



**DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, April 4, 2017**

REGULAR CITY COUNCIL MEETING

ROLL CALL

At 6:48 p.m. Mayor Savita Vaidhyanathan called the Regular City Council meeting to order in Cupertino Community Hall Council Chambers, 10350 Torre Avenue.

Present: Mayor Savita Vaidhyanathan, Vice Mayor Darcy Paul, and Councilmembers Barry Chang, Steven Scharf and Rod Sinks. Absent: None.

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Certificates of Commendation to individuals for achieving the goal of summiting Mt. Kilimanjaro
Recommended Action: Award Certificates of Commendation to individuals for achieving the goal of summiting Mt. Kilimanjaro

Representatives from the group talked about their climb and showed pictures.

Mayor Vaidhyanathan presented the Certificates of Commendation to individuals for achieving the goal of summiting Mt. Kilimanjaro.

2. Subject: Presentation of Parks and Recreation Commission FY 16-17 Work Plan
Recommended Action: Receive presentation of Parks and Recreation Commission FY16-17 Work Plan

Written communications for this item included a PowerPoint presentation.

Parks and Recreation Commissioner Carol Stanek gave a PowerPoint presentation on the Parks and Recreation Commission FY 16-17 Work Plan.

The following individuals spoke on this item:

Richard Lowenthal

Lisa Warren
Jennifer Griffin
Cathy Helgersen
Jan Kucera

Council received the presentation of the Parks and Recreation Commission FY16-17 Work Plan.

POSTPONEMENTS - None

ORAL COMMUNICATION

Meghana, Anjali and Anokhi, Girl Scouts from Troop 60598 talked about their group planning for a forum on career choices.

Cathy talked about communication with the Planning Department regarding a tree on private property (distributed written comments).

John Willey talked about ethics and Vallco.

Lisa Warren talked about Vallco (distributed written comments).

Rachel Song talked about Mobike, a bike-sharing program that the company would like to bring to Cupertino. She showed a video.

Lee Song talked about a movie called "Hard to Believe" regarding persecution against Falun Gong practitioners.

Mei Chen and Clare Lee talked about a movie called "Hard to Believe" regarding persecution against Falun Gong practitioners. They showed a video.

Lily Yan talked about Falun Gong and request for a resolution condemning persecution of Falun Gong practitioners.

Christian Lambert talked about the Falun Gong movie "Hard to Believe."

Chun Lee talked Falun Gong and request for a resolution condemning persecution of Falun Gong practitioners.

Connie Cunningham talked about homelessness at De Anza College and Below Market Rate Housing.

Rick Kitson speaking on behalf of the Cupertino Chamber of Commerce talked about Cupertino's first Holi Festival this weekend at Memorial Park from 10-2.

Catherine Moore talked about old traffic data in Cupertino's General Plan Community Vision 2040 and asked for another study.

Jennifer Griffin talked about a new development in San Jose on Stevens Creek which borders Cupertino and concern over traffic and school crowding in Cupertino.

John Bartas talked about Global Warming and a movement called 2020 or Bust. He noted an upcoming event on April 27 in San Jose.

Joan Chin talked about forming a Citizens' Advisory Committee that discusses general Citywide concerns.

Yun Zheng talked about issues with homeless people near De Anza College and not enough parking at the Farmer's Market.

Leigh Gillis talked about supportive and optimistic voices in the community that are looking toward a good future.

Jan Kucera talked about ethics and Measure D on the 2016 ballot.

CONSENT CALENDAR

Chang moved and Vaidhyanathan seconded to approve the items on the Consent Calendar as presented except for item number 8 which was pulled for discussion. Ayes: Vaidhyanathan, Paul, Chang, Scharf and Sinks. Noes: None. Abstain: None. Absent: None.

3. Subject: Approve the March 21 City Council minutes
Recommended Action: Approve the March 21 City Council minutes
4. Subject: Accept Accounts Payable for the period ending February 17, 2017
Recommended Action: Adopt Resolution No. 17-029 accepting Accounts Payable for the period ending February 17, 2017

5. Subject: Accept Accounts Payable for the period ending February 24, 2017
Recommended Action: Adopt Resolution No. 17-030 accepting Accounts Payable for the period ending February 24, 2017
6. Subject: Accept Accounts Payable for the period ending March 3, 2017
Recommended Action: Adopt Resolution No. 17-031 accepting Accounts Payable for the period ending March 3, 2017
7. Subject: Accept Accounts Payable for the period ending March 10, 2017
Recommended Action: Adopt Resolution No. 17-032 accepting Accounts Payable for the period ending March 10, 2017
8. Subject: City Work Program for fiscal year 2017-2018
Recommended Action: Approve the City Work Program for fiscal year 2017-2018

Written communications for this item included a staff report addendum and emails to Council.

City Manager David Brandt reviewed the staff report and highlighted the following: recommended Civic Center improvements item be put on hold (see staff report addendum); redirect community swimming pool item into Park Master Plan; Council direction regarding proposed gun safety ordinance to go back to Public Safety Commission; Vallco Citizens' Advisory Committee (CAC) item appearing twice and should only be listed under Community Development.

The following individuals spoke on this item:

Brooke Ezzat
Muni Madhhipatla also speaking for Balaji
Jaime Carrillo
Leigh Gillis
Richard Lowenthal
Danessa Techmanski
Caryl Gorska
Jennifer Griffin
Joan Chin
Lisa Warren
Liana Crabtree
Jan Kucera

Carlos Almeida
Jean Bedord

Staff answered questions from Council and Council discussed.

Sinks moved and Chang seconded, and the motion carried unanimously to approve the Work Program except for the Vallco Citizens' Advisory Committee (CAC) item for FY 2017-2018 with the following amendments as noted during the staff report review and Council discussion:

- Put Civic Center improvements project on hold
- Fold community swimming pool study into Citywide Park Master Plan process
- Send gun safety ordinance back to Public Safety Commission to focus on education and enhanced safe gun storage requirements for retail gun vendors

Sinks moved and Chang seconded to strike the Vallco CAC item from under Administration but retain it under Planning and Community Development, and directed staff to bring the item back to Council after taking into consideration all Council and public comments.

After further discussion, Sinks rephrased his motion and Chang seconded to strike the Vallco CAC item from Administration entirely including any specific dollar amount, retain it under Planning and Community Development, and directed staff to bring the item back to Council in a month or when ready after taking into consideration all Council and public comments. The motion carried with Paul and Scharf voting no.

9. Subject: Extend the term of the 2015-2017 and 2016-2018 Teen Commissioners and modify the Cupertino Teen Commission meeting schedule to a year round meeting schedule
Recommended Action: Adopt Resolution No. 17-033 amending Resolution No. 16-138 which would authorize the Cupertino Teen Commission to meet year-round, and would allow an extension for all current Teen Commissioners until the end of August for their term ending year
10. Subject: Increase construction contingency allowance for City Hall Turf Reduction Project, (No. 2017-03)
Recommended Action: Increase the authorized construction contingency budget from 10% to 20% of the construction contract amount, for a total of Forty-four Thousand Six

Hundred Dollars (\$44,600), to marginally increase the planting area and address unforeseen conditions during construction

SECOND READING OF ORDINANCES - None

PUBLIC HEARINGS - None

ORDINANCES AND ACTION ITEMS

11. Subject: Partnership request for Community Bridge Award in honor of Tommy Shwe
Recommended Action: Consider a request from the Asian Pacific Islander American Public Affairs Association (APAPA) and the Cupertino Educational Endowment Foundation (CEEF) to partner with them to recognize a community member with the Tommy Shwe Community Bridge Award

Deputy City Manager Jaqui Guzman reviewed the staff report.

Hsing Kung from APAPA talked about Tommy Shwe and the request for the partnership with the City for a Bridge Award.

Huei-Saint Shwe, Tommy Shwe's son talked about the award and Tommy Shwe.

Don Sun from APAPA talked about the award and Tommy Shwe.

Richard Lowenthal, CEEF Board member talked about the award and Tommy Shwe.

Sinks moved and Chang seconded to approve a request from the Asian Pacific Islander American Public Affairs Association (APAPA) and the Cupertino Educational Endowment Foundation (CEEF) to co-sponsor with them to recognize a community member with the Tommy Shwe Community Bridge Award, and to have the Mayor choose which Council member(s) would participate. The motion carried unanimously.

REPORTS BY COUNCIL AND STAFF

12. Subject: Report on Committee assignments and general comments
Recommended Action: Report on Committee assignments and general comments

Council members highlighted the activities of their committees and various community events.

ADJOURNMENT

At 12:00 a.m. on Wednesday, April 5, Mayor Vaidhyanathan adjourned the meeting.

Grace Schmidt, City Clerk