even if their commission voted in favor of the position that they're

1616

03:47:03.045 --> 03:47:11.914

Speaker 29 (Community Hall): moving forward in the email, they still should have the requirement that they say something like, I'm just a commissioner.

1617

03:47:11.915 --> 03:47:23.254

Speaker 7 (Community Hall): It could even be boilerplate that you just suggest that they can paste in. Easy. They don't have to stress over what's gonna get them in trouble, what's not, and it's just there.

1618

03:47:24.800 --> 03:47:34.820

Speaker 29 (Community Hall): We could add that, like, two sent... I don't know what it would be, a couple of sentences that would be boilerplate, always put this on your email if you're going to be sending it out into the world. Sure. Yeah.

1619

03:47:40.240 --> 03:47:41.130

Speaker 4 (Community Hall): Vice Mayor?

1620

03:47:42.920 --> 03:47:44.690

Speaker 8 (Community Hall): Oh, yeah.

1621

03:47:47.200 --> 03:47:53.460

Speaker 8 (Community Hall): So... I guess this is... Kind of, like,

1622

03:47:53.720 --> 03:47:57.070

Speaker 8 (Community Hall): Okay, so I guess I'll sh- it's easier to share the screen.

1623

03:47:59.700 --> 03:48:03.350

Speaker 8 (Community Hall): This is another section of the...

1624

03:48:04.960 --> 03:48:12.630

Speaker 8 (Community Hall): This is another section screenshotted from the staff report. It says the recommendation...

1625

03:48:14.930 --> 03:48:20.629

Speaker 8 (Community Hall): Maybe easier if, actually, we read the entire... the original section.

1626

03:48:22.940 --> 03:48:23.840

Speaker 30 (Community Hall): Let me...

1627

03:48:24.730 --> 03:48:26.190

Speaker 29 (Community Hall): Which section are you looking at?

1628

03:48:27.000 --> 03:48:35.799

Speaker 8 (Community Hall): The... the section about the... when they actually represent the Commission to speak.

1629

03:48:38.150 --> 03:48:46.340

Speaker 8 (Community Hall): I kind of feel... It's a little awkward there. Okay, so this is a section.

1630

03:48:49.350 --> 03:48:51.750

Speaker 8 (Community Hall): So the chair... does anybody see it?

1631

03:48:51.750 --> 03:48:53.080

Speaker 29 (Community Hall): that on their screen.

1632

03:48:53.615 --> 03:48:54.385

Speaker 30 (Community Hall): C?

1633

03:48:54.390 --> 03:48:57.759

Speaker 4 (Community Hall): No, I believe it's recommendations and reports to Council.

1634

03:48:58.410 --> 03:49:03.570

Speaker 8 (Community Hall): Sorry, I think I... I lost that.

1635

03:49:03.950 --> 03:49:05.589

Speaker 8 (Community Hall): How do I stop sharing, though?

1636

03:49:06.860 --> 03:49:08.890

Speaker 8 (Community Hall): Oh, here. This one.

1637

03:49:09.470 --> 03:49:11.770

Speaker 8 (Community Hall): I feel... there's... Are you there?

1638

03:49:13.620 --> 03:49:14.650

Speaker 12 (Community Hall): Oh, here it is.

1639

03:49:19.430 --> 03:49:28.800

Speaker 8 (Community Hall): So the chair shall select a member to represent the Commission at this council meeting, where a commission recommendation is agendized for discussion.

1640

03:49:30.970 --> 03:49:32.770

Speaker 8 (Community Hall): The commissioner...

1641  
03:49:35.920 --> 03:49:40.949  
Speaker 8 (Community Hall): I kind of feel this... suck, suck the centers.

1642  
03:49:42.280 --> 03:49:52.859  
Speaker 8 (Community Hall): It's... long... It's... As necessary, regardless of their commissioner's view.

1643  
03:49:53.410 --> 03:50:03.229  
Speaker 8 (Community Hall): I don't think that's necessary to even put it there. When they represent a commission, they should just represent the position of

1644  
03:50:03.590 --> 03:50:04.890  
Speaker 8 (Community Hall): the Commission.

1645  
03:50:05.470 --> 03:50:08.639  
Speaker 8 (Community Hall): at... Not even Thrive 2.

1646  
03:50:10.570 --> 03:50:16.410  
Speaker 8 (Community Hall): So it should be just the commissioner representing the commission.

1647  
03:50:16.620 --> 03:50:23.009  
Speaker 8 (Community Hall): Should, the commissioner selected should represent the position of the commission as a whole.

1648  
03:50:23.440 --> 03:50:25.389  
Speaker 8 (Community Hall): At the meeting. That's it.

1649  
03:50:28.690 --> 03:50:38.760  
Speaker 8 (Community Hall): Yeah, we can do that. Yeah, because the other things are really not necessary, and it's already clarified. If you understand your personal point, what do you do?

1650  
03:50:38.870 --> 03:50:41.529  
Speaker 8 (Community Hall): And adding it here.

1651  
03:50:41.880 --> 03:50:46.370  
Speaker 29 (Community Hall): So you're saying just put a period after a meeting and get rid of the rest of that sentence?

1652  
03:50:48.130 --> 03:50:54.529  
Speaker 8 (Community Hall): Yeah, and then you probably don't even need to say that, just the commissioner selected.

1653  
03:50:55.430 --> 03:51:04.059  
Speaker 29 (Community Hall): by the Chair as the Commission representative, should strive to represent the position of the Commission as a whole at the meeting, period.

1654

03:51:04.775 --> 03:51:10.385

Speaker 8 (Community Hall): should... just should... should represent. It shouldn't even thrive. No? Okay.

1655

03:51:11.370 --> 03:51:11.970

Speaker 30 (Community Hall): Yeah.

1656

03:51:12.610 --> 03:51:27.190

Speaker 4 (Community Hall): A separate issue, I wouldn't strike the selected by the chair, because that gives a process for how somebody that's going to be represented gets selected. So if you... if you're going to remove selected by the chair, if you're really.

1657

03:51:27.195 --> 03:51:35.375

Speaker 8 (Community Hall): Because I think that's already mentioned in the previous sentence. It's kind of repetitive, but you want to be sure, that's fine.

1658

03:51:35.785 --> 03:51:36.274

Speaker 8 (Community Hall): Well, the.

1659

03:51:36.280 --> 03:51:39.729

Speaker 29 (Community Hall): This is the person, the chair is selecting this member.

1660

03:51:40.020 --> 03:51:43.610

Speaker 29 (Community Hall): And this member has a heightened responsibility, then, too.

1661

03:51:44.020 --> 03:51:47.159

Speaker 29 (Community Hall): Yeah. Represent what the Commission.

1662

03:51:48.380 --> 03:51:53.090

Speaker 4 (Community Hall): Yeah, I'm not sure we're changing the meaning here, significantly.

1663

03:51:53.095 --> 03:51:58.174

Speaker 8 (Community Hall): It doesn't matter, I just feel it's kind of repetitive, but it's okay to keep it.

1664

03:51:58.620 --> 03:52:03.550

Speaker 29 (Community Hall): Understood. I'm... I... I... I think either way is fine.

1665

03:52:03.840 --> 03:52:04.510

Speaker 29 (Community Hall): I think maybe.

1666

03:52:04.515 --> 03:52:23.855

Speaker 9 (Community Hall): just remove the stripe, too. The Commissioner selected by the chair as the Commission representative should represent the position of the Commission as a whole at the meeting. I think so. I'm okay with as necessary, regardless of the Commissioner's personal views, because that's just

enforcing, reiterating what we've said earlier.

1667

03:52:24.330 --> 03:52:32.689

Speaker 8 (Community Hall): The main thing is, I think the part after as necessary, I don't think it's necessary. Because it's covered in other sections.

1668

03:52:35.680 --> 03:52:41.530

Speaker 8 (Community Hall): And the other part, I, either way is fine, yeah.

1669

03:52:41.760 --> 03:52:42.350

Speaker 8 (Community Hall): Okay.

1670

03:52:42.350 --> 03:52:48.520

Speaker 9 (Community Hall): No, my only comment was about the strive, too. We shouldn't be just trying, we should really actually represent.

1671

03:52:50.400 --> 03:52:51.650

Speaker 4 (Community Hall): I would agree with that.

1672

03:52:52.350 --> 03:52:53.830

Speaker 8 (Community Hall): Okay. Yeah.

1673

03:52:53.940 --> 03:52:54.990

Speaker 8 (Community Hall): Okay.

1674

03:52:55.470 --> 03:52:56.430

Speaker 30 (Community Hall): Yeah, okay.

1675

03:52:56.435 --> 03:53:01.725

Speaker 4 (Community Hall): Straw Paul says, remove Strive. They will do it. Right.

1676

03:53:01.725 --> 03:53:04.155

Speaker 8 (Community Hall): We'll take your percentage, right?

1677

03:53:04.160 --> 03:53:11.429

Speaker 29 (Community Hall): And then what about the, the clause at the end, where after, you know, the as necessary, beginning with as necessary?

1678

03:53:15.550 --> 03:53:30.199

Speaker 7 (Community Hall): Through the Mayor? Please. Yeah, I think it's fine. The reason I think it's fine is that it just reinforces what the prior meaning is. So if you had any question about it, I think it makes it a lot clearer. You know, there's always a tension between concision and precision. This is more precise.

1679

03:53:31.360 --> 03:53:32.430

Speaker 30 (Community Hall): Very well.

1680

03:53:33.870 --> 03:53:39.989

Speaker 4 (Community Hall): I do have a question about the however clause. Did we get consensus about whether to...

1681

03:53:40.180 --> 03:53:51.160

Speaker 4 (Community Hall): I'm... I'm leaning more towards, on the prior one, to remove that bolded, bracketed section, and I believe the... the Vice Mayor

1682

03:53:51.350 --> 03:53:58.450

Speaker 4 (Community Hall): was in support of that, but I believe Councilmember Mohan, this was Update 1. Yeah.

1683

03:53:58.970 --> 03:54:01.250

Speaker 4 (Community Hall): Was in favor of it, and...

1684

03:54:02.030 --> 03:54:06.320

Speaker 9 (Community Hall): At least. You know, I just think if we say the same thing in different

1685

03:54:06.710 --> 03:54:19.880

Speaker 9 (Community Hall): language, there's no harm done, it just reinforces the basic idea that... and in this, in Update 1, we're saying individual commissioners representing themselves can say what they want.

1686

03:54:20.180 --> 03:54:22.980

Speaker 9 (Community Hall): But if you're a commissioner, then you...

1687

03:54:23.090 --> 03:54:26.340

Speaker 9 (Community Hall): Represent the position taken by the... Majority.

1688

03:54:26.345 --> 03:54:43.275

Speaker 8 (Community Hall): Not exactly. The bracketed section. The main issue is, if your opinion is inconsistent with the position, you have to provide a general description of the four commissions position. That, I think, is very hard to do, and it's not necessary.

1689

03:54:44.345 --> 03:54:49.625

Speaker 8 (Community Hall): That's the main, idea for that. I don't know.

1690

03:54:49.630 --> 03:55:00.309

Speaker 7 (Community Hall): If I might, Mayor. Councilmember Fruen? The... the one thing I'll note here is that it is phrased in, the subjunctive as should.

1691

03:55:00.750 --> 03:55:07.529

Speaker 7 (Community Hall): So, I don't think it is a requirement. It is asking you to try to do that.

1692

03:55:08.770 --> 03:55:17.599

Speaker 8 (Community Hall): But I don't think it's... try to even do that. Just say, this isn't my personal opinion.

1693

03:55:18.740 --> 03:55:25.830

Speaker 4 (Community Hall): Councilmember Fruan, we kind of have a split vote on here. Yeah. What do you have to say?

1694

03:55:25.835 --> 03:55:37.055

Speaker 7 (Community Hall): I will say this. I think the most important thing is that people are disclaiming, the title when they are trying to...

1695

03:55:37.605 --> 03:55:42.854

Speaker 7 (Community Hall): Express their personal opinion, and as long as they are doing that, that is the most important thing.

1696

03:55:43.145 --> 03:55:48.544

Speaker 7 (Community Hall): We have a separate procedure for when They're there to represent

1697

03:55:48.675 --> 03:55:53.565

Speaker 7 (Community Hall): the commission, because they're the designated person. We just covered that.

1698

03:55:53.665 --> 03:56:00.075

Speaker 7 (Community Hall): So is there some redundancy in this? Sure, I think that's mostly harmless.

1699

03:56:00.935 --> 03:56:02.045

Speaker 8 (Community Hall): That's too confusing.

1700

03:56:02.435 --> 03:56:20.345

Speaker 7 (Community Hall): I don't think it creates confusion. You know, if someone is just being asked to say, by the way, the Commission felt somewhat differently, they said this, here's why I feel this way, it might even always generally tend to get included, because you're probably going to try to rebut the position that was taken by the Commission as a whole.

1701

03:56:20.435 --> 03:56:29.365

Speaker 7 (Community Hall): I'll just say that the thing that I actually care about the most in terms of the changes that we might make is the one that I described to the city attorney earlier in 3A.

1702

03:56:29.385 --> 03:56:44.724

Speaker 7 (Community Hall): I think it's really important that when there's email that's going outside of the city, that it's really clear that this is, you know, that a commissioner has a particular position and is not a staff member who is trying to coordinate some sort of activity.

1703

03:56:45.830 --> 03:56:54.970

Speaker 4 (Community Hall): Okay, I think we might be ready to go for public comment at this time. Hey,

Madam City Clerk, do we have any members of the public who'd like to comment on this item?

1704

03:56:57.650 --> 03:57:04.680

Speaker 11 (Community Hall): Mayor, I do not see any requests to speak in person, but I do see one hand raised virtually, so we will go there. Welcome, San.

1705

03:57:07.340 --> 03:57:13.540

San Rao: Good evening, Mayor Moore, Council Members, and Vice Mayor Chao, speaking on behalf of myself only as a resident.

1706

03:57:13.850 --> 03:57:22.509

San Rao: I strongly object to this new addition that is being proposed, the reason being that the Commissioner's Handbook states that

1707

03:57:22.910 --> 03:57:35.360

San Rao: or the Council Procedures Handbook states, I think in 4.2 or something like that, that the chair of a commission shall attend the council meeting if an item that was heard at the Commission is being presented.

1708

03:57:35.510 --> 03:57:37.429

San Rao: on the Council agenda.

1709

03:57:37.530 --> 03:57:44.199

San Rao: And it further says that the chair or a member appointed by the chair. And so you already have the chair.

1710

03:57:44.340 --> 03:57:48.339

San Rao: Supposed to be present, to cover the view of the Commission.

1711

03:57:48.570 --> 03:57:55.380

San Rao: And if the chair cannot be there, the chair is supposed to either send the vice chair or a person from the commission that they appoint.

1712

03:57:55.910 --> 03:57:59.180

San Rao: Through my tenure as chair, I was... Pleasant.

1713

03:57:59.320 --> 03:58:02.270

San Rao: And I let Council know that I was present.

1714

03:58:02.490 --> 03:58:04.590

San Rao: And I would be available to answer questions.

1715

03:58:05.040 --> 03:58:08.390

San Rao: And I would expect that that's the case with any commission that comes.

1716

03:58:08.500 --> 03:58:13.340

San Rao: to your consideration, including, for example, the Art and Culture Commission, where the art chair.

1717

03:58:13.440 --> 03:58:22.319

San Rao: was present. And so, I'm... I'm strongly objecting to your imposing these burdens on commissioners when they speak as restaurants.

1718

03:58:22.490 --> 03:58:27.599

San Rao: Furthermore, by imposing these burdens, that eats into their public comment time.

1719

03:58:27.750 --> 03:58:38.390

San Rao: So, are you going to double the public comment time? So if I have 3 minutes, you're now going to give me 6 minutes, so I may spend 3 minutes speaking on behalf of myself as the resident, and then spend another 3 minutes then...

1720

03:58:38.590 --> 03:58:55.729

San Rao: Confirming or contradicting myself and speaking on behalf of the Commission, because you cannot eat into my 3 minutes expecting me to speak as a commissioner when I'm there to represent myself as a resident only. And so, unless you're going to give me 6 minutes, I would strongly object to this change.

1721

03:58:55.870 --> 03:58:56.970

San Rao: Furthermore.

1722

03:58:57.260 --> 03:59:02.779

San Rao: What problem are we really trying to solve? It's not clear to me. I would also encourage you to...

1723

03:59:03.970 --> 03:59:08.810

San Rao: take a fine-tooth comb to these changes, some of the changes that are proposed.

1724

03:59:09.160 --> 03:59:15.949

San Rao: You know, bring in language, for example, such as, a chair shall speak with the staff liaison.

1725

03:59:16.310 --> 03:59:18.420

San Rao: That sentence would not exist before.

1726

03:59:18.560 --> 03:59:25.240

San Rao: So by adding that sentence, are we saying that the chair can no longer speak to the director or the assistant director of the department they're working with?

1727

03:59:25.760 --> 03:59:31.630

San Rao: So, so let's, let's be... Thoughtful about why a sentence is added, and let us be

1728

03:59:31.740 --> 03:59:35.810

San Rao: Minimalist in these editions, because if you did not have it before.

1729

03:59:37.170 --> 03:59:47.619

San Rao: what problem are you solving that you need to add it now? So let's be really, really thoughtful. At this... at this point in time, I do not see any problem with a,

1730

03:59:47.920 --> 04:00:03.620

San Rao: with a chair consulting the director or the assistant director, and there is no reason to put in language that says the chair shall consult with the staff liaison, as in cannot speak to anyone else but the staff liaison. So, that's all I have thinking.

1731

04:00:05.610 --> 04:00:08.760

Speaker 11 (Community Hall): Thank you, San. Mayor, that concludes the request to speak on this item.

1732

04:00:10.740 --> 04:00:13.690

Speaker 4 (Community Hall): Right, thank you. So at this time, do we have...

1733

04:00:14.160 --> 04:00:18.399

Speaker 4 (Community Hall): motion, ready by any members of the Council.

1734

04:00:18.930 --> 04:00:20.960

Speaker 30 (Community Hall): Vice Mayor.

1735

04:00:20.965 --> 04:00:30.695

Speaker 8 (Community Hall): I'll make a motion to approve the staff recommendation with some modifications.

1736

04:00:33.185 --> 04:00:35.735

Speaker 8 (Community Hall): So the first one...

1737

04:00:36.580 --> 04:00:39.280

Speaker 30 (Community Hall): this... Me too.

1738

04:00:39.530 --> 04:00:40.230

Speaker 30 (Community Hall): Don't know.

1739

04:00:43.320 --> 04:00:46.340

Speaker 30 (Community Hall): share this... Okay.

1740

04:00:47.240 --> 04:00:53.949

Speaker 8 (Community Hall): So the first one is, I think the bracket to the version, that portion should be removed,

1741

04:00:54.160 --> 04:01:00.150

Speaker 8 (Community Hall): It's, not really necessary, and yeah.

1742

04:01:00.350 --> 04:01:05.600

Speaker 8 (Community Hall): And then the second one is, this one.

1743

04:01:05.750 --> 04:01:12.230

Speaker 8 (Community Hall): So I think we should just remove the as necessary, regardless of Commissioner's personal views.

1744

04:01:12.960 --> 04:01:14.760

Speaker 8 (Community Hall): Because this is...

1745

04:01:14.860 --> 04:01:23.070

Speaker 8 (Community Hall): when they are representing a commission, they are representing the commission. And we already said what they should do when they represent their personal view.

1746

04:01:23.480 --> 04:01:26.889

Speaker 8 (Community Hall): And just for reference, this is...

1747

04:01:27.220 --> 04:01:31.490

Speaker 8 (Community Hall): from... screenshot from the Council Procedures menu.

1748

04:01:32.010 --> 04:01:32.940

Speaker 8 (Community Hall): Boom.

1749

04:01:33.170 --> 04:01:36.970

Speaker 8 (Community Hall): So I think it's consistent, I don't think it's not consistent.

1750

04:01:38.470 --> 04:01:45.769

Speaker 8 (Community Hall): Mmm... for the third one. This third one, I think...

1751

04:01:46.780 --> 04:01:49.850

Speaker 8 (Community Hall): This is a portion regarding emails.

1752

04:01:51.410 --> 04:01:59.200

Speaker 8 (Community Hall): I... I hope to, remove this unless the Commission has affirmatively voted to approve the position.

1753

04:01:59.430 --> 04:02:00.950

Speaker 8 (Community Hall): presented,

1754

04:02:04.030 --> 04:02:17.530

Speaker 8 (Community Hall): I think it's just that you need to ensure the email cannot be construed as representing the views of the Pro Commission, that's it. If they have voted or not. If they are... you are representing the Commission, you are representing the Commission.

1755

04:02:17.820 --> 04:02:22.220

Speaker 8 (Community Hall): So when you are advocating or discussing a matter, you are representing yourself.

1756

04:02:25.730 --> 04:02:35.060

Speaker 8 (Community Hall): And... but Councilmember Fullen would like to add something here about communicating to the public agency. Do you have some language you are proposing?

1757

04:02:35.915 --> 04:02:36.565

Speaker 30 (Community Hall): I bet.

1758

04:02:36.565 --> 04:02:44.834

Speaker 7 (Community Hall): I don't have... through the mayor, I don't have any specific language, but I'd be happy to just empower the city attorney to develop the language.

1759

04:02:48.400 --> 04:02:49.620

Speaker 30 (Community Hall): Okay...

1760

04:02:54.440 --> 04:03:02.310

Speaker 8 (Community Hall): So, to clarify, the communication.

1761

04:03:02.550 --> 04:03:05.730

Speaker 8 (Community Hall): How to... how to communicate.

1762

04:03:06.630 --> 04:03:09.620

Speaker 30 (Community Hall): with other agencies.

1763

04:03:09.620 --> 04:03:12.429

Speaker 29 (Community Hall): My understanding of,

1764

04:03:12.670 --> 04:03:20.810

Speaker 29 (Community Hall): The councilman's comment was that we would come up with sort of a boilerplate statement that would be attached, basically, to all emails that went out.

1765

04:03:23.040 --> 04:03:35.669

Speaker 29 (Community Hall): Which we can do. I would like to take some time offline to get it right, and not come up with it at this moment, but we can add, you know, a couple of sentences that everybody's expected to have attached to their emails.

1766

04:03:37.740 --> 04:03:40.430

Speaker 7 (Community Hall): So I think the addition there would just be to...

1767

04:03:40.540 --> 04:03:43.360

Speaker 7 (Community Hall): Delegate to you the development of that text.

1768

04:03:44.880 --> 04:03:46.980

Speaker 8 (Community Hall): Yeah, so is that okay?

1769

04:03:48.570 --> 04:03:56.550

Speaker 5 (Community Hall): Through the Mayor, just for, for the alternative, alternate section,

1770

04:03:57.080 --> 04:04:08.950

Speaker 5 (Community Hall): if the added language for this section is going to come back to Council, and if we may have a little bit of time to understand what the additional staff time might look like for the alternate model.

1771

04:04:09.190 --> 04:04:14.810

Speaker 5 (Community Hall): I just wanted to throw it out there if we can perhaps bring that at the next round as well.

1772

04:04:15.660 --> 04:04:34.290

Speaker 29 (Community Hall): I'm hoping that we can actually organize action and vote on it today, and it could be that we don't include alternates, and we could vote on that today. What I'd like to see is us vote on each of these, either separately or as a package, but kind of move through each one and get actual action so we can move forward and not come back.

1773

04:04:37.330 --> 04:04:38.060

Speaker 8 (Community Hall): Okay.

1774

04:04:38.360 --> 04:04:51.710

Speaker 8 (Community Hall): So, maybe, can I first get a second for... I think, one... 2... 3... 4 items.

1775

04:04:52.210 --> 04:04:54.580

Speaker 8 (Community Hall): Four modifications so far.

1776

04:04:58.890 --> 04:05:01.070

Speaker 30 (Community Hall): This is huge.

1777

04:05:02.320 --> 04:05:12.110

Speaker 4 (Community Hall): I'd like to kind of conduct a straw poll on the removal of the however clause. Is that something that's going to cause this, the whole motion to fail?

1778

04:05:12.280 --> 04:05:16.240

Speaker 4 (Community Hall): If anyone would care to share their thoughts on that?

1779

04:05:25.300 --> 04:05:32.089

Speaker 9 (Community Hall): I actually didn't think there was any harm done by leaving it as it is. It just reinforces what we said earlier.

1780

04:05:33.260 --> 04:05:36.299

Speaker 4 (Community Hall): I tend to agree with that.

1781

04:05:36.300 --> 04:05:39.469

Speaker 7 (Community Hall): And like I said, the fact that it's sort of...

1782

04:05:40.860 --> 04:05:48.120

Speaker 7 (Community Hall): you know, subjunctive. I think it means that it's advisory, and I don't think we can actually hold someone to it.

1783

04:05:49.810 --> 04:06:06.329

Speaker 8 (Community Hall): I feel very strongly that should be removed, because how can you expect someone making a 3-minute, sometimes 1 minute, or 2 minute comment to say, this is my opinion, but then here is a general description of the four commissions' view? That's not possible.

1784

04:06:07.030 --> 04:06:16.589

Speaker 7 (Community Hall): Through the Mayor, I don't think it asks them to do that. I think it asks them to offer a general view of what the Commission said, and that could be something as simple as.

1785

04:06:16.900 --> 04:06:20.130

Speaker 7 (Community Hall): Commission took an approval view, and it could be as simple.

1786

04:06:20.135 --> 04:06:26.565

Speaker 8 (Community Hall): of that. Maybe then the individual commissioner should be encouraged to provide.

1787

04:06:26.785 --> 04:06:38.325

Speaker 8 (Community Hall): A general description? Because this here says, should also provide. It should... yeah, it's not shall, but it's still pretty strong. So, you know, you should do it.

1788

04:06:41.100 --> 04:06:45.930

Speaker 9 (Community Hall): Well, that's just a way of saying, this is my position, and this is the council's position.

1789

04:06:45.935 --> 04:06:52.894

Speaker 8 (Community Hall): that the commissioner represent... selected by chair, should represent the position, they don't have to.

1790

04:06:53.165 --> 04:06:55.275

Speaker 8 (Community Hall): If you are using the same logic.

1791

04:06:57.000 --> 04:07:01.290

Speaker 9 (Community Hall): Not presenting it, but stating that he or she

1792

04:07:01.700 --> 04:07:09.380

Speaker 9 (Community Hall): Is... is in opposition to... The Commission's position.

1793

04:07:09.740 --> 04:07:14.390

Speaker 8 (Community Hall): But here, the main thing here is, is requiring

1794

04:07:14.600 --> 04:07:21.629

Speaker 8 (Community Hall): the Commissioner to provide a general description of the full Commissioner Shin's position.

1795

04:07:21.780 --> 04:07:31.030

Speaker 8 (Community Hall): It's not just stating, I'm... my opinion is in opposition to the Commission's view. It's asking to

1796

04:07:31.320 --> 04:07:33.690

Speaker 8 (Community Hall): Provide a general description.

1797

04:07:33.840 --> 04:07:44.730

Speaker 8 (Community Hall): That, I think, is a big ask. And it says should provide. That's a big ask. If you are saying should provide is not binding, then you are saying the next one.

1798

04:07:44.880 --> 04:07:52.979

Speaker 8 (Community Hall): The commissioner selected by chair to represent the committee should represent the position of the commission. It's not binding.

1799

04:07:54.410 --> 04:08:04.980

Speaker 5 (Community Hall): May I offer a suggestion? Please. Yeah. Would it be helpful if it said, can you scroll up again, Vice Mayor, to where it says the however part? Yeah.

1800

04:08:05.720 --> 04:08:11.720

Speaker 5 (Community Hall): What if it said something like the individual commissioner

1801

04:08:12.570 --> 04:08:22.330

Speaker 5 (Community Hall): the Council, you know, the council appreciate rationale, however the individual commissioner, should state if their position is inconsistent.

1802

04:08:22.470 --> 04:08:25.520

Speaker 5 (Community Hall): With the full commission's position.

1803

04:08:26.045 --> 04:08:26.635

Speaker 9 (Community Hall): That's it.

1804

04:08:26.635 --> 04:08:28.734

Speaker 8 (Community Hall): Yeah, period. Period. Yeah. Would that work?

1805  
04:08:29.245 --> 04:08:30.135  
Speaker 8 (Community Hall): Dao.

1806  
04:08:30.725 --> 04:08:31.834  
Speaker 8 (Community Hall): how it works.

1807  
04:08:33.580 --> 04:08:39.690  
Speaker 29 (Community Hall): That's... I'm... I'm agnostic on all of this, but I think that works, yeah?

1808  
04:08:39.850 --> 04:08:41.190  
Speaker 29 (Community Hall): That's what kind of secret.

1809  
04:08:41.190 --> 04:08:41.710  
Speaker 30 (Community Hall): Good.

1810  
04:08:42.325 --> 04:08:45.614  
Speaker 7 (Community Hall): Yeah, I think that's fine. Yeah. Okay.

1811  
04:08:45.925 --> 04:08:47.115  
Speaker 7 (Community Hall): So...

1812  
04:08:49.570 --> 04:08:52.879  
Speaker 4 (Community Hall): Can that be encapsulated in your motion, then? Yeah.

1813  
04:08:53.345 --> 04:08:59.785  
Speaker 8 (Community Hall): So, it will just be... the individual...

1814  
04:09:04.445 --> 04:09:05.675  
Speaker 8 (Community Hall): Nurse.

1815  
04:09:05.785 --> 04:09:10.775  
Speaker 8 (Community Hall): Personal... Shoot.

1816  
04:09:13.865 --> 04:09:20.305  
Speaker 8 (Community Hall): Date if their opinion is inconsistent.

1817  
04:09:21.220 --> 04:09:23.700  
Speaker 30 (Community Hall): waste, food.

1818  
04:09:26.110 --> 04:09:27.990  
Speaker 8 (Community Hall): She'll recognize, maybe.

1819

04:09:33.220 --> 04:09:36.220

Speaker 8 (Community Hall): Yeah? Yeah. Is that okay? Yeah.

1820

04:09:37.530 --> 04:09:46.510

Speaker 8 (Community Hall): So that's... and then the second one is the... the way we move drive to sugar present, and remove the as necessary.

1821

04:09:46.910 --> 04:09:49.359

Speaker 8 (Community Hall): Yeah, this is okay.

1822

04:09:49.670 --> 04:09:59.240

Speaker 8 (Community Hall): And the third... I think this, unless the commissioner has affirmatively voted it, is unnecessary, I guess.

1823

04:09:59.630 --> 04:10:00.680

Speaker 8 (Community Hall): Boom.

1824

04:10:01.490 --> 04:10:14.220

Speaker 8 (Community Hall): Okay. Just ensure it cannot be construed as representing the full commission at all. Because sometimes they... you... you communicate even before it's voted on or not, yeah.

1825

04:10:14.730 --> 04:10:29.210

Speaker 8 (Community Hall): And then, so we have added that, we want to clarify how to communicate with other agencies. This should be determined by the city attorney. Should we also include a consultant of the city?

1826

04:10:32.000 --> 04:10:40.969

Speaker 7 (Community Hall): my concern was mostly with anybody outside of the organization, so I think as long as it's boilerplate that indicates, you know, what a commissioner is.

1827

04:10:41.160 --> 04:10:47.840

Speaker 7 (Community Hall): And that it's not a representation of the city's official position, that that should... be sufficient.

1828

04:10:53.110 --> 04:10:56.569

Speaker 8 (Community Hall): But consultants are considered part of the city or not.

1829

04:10:57.730 --> 04:11:08.970

Speaker 29 (Community Hall): Well, I think a baby should just not even be outside of the city, but this email that you're using should have... whenever you use it, you should have this, like, you know, two-sentence thing that lets people know that

1830

04:11:09.290 --> 04:11:20.029

Speaker 29 (Community Hall): This is a single commissioner speaking and not an official word from the city, because people in the outside world may not be aware of that, and might be easily, confused.

1831

04:11:20.030 --> 04:11:27.900

Speaker 7 (Community Hall): Yeah, not to offer you a suggestion on how to do the job, but, you know, we have signature blocks, there might be something that could be incorporated into it.

1832

04:11:28.420 --> 04:11:29.220

Speaker 7 (Community Hall): Yeah.

1833

04:11:29.570 --> 04:11:30.250

Speaker 8 (Community Hall): Okay.

1834

04:11:30.640 --> 04:11:37.380

Speaker 8 (Community Hall): No, so this is the fourth item I would actually like to propose.

1835

04:11:37.690 --> 04:11:45.849

Speaker 8 (Community Hall): This is a screenshot from the Council Procedures menu regarding the future agenda item.

1836

04:11:46.020 --> 04:11:59.300

Speaker 8 (Community Hall): And, right now, in the council meeting, under the future agenda item, We have attached a draft

1837

04:11:59.820 --> 04:12:03.509

Speaker 8 (Community Hall): Meeting... council meeting agenda.

1838

04:12:04.720 --> 04:12:11.339

Speaker 8 (Community Hall): With a look ahead of two meetings or more, and some upcoming agenda items.

1839

04:12:12.010 --> 04:12:24.399

Speaker 8 (Community Hall): And we have gotten comment from commission chairs. Sometimes they don't even know what would... what's coming until the day before the agenda is to be published.

1840

04:12:24.610 --> 04:12:43.299

Speaker 8 (Community Hall): That has been my experience when I first became mayor the last year. So slowly, we try to improve the process so we all have better agenda planning. So I thought we can try to implement that with the commission agenda planning also.

1841

04:12:43.830 --> 04:12:48.699

Speaker 8 (Community Hall): So, hmm... Would that be possible, city manager?

1842

04:12:49.350 --> 04:12:53.590

Speaker 29 (Community Hall): I think it's already in the... Commissioner's Handbook.

1843

04:12:55.010 --> 04:12:55.830

Speaker 5 (Community Hall): Is it?

1844

04:12:56.200 --> 04:12:57.149

Speaker 5 (Community Hall): Am I wrong?

1845

04:12:57.540 --> 04:13:08.300

Speaker 5 (Community Hall): I don't think so. I think in the handbook, there's the process of setting future agenda items, but there... it's not explicitly,

1846

04:13:08.410 --> 04:13:17.209

Speaker 5 (Community Hall): it does not call out the attachment on the agendas for any look ahead, currently, like we do for council agendas.

1847

04:13:22.860 --> 04:13:23.810

Speaker 5 (Community Hall): Yeah.

1848

04:13:24.190 --> 04:13:26.690

Speaker 5 (Community Hall): So, Vice Mayor, so...

1849

04:13:27.870 --> 04:13:34.130

Speaker 8 (Community Hall): Oh, I think I kind of drafted a little bit to be a bit more specific.

1850

04:13:34.240 --> 04:13:39.000

Speaker 8 (Community Hall): Because... This screenshot from the Council Agenda

1851

04:13:39.090 --> 04:13:56.560

Speaker 8 (Community Hall): is kind of more general. So, like, so each commission meeting should have the future agenda item, maybe that's already there. And the draft future agenda document should include at least two upcoming meetings or more, and other to-be-agendized items.

1852

04:13:57.160 --> 04:14:11.409

Speaker 5 (Community Hall): That's, yeah, the only... I think it's a great idea. The only complication might be because commission meetings are slight... or commissions are slightly different than each other. Putting it in the commission handbook would

1853

04:14:14.700 --> 04:14:27.259

Speaker 5 (Community Hall): like, we're requiring commissions to have work plans, right? So some of them can follow those items. Planning Commission is completely different, right? So this might work for Planning Commission, but it may not work for other commissions.

1854

04:14:27.600 --> 04:14:34.010

Speaker 5 (Community Hall): So, I like the idea, I just worry if we can actually accomplish that for all of the commissions.

1855

04:14:34.470 --> 04:14:36.479

Speaker 5 (Community Hall): So maybe if we add.

1856

04:14:36.480 --> 04:14:48.079

Speaker 8 (Community Hall): My understanding is the other commission... when I had the commission chair meeting last year, most of the commission are already having more look ahead.

1857

04:14:48.330 --> 04:14:52.989

Speaker 8 (Community Hall): Planning Commission was the only one that has almost zero look ahead.

1858

04:14:53.450 --> 04:14:54.810

Speaker 8 (Community Hall): Yes. And so... Yes.

1859

04:14:55.420 --> 04:15:10.799

Speaker 8 (Community Hall): I guess at least two upcoming meetings is not asking too much. I know they have different schedule, which is understandable, therefore I'm not saying one month's look at, I'm just saying, okay, at least

1860

04:15:10.800 --> 04:15:25.689

Speaker 8 (Community Hall): At least at this meeting, the commissioner maybe have an idea of what's coming in the next meeting and after. Of course, it's a draft, it's up to, change.

1861

04:15:26.030 --> 04:15:39.750

Speaker 5 (Community Hall): Yeah, like I said, I would like to try this. This is a good idea. I wonder if we can just say a draft future agenda document as available should include at least two upcoming meetings, so it gives us a little bit of wiggle room in the beginning.

1862

04:15:39.940 --> 04:15:43.790

Speaker 5 (Community Hall): And then if it's working, then at the next...

1863

04:15:44.320 --> 04:15:47.939

Speaker 8 (Community Hall): Maybe we just say Thrive 2?

1864

04:15:47.940 --> 04:15:50.689

Speaker 5 (Community Hall): I strive to, I like that, because...

1865

04:15:50.695 --> 04:15:53.695

Speaker 9 (Community Hall): I should try to take it out from the bread and back?

1866

04:15:53.865 --> 04:16:01.714

Speaker 5 (Community Hall): Yeah. I just, yeah, just don't want, just don't want to box this in case you need. That's absolutely amazing, yeah. Yeah, thank you. Okay. Perfect.

1867

04:16:02.810 --> 04:16:04.020

Speaker 8 (Community Hall): Okay, that's all.

1868

04:16:04.300 --> 04:16:08.430

Speaker 8 (Community Hall): Oh, do I have a second? More seconds?

1869

04:16:10.310 --> 04:16:16.840

Speaker 5 (Community Hall): Vice Mayors strive to not thrive to, just with minor...

1870

04:16:19.770 --> 04:16:20.470

Speaker 8 (Community Hall): Wait.

1871

04:16:21.570 --> 04:16:25.040

Speaker 8 (Community Hall): Wait, I thought it's... oh, Thrive 2, okay.

1872

04:16:25.880 --> 04:16:31.820

Speaker 8 (Community Hall): Okay, so... You mentioned,

1873

04:16:31.950 --> 04:16:36.649

Speaker 8 (Community Hall): There are some changes with... oh, I think Commissioner...

1874

04:16:37.240 --> 04:16:39.959

Speaker 8 (Community Hall): Someone mentioned that there is some...

1875

04:16:40.130 --> 04:16:51.070

Speaker 8 (Community Hall): thing regarding communication with only the liaison. Is there something like that? I don't remember seeing there is such limitation.

1876

04:16:53.710 --> 04:17:03.929

Speaker 8 (Community Hall): I think one of the comments said that somehow, we have added a limitation that the chair can only talk to the liaison.

1877

04:17:04.030 --> 04:17:04.979

Speaker 8 (Community Hall): No, I agree.

1878

04:17:05.790 --> 04:17:09.269

Speaker 5 (Community Hall): Hmm. I think that's the preferred,

1879

04:17:10.060 --> 04:17:22.130

Speaker 5 (Community Hall): process, but it doesn't mean that the commissioners or chairs cannot reach out to other staff. But if it's for commission agenda or anything related to commission work, they should work with the staff liaison.

1880

04:17:22.600 --> 04:17:26.059

Speaker 8 (Community Hall): Maybe that needs to be clarified, if it's...

1881

04:17:26.650 --> 04:17:29.390

Speaker 8 (Community Hall): Where does that... is that stated?

1882

04:17:30.610 --> 04:17:36.740

Speaker 29 (Community Hall): That was, that wasn't one of the ones that we had identified in our study session.

1883

04:17:36.900 --> 04:17:37.960

Speaker 29 (Community Hall): and prior.

1884

04:17:45.430 --> 04:17:47.249

Speaker 30 (Community Hall): Let me pull it up.

1885

04:18:09.510 --> 04:18:22.460

Speaker 8 (Community Hall): Yeah, just want to double-check the sections so that it's clear. It means for agendaing... agenda preparation purposes, contact only the

1886

04:18:22.990 --> 04:18:31.430

Speaker 8 (Community Hall): So, is... is that clear? I don't know which section it's referring to. I think it's...

1887

04:18:32.180 --> 04:18:33.679

Speaker 29 (Community Hall): I think it's Section 7?

1888

04:18:34.700 --> 04:18:36.230

Speaker 29 (Community Hall): Or, I mean, page 7.

1889

04:18:37.740 --> 04:18:39.930

Speaker 8 (Community Hall): Oh, the Clean Virgin?

1890

04:18:49.090 --> 04:18:51.429

Speaker 8 (Community Hall): Page is saving over the clean version.

1891

04:18:52.000 --> 04:18:58.679

Speaker 29 (Community Hall): Or which version? Yes, I'm sorry, I'm looking at the version online, the current version online, for the language that you're talking about.

1892

04:18:58.820 --> 04:19:01.209

Speaker 29 (Community Hall): The one in the supplemental report?

1893

04:19:03.560 --> 04:19:07.190

Speaker 8 (Community Hall): There is another version in the supplemental report, so...

1894

04:19:10.300 --> 04:19:11.820

Speaker 8 (Community Hall): Page 7.

1895  
04:19:25.190 --> 04:19:28.580  
Speaker 8 (Community Hall): We do have a section. Maybe you can share the screen.

1896  
04:19:28.730 --> 04:19:30.070  
Speaker 8 (Community Hall): That would be...

1897  
04:19:30.075 --> 04:19:33.445  
Speaker 30 (Community Hall): I don't know how to do that. Can you share your screen?

1898  
04:19:35.665 --> 04:19:37.714  
Speaker 30 (Community Hall): I don't know.

1899  
04:19:37.715 --> 04:19:44.555  
Speaker 29 (Community Hall): I do think we should vote on the other items, which is whether you think we should have alternates or not, while we're also thinking about this.

1900  
04:19:48.540 --> 04:19:52.519  
Speaker 8 (Community Hall): Oh, do we need another motion on the...

1901  
04:19:55.230 --> 04:19:59.309  
Speaker 4 (Community Hall): And are there any other missing parts, or is that...

1902  
04:19:59.315 --> 04:20:06.904  
Speaker 29 (Community Hall): There's the alternates, and there's the, the attendance requirements where the council will

1903  
04:20:07.095 --> 04:20:09.684  
Speaker 29 (Community Hall): Make the decision about whether removal or not?

1904  
04:20:10.925 --> 04:20:12.415  
Speaker 29 (Community Hall): Then...

1905  
04:20:13.200 --> 04:20:18.790  
Speaker 4 (Community Hall): I believe we're in agreement with supporting both of those items. Perfect. As recommended.

1906  
04:20:18.795 --> 04:20:25.554  
Speaker 29 (Community Hall): So, I'm sorry, that means you are in agreement with having alternates or not having alternates? Yes, alternates. Alternates, yes.

1907  
04:20:25.555 --> 04:20:37.955  
Speaker 8 (Community Hall): who will sit in every meeting, and then fill in when there is a vacancy, right? Correct. So the alternates are required to do everything except voting.

1908

04:20:37.985 --> 04:20:45.635

Speaker 8 (Community Hall): Correct. So, they will do from 700, and they have to perform all the training.

1909

04:20:45.935 --> 04:20:56.375

Speaker 8 (Community Hall): Correct. They just cannot vote until they are... so who will decide who would be placing them as primary? The...

1910

04:20:56.450 --> 04:21:06.070

Speaker 29 (Community Hall): If somebody is absent from the meeting, then the chair at the top of the meeting would seat the alternate to be the voting member for that meeting.

1911

04:21:06.180 --> 04:21:06.949

Speaker 29 (Community Hall): So that means...

1912

04:21:06.950 --> 04:21:12.850

Speaker 8 (Community Hall): Any meeting in case a commissioner cannot attend for just that meeting.

1913

04:21:13.170 --> 04:21:18.410

Speaker 8 (Community Hall): the alternate... the first alternate then can vote... Correct. In that place. Correct.

1914

04:21:18.415 --> 04:21:20.975

Speaker 29 (Community Hall): And count for quorum. Okay.

1915

04:21:21.430 --> 04:21:37.780

Speaker 4 (Community Hall): A quick question with regarding the attendance of the alternate. Are... would watching a recorded meeting count as attending? Since they can't actually vote, what you're wanting is for them to be up-to-date with the...

1916

04:21:38.150 --> 04:21:41.010

Speaker 4 (Community Hall): with the committee or commission, is that right?

1917

04:21:41.015 --> 04:21:46.155

Speaker 29 (Community Hall): I think that that would be a reasonable compromise for an alternate. Okay.

1918

04:21:47.035 --> 04:21:49.484

Speaker 29 (Community Hall): So we could add that? Okay.

1919

04:21:49.490 --> 04:21:50.960

Speaker 4 (Community Hall): Councilmember Fruen?

1920

04:21:51.370 --> 04:21:51.980

Speaker 4 (Community Hall): with respect.

1921  
04:21:51.985 --> 04:21:55.315  
Speaker 7 (Community Hall): With respect to the chair seating the alternate.

1922  
04:21:55.575 --> 04:22:03.365  
Speaker 7 (Community Hall): Is this a ministerial duty that the chair would have to seat the alternate, or is it a discretionary choice on the part of the chair?

1923  
04:22:07.540 --> 04:22:11.919  
Speaker 29 (Community Hall): I don't know if the... government code speaks to that? Can we make it?

1924  
04:22:11.920 --> 04:22:12.730  
Speaker 7 (Community Hall): a ministerial duty.

1925  
04:22:12.755 --> 04:22:19.865  
Speaker 29 (Community Hall): Yes, we should, we should, unless the government code does speak to that, which I don't think it does, so we should make it ministerial, correct, yes.

1926  
04:22:19.870 --> 04:22:27.810  
Speaker 8 (Community Hall): That means if there... if some... if one commissioner did not, show up,

1927  
04:22:28.160 --> 04:22:36.800  
Speaker 8 (Community Hall): the chair doesn't have a choice to not seat the alternate. Correct. The chair is required to seat the alternate.

1928  
04:22:37.050 --> 04:22:39.729  
Speaker 9 (Community Hall): Only if there's a quorum problem, right?

1929  
04:22:40.130 --> 04:22:42.939  
Speaker 8 (Community Hall): Not only if there is a quorum problem.

1930  
04:22:42.945 --> 04:22:46.845  
Speaker 29 (Community Hall): If a member of the commission, a voting member, is absent.

1931  
04:22:47.105 --> 04:22:55.414  
Speaker 29 (Community Hall): And the alternate is at the meeting, then the chair can seat the alternate, and what we're saying is the chair must seat the alternate.

1932  
04:22:57.095 --> 04:23:00.605  
Speaker 29 (Community Hall): To be a voting member for that meeting, whether you have a quorum or not.

1933  
04:23:01.395 --> 04:23:02.275  
Speaker 29 (Community Hall): Yeah.

1934

04:23:03.070 --> 04:23:06.649

Speaker 14 (Community Hall): Okay. Well, yeah. So I just.

1935

04:23:06.650 --> 04:23:07.920

Speaker 8 (Community Hall): On that? Okay.

1936

04:23:07.925 --> 04:23:20.024

Speaker 11 (Community Hall): So, just to clarify, these alternates would not fill a vacant... an unscheduled vacancy, if an unscheduled vacancy... okay, just want to make that clear, and then I'm assuming that these alternate appointments would be done during the appointment process?

1937

04:23:20.135 --> 04:23:28.495

Speaker 11 (Community Hall): When you make your official appointments, you would select your alternate at that same time. Correct? Okay.

1938

04:23:28.770 --> 04:23:34.950

Speaker 4 (Community Hall): So you would need to... you would need to accept these two new additions to your original motion?

1939

04:23:35.540 --> 04:23:37.970

Speaker 8 (Community Hall): The original machine number...

1940

04:23:38.970 --> 04:23:46.639

Speaker 8 (Community Hall): How do you space that? How do you express that? Is there something I can copy from the staff report?

1941

04:23:47.770 --> 04:23:49.780

Speaker 29 (Community Hall): On seating alternates?

1942

04:23:49.980 --> 04:23:57.610

Speaker 29 (Community Hall): Yeah. You... I think the staff report just says that the chair

1943

04:23:57.850 --> 04:24:00.700

Speaker 29 (Community Hall): will seat, once the chair is

1944

04:24:00.920 --> 04:24:03.320

Speaker 29 (Community Hall): Seated the alternate, the alternate could vote.

1945

04:24:05.520 --> 04:24:09.510

Speaker 8 (Community Hall): Okay. But, I can find it. So...

1946

04:24:09.510 --> 04:24:27.180

Speaker 29 (Community Hall): vote on the concept, then I think I can draft it up. I don't think we need to specifically clarify the language. And then we'll have the commissioner handbook done, and if a council

member reads it and is like, no, that's not right, then we can reopen whichever one that I might have gotten wrong.

1947

04:24:27.185 --> 04:24:30.384

Speaker 8 (Community Hall): We want to... how many alternates do we want to appoint?

1948

04:24:31.030 --> 04:24:33.240

Speaker 29 (Community Hall): We were talking about one per commission.

1949

04:24:33.970 --> 04:24:35.999

Speaker 8 (Community Hall): Only one. Correct. Okay.

1950

04:24:44.360 --> 04:24:46.419

Speaker 8 (Community Hall): He smells...

1951

04:24:47.190 --> 04:24:48.760

Speaker 31 (Community Hall): alternate...

1952

04:25:17.020 --> 04:25:19.900

Speaker 29 (Community Hall): Vice Mayor, I don't see your screen now. Oh, yeah.

1953

04:25:19.900 --> 04:25:21.760

Speaker 8 (Community Hall): I'm still typing, okay.

1954

04:25:27.560 --> 04:25:28.240

Speaker 30 (Community Hall): Nice.

1955

04:25:48.490 --> 04:25:49.290

Speaker 8 (Community Hall): Like that.

1956

04:25:57.820 --> 04:26:02.229

Speaker 4 (Community Hall): Well, we want to make sure it's clear that by attend, yeah.

1957

04:26:02.565 --> 04:26:05.115

Speaker 9 (Community Hall): be... In person or virtually.

1958

04:26:05.835 --> 04:26:08.074

Speaker 4 (Community Hall): Or they can watch them recording.

1959

04:26:10.310 --> 04:26:12.850

Speaker 29 (Community Hall): But if they are going to be seated.

1960

04:26:13.320 --> 04:26:17.770

Speaker 29 (Community Hall): To be a voting member, they need to be at the meeting. Yeah. Yeah.

1961

04:26:26.730 --> 04:26:35.410

Speaker 4 (Community Hall): So could it say, required to attend each commission meeting, whether... Live or recorded.

1962

04:26:35.415 --> 04:26:45.445

Speaker 29 (Community Hall): You could say Alternate is required to attend each commission meeting, in person or virtually, or review the recording. Okay.

1963

04:26:56.200 --> 04:27:00.480

Speaker 8 (Community Hall): So then, in this case, the alternate has to attend that in person. Correct.

1964

04:27:10.420 --> 04:27:11.040

Speaker 31 (Community Hall): Yeah?

1965

04:27:16.430 --> 04:27:17.320

Speaker 31 (Community Hall): Okay.

1966

04:27:18.960 --> 04:27:21.069

Community Hall: That's another...

1967

04:27:22.190 --> 04:27:24.160

Speaker 30 (Community Hall): Anything else? Okay, so...

1968

04:27:24.160 --> 04:27:34.629

Speaker 29 (Community Hall): We have the alternate part done, and then we talked about, discouraging individuals from serving on two advisory bodies.

1969

04:27:35.870 --> 04:27:38.910

Speaker 29 (Community Hall): So, if we just agree, I can write that in?

1970

04:27:40.050 --> 04:27:47.409

Speaker 29 (Community Hall): And we talked about the City Council being the entity that approves removal for commissioners that

1971

04:27:47.650 --> 04:27:49.660

Speaker 29 (Community Hall): Do not attend enough meetings.

1972

04:27:50.410 --> 04:27:56.400

Speaker 29 (Community Hall): And then we talked about the, language for the updates.

1973

04:27:58.480 --> 04:28:02.639

Speaker 29 (Community Hall): Suggesting the role of commissioners in terms of their communications.

1974

04:28:03.010 --> 04:28:05.139

Speaker 29 (Community Hall): I don't think we need to go over that again.

1975

04:28:05.800 --> 04:28:14.940

Speaker 29 (Community Hall): And so, I think... Could we have, general

1976

04:28:15.050 --> 04:28:20.729

Speaker 29 (Community Hall): fuzzy motion that we can all vote on, and then I'll just draft up the language, and if someone says that's wrong, then we'll fix it.

1977

04:28:21.320 --> 04:28:29.240

Speaker 4 (Community Hall): So, it could add a sentence that says, and... and the, and we approve the further,

1978

04:28:29.540 --> 04:28:33.200

Speaker 4 (Community Hall): staff recommendations. Make it real simple.

1979

04:28:33.205 --> 04:28:34.395

Speaker 29 (Community Hall): That sounds fine.

1980

04:28:37.290 --> 04:28:45.299

Speaker 8 (Community Hall): So, do we need to... Okay, so I added number 6 is to remove any commissioner.

1981

04:28:45.480 --> 04:28:52.270

Speaker 8 (Community Hall): It will be put on the Council agenda to be consistent with Council Procedures Minute.

1982

04:28:52.440 --> 04:28:53.170

Speaker 8 (Community Hall): Right.

1983

04:28:55.600 --> 04:29:05.969

Speaker 29 (Community Hall): Yeah, I'll... it will be consistent with the Council Procedures Manual, but I will spell it out in the Commissioner Handbook, so commissioners can just read the one document, yes.

1984

04:29:05.970 --> 04:29:12.429

Speaker 8 (Community Hall): So the Commissioner's handbook will be modified to be consistent with the Council Procedures menu for the.

1985

04:29:12.435 --> 04:29:22.315

Speaker 4 (Community Hall): part. Okay, and 7 would simply say, and we, accept the further recommendations, by staff.

1986

04:29:23.190 --> 04:29:25.669

Speaker 8 (Community Hall): What's the further recommendation?

1987

04:29:27.530 --> 04:29:31.650

Speaker 4 (Community Hall): There were... there were a number of other ones which were... were pretty straightforward.

1988

04:29:31.655 --> 04:29:36.555

Speaker 5 (Community Hall): They're just mostly clarifying updates and the red line version. From the staff report.

1989

04:29:37.200 --> 04:29:38.540

Speaker 9 (Community Hall): Correct, yeah.

1990

04:29:40.800 --> 04:29:41.760

Speaker 31 (Community Hall): Okay.

1991

04:29:42.520 --> 04:29:51.059

Speaker 8 (Community Hall): And there was a thing about whether a person can serve on two commissions or not. We are not making any change.

1992

04:29:51.350 --> 04:29:51.860

Speaker 30 (Community Hall): Right.

1993

04:29:51.860 --> 04:29:57.370

Speaker 29 (Community Hall): I think we were suggesting that the Commissioner Handbook suggests that.

1994

04:29:57.580 --> 04:30:02.340

Speaker 29 (Community Hall): it's discouraged that a commission... that an individual will serve on two commissions. So right now.

1995

04:30:02.345 --> 04:30:04.705

Speaker 8 (Community Hall): But the Virgin says it's discouraged.

1996

04:30:04.860 --> 04:30:07.559

Speaker 29 (Community Hall): It doesn't. This would be added. It doesn't.

1997

04:30:07.560 --> 04:30:11.130

Speaker 8 (Community Hall): Do I want to say that the municipal code,

1998

04:30:11.700 --> 04:30:15.259

Speaker 8 (Community Hall): the... what does the municipal court say? The municipal.

1999

04:30:15.265 --> 04:30:27.494

Speaker 29 (Community Hall): says that you can't be on a commission with other family members. So it gets into that nepotism piece, so we don't need to address that, but it doesn't talk about a commissioner serving on more than one commission.

2000

04:30:28.835 --> 04:30:33.354

Speaker 29 (Community Hall): We don't have to include it at all, if you prefer, or we could say that

2001

04:30:33.565 --> 04:30:37.415

Speaker 29 (Community Hall): It's discouraged that a commissioner would serve on two commissions.

2002

04:30:38.235 --> 04:30:39.275

Speaker 29 (Community Hall): Okay.

2003

04:30:42.870 --> 04:30:54.380

Speaker 9 (Community Hall): Excuse me. I thought there was some discussion last time that if there was no other option, there actually may be a situation when

2004

04:30:54.560 --> 04:30:55.430

Speaker 9 (Community Hall): Oh.

2005

04:30:55.820 --> 04:30:58.540

Speaker 9 (Community Hall): A commissioner would have to serve on two different commissions.

2006

04:30:58.545 --> 04:31:01.225

Speaker 29 (Community Hall): That's why we used the word discouraged, I was thinking.

2007

04:31:01.545 --> 04:31:03.394

Speaker 8 (Community Hall): It's... we have flexibility.

2008

04:31:03.400 --> 04:31:06.020

Speaker 29 (Community Hall): Yeah, so it's not a ban. Okay, yeah, through the...

2009

04:31:06.025 --> 04:31:07.894

Speaker 7 (Community Hall): Mayor. Need, we can do it.

2010

04:31:07.900 --> 04:31:08.280

Speaker 30 (Community Hall): we, we.

2011

04:31:08.285 --> 04:31:20.284

Speaker 7 (Community Hall): We had considerable discussion on this point, as I recall, when we last addressed it, and this was... sort of the consensus position was to discourage it so that there's some diversity of

2012

04:31:20.385 --> 04:31:22.865

Speaker 7 (Community Hall): Opinion and thought, and people aren't...

2013

04:31:23.095 --> 04:31:33.545

Speaker 7 (Community Hall): on every commission, but there might be instances where it's advisable or helpful, or that we just have a dearth of applicants. And it would be... we don't want to tie our own hands. Yeah.

2014

04:31:34.680 --> 04:31:39.019

Speaker 8 (Community Hall): So regarding the family, right now the municipal court is...

2015

04:31:39.840 --> 04:31:48.930

Speaker 8 (Community Hall): It seems for some of them, not all of them, since the family... people who are within the same family cannot sit on the same.

2016

04:31:49.415 --> 04:31:52.684

Speaker 29 (Community Hall): Correct. For most commissions, it's true. For most, or it's...

2017

04:31:52.690 --> 04:31:54.090

Speaker 8 (Community Hall): Just for Parks and Rec.

2018

04:31:54.090 --> 04:32:04.449

Speaker 29 (Community Hall): No, I think it... it might be all of them. I think I was just using Parks and Rec as an example of what the language is in the municipal Code, but for most commissions, that language is in the municipal code.

2019

04:32:04.450 --> 04:32:08.910

Speaker 8 (Community Hall): You cannot sit on the same commission, but can you sit on two different commissions?

2020

04:32:08.915 --> 04:32:13.465

Speaker 29 (Community Hall): So that's discouraged, this... no, that's not addressed by the municipal code currently.

2021

04:32:13.465 --> 04:32:14.925

Speaker 8 (Community Hall): Right? Correct.

2022

04:32:15.155 --> 04:32:18.894

Speaker 8 (Community Hall): But how come I remember we had to approve

2023

04:32:19.055 --> 04:32:24.145

Speaker 8 (Community Hall): We have to take some action at the council meeting so that a team commission

2024

04:32:24.685 --> 04:32:28.105

Speaker 8 (Community Hall): who is related to another commissioner had?

2025

04:32:28.825 --> 04:32:31.654

Speaker 8 (Community Hall): can be appointed to the team commission.

2026

04:32:32.530 --> 04:32:36.860

Speaker 29 (Community Hall): I remember the discussion, but I don't remember the specifics of it.

2027

04:32:36.865 --> 04:32:38.914

Speaker 8 (Community Hall): It's before your time, so...

2028

04:32:38.915 --> 04:32:46.464

Speaker 7 (Community Hall): the mayor, my recollection of this was that there used to be a very specific provision governing the teen commission that prohibited that.

2029

04:32:46.970 --> 04:32:48.820

Speaker 30 (Community Hall): Do we still have that?

2030

04:32:48.820 --> 04:32:51.100

Speaker 7 (Community Hall): A waiver process for it.

2031

04:32:51.100 --> 04:32:53.609

Speaker 8 (Community Hall): So, do we still have that? I don't recall.

2032

04:32:53.610 --> 04:32:56.529

Speaker 7 (Community Hall): I just knew that that was... that was the basis.

2033

04:32:57.230 --> 04:33:06.070

Speaker 8 (Community Hall): I think it's... it's fine if we have prohibition for something, but then we have... we are allowed to waive it.

2034

04:33:08.070 --> 04:33:09.599

Speaker 8 (Community Hall): Yeah, okay.

2035

04:33:09.800 --> 04:33:11.189

Speaker 8 (Community Hall): So that's it.

2036

04:33:11.770 --> 04:33:19.219

Speaker 8 (Community Hall): So, accept. So I accept the friendly amendment. Now we have 8 items, and...

2037

04:33:19.220 --> 04:33:23.200

Speaker 4 (Community Hall): I second that? Okay. I think we're ready to vote.

2038

04:33:23.800 --> 04:33:28.609

Speaker 4 (Community Hall): Madam City Clerk, will you reset the panel, and we'll take a vote.

2039

04:33:29.970 --> 04:33:33.439

Speaker 14 (Community Hall): So the original... Motion? Who?

2040

04:33:33.445 --> 04:33:35.705

Speaker 11 (Community Hall): I might go up to my nodes.

2041

04:33:38.415 --> 04:33:40.645

Speaker 29 (Community Hall): Vice Mayor, will you share your notes with us?

2042

04:33:40.645 --> 04:33:41.395

Speaker 14 (Community Hall): Yes.

2043

04:33:41.404 --> 04:33:43.644

Speaker 11 (Community Hall): You could email them. I was taking screenshots.

2044

04:33:43.645 --> 04:33:57.314

Speaker 8 (Community Hall): So the staff recommendation was number one, but the cross-out section would be the individual commissioner should recognize if their opinion... if their opinion is inconsistent.

2045

04:33:57.494 --> 04:34:03.894

Speaker 8 (Community Hall): with the full commission. I think the language is awkward, but you can rephrase it. Thank you, yes.

2046

04:34:05.825 --> 04:34:13.054

Speaker 8 (Community Hall): Okay, so I have... And the number 2 is, of course, I'll strive to, and as necessary, and so on.

2047

04:34:13.064 --> 04:34:17.104

Speaker 4 (Community Hall): You can just forward it, yeah, we got it the first time.

2048

04:34:17.110 --> 04:34:19.250

Speaker 8 (Community Hall): I need to repeat this, right? Okay.

2049

04:34:19.849 --> 04:34:24.029

Speaker 11 (Community Hall): Okay, and so I have, Chao moved and more seconded. Yeah.

2050

04:34:24.075 --> 04:34:26.545

Speaker 14 (Community Hall): Okay. Okay, the votes are ready for you.

2051

04:34:29.160 --> 04:34:31.289

Speaker 11 (Community Hall): The motion carries with Wong absent.

2052

04:34:32.279 --> 04:34:40.709

Speaker 4 (Community Hall): All right, thank you. So we have postponed item 14, and the next items are informational.

2053

04:34:41.569 --> 04:34:49.079

Speaker 4 (Community Hall): So then... we move on to, preparing to adjourn. Tonight, we will be adjourning in...

2054

04:34:49.209 --> 04:35:08.339

Speaker 4 (Community Hall): of Rod Deeradon Sr, who passed away late last week at the age 87. While many know him as the namesake of Deeradon Station, we remember him as the father of our modern transit network and a pioneer who saw the potential of light rail long before others.

2055

04:35:08.339 --> 04:35:18.069

Speaker 4 (Community Hall): His tenure as county supervisor and his leadership across multiple agencies set the foundation for the regional transit we know today.

2056

04:35:18.149 --> 04:35:28.429

Speaker 4 (Community Hall): We thank him for his long service, advocacy well into his 80s, and we respectfully adjourn this meeting in his honor.