



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Tuesday, July 16, 2019

SPECIAL CITY COUNCIL MEETING

At 5:35 p.m. Mayor Steven Scharf called the Special City Council meeting to order in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue.

ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul (5:40), Rod Sinks, and Jon Robert Willey. Absent: None.

STUDY SESSION

1. Subject: Study session and demonstration regarding options for unofficial transcription of City Council and commission/committee minutes
Recommended Action: Conduct study session and demonstration regarding options for unofficial transcription of City Council and commission/committee minutes and provide any direction to staff

City Clerk Grace Schmidt and Chief Technology Officer Bill Mitchell showed a demonstration of the free YouTube transcription service.

Staff answered questions from Council.

Council comments included: Comments by members of the public were available in City Council minutes until 2015.

Council viewed the demonstration of the free YouTube transcription service.

2. Subject: Study session regarding improving communications with and effectiveness of advisory commissions and committees
Recommended Action: Conduct study session regarding improving communication with and effectiveness of advisory commissions and committees, receive public input on subcommittee recommendations, and provide direction to staff

Written communications for this item included an amended subcommittee report and emails to Council.

Councilmember Paul and Vice Mayor Chao reviewed the subcommittee report.

Mayor Scharf opened public comment and the following individuals spoke:

David Fung (Cupertino resident)

Jean Bedord (Cupertino resident)

Kitty Moore (Cupertino resident) - distributed written comments

Jennifer Griffin

Connie Cunningham (Cupertino resident)

Rob McCoy (Cupertino resident) on behalf of the Cupertino Public Safety Commission

Mayor Scharf closed public comment.

Council comments included: Need to have a mutual understanding of what commissioners can expect from staff and vice versa; need to further clarify staff liaison role; time for input is when work is being done and since work has already been done, the public cannot participate in the process; need to solicit input all along the process; list all concerns of the public and respond as part of the process; resident input important; thanks to the subcommittee and all comments from the public will be taken to heart; like the subcommittee format; appreciate written feedback and need to address all feedback.

Subcommittee comments and next steps: When publish materials after the meeting, note the subcommittee membership and authors of the subcommittee report including that it was reviewed by the City Manager and City Attorney; have the City Attorney look into how to change the scope of a commission or committee; post the commission feedback report (removing names) in the materials after the meeting and in the agenda materials for the next time comes back to Council; consolidate suggestions from this study session and come back to Council at a future date along with a recommended Code of Ethics from the City Manager and City Attorney.

ADJOURNMENT

REGULAR CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

At 6:50 p.m. Mayor Steven Scharf called the Regular City Council meeting to order in the

Cupertino Community Hall Council Chambers, 10350 Torre Avenue and led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Steven Scharf, Vice Mayor Liang Chao, and Councilmembers Darcy Paul, Rod Sinks (6:52), and Jon Robert Willey. Absent: None.

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Presentation on Green Stormwater Infrastructure (GSI) and the City's Municipal Regional Permit (MRP) requirement to consider future adoption of a long-term GSI Plan.
Recommended Action: Receive presentation and provide any input.

Written communications for this item included a presentation.

Director of Public Works Roger Lee introduced Jill Bicknell from EOA who reviewed the presentation.

Mayor Scharf opened public comment and the following individual spoke:

Rhoda Fry

Mayor Scharf closed public comment.

Staff answered questions from Council.

Council comments included: Bring the GSI to the Planning and Sustainability Commissions to consider; look at what kind of vegetation to put in medians and at City facilities in the future.

Council received the presentation.

2. Subject: Study Session on Small Cell Facilities within the Public Right of Way
Recommended Action: For the City Council to conduct a study session on legal requirements related to installation of small cellular facilities on City street light poles in the public right of way, and related City of Cupertino guidelines and procedures, and provide any input

Written communication for this item included a presentation, an amended staff report, and attachment C (“Guidelines for Encroachment Permit Submittals for Wireless Communications Facilities on City Owned Poles”).

Director of Public Works Roger Lee introduced the item.

City Engineer Chad Mosely reviewed the presentation.

Mayor Scharf opened public comment and the following individuals spoke:

Karen and Henry Chang (Cupertino residents) – distributed written comments

Nori

Radha Sharma

Eric Swanson (Pittsburgh resident) on behalf of CTIA

Fariba (Cupertino resident)

Lisa Warren

Paul Albritton

Mayor Scharf closed public comment.

Staff and Verizon representatives answered questions from Council.

Council comments included: Be mindful moving forward; what’s the best we can do for our residents; listen to our residents; aesthetics important; obligation to notify residents as much as we can; increase radius notice to further than 300 feet; do more outreach to wider community; notify residents of all small cell sites; list all small cell site applications on City’s website; send e-notification to residents who have signed up when new small cell applications come in; streamline facilities on light poles for better aesthetics.

Direction to staff included:

- Look for aesthetic designs that may be used to remove or reduce the size of base enclosure designs
- Look into increasing the radius of notification to something greater than 300 feet
- List or show all small cell site applications on City’s website
- Create an e-notification sign up in order to notify interested citizens of new small cell applications

POSTPONEMENTS - None

ORAL COMMUNICATIONS

AJ on behalf of the Cupertino Climate Action Team talked about fossil fuel divestment for Cupertino.

Jennifer Griffin talked about future planning for housing.

Jean Bedord (Cupertino resident) talked about the upcoming draft agenda items.

Rhoda Fry talked about Lehigh Cement.

Charlene Lee (Cupertino resident) talked about talked about her arrest at Monta Vista High School and the information contained in the police report.

Lisa Warren talked about various topics: written communications columns on the agenda webpage; need for more comprehensive minutes; concern about trees planted in the City; types of trees on the list especially in R1 areas; planning ahead on housing; and Accessory Dwelling Units (ADU's).

Connie Cunningham talked about Regnart Creek and bicycle and pedestrian safety.

Anjali Kausar on behalf of the Cupertino Chamber of Commerce talked about an upcoming Cupertino Night Market event at Memorial Park.

Scott Fitinghoff (Cupertino resident) talked about Regnart Creek Trail.

Ashok Natesan (Cupertino resident) talked about Regnart Creek Trail (distributed written comments).

Wil Fluewelling (Cupertino resident) talked about multi-use trails in Cupertino.

Ilango Ganga (Cupertino resident) talked about Regnart Creek Trail.

Genevieve Kolar talked about a Youth Climate Summit hosted at De Anza College and divesting from fossil fuels in Cupertino.

Rahul Vasanth talked about Regnart Creek Trail and accessibility.

REPORTS BY COUNCIL AND STAFF (10 minutes)

3. Subject: Report on Committee assignments
Recommended Action: Report on Committee assignments

Councilmembers highlighted the activities of their committees and various community events.

CONSENT CALENDAR

Sinks moved and Scharf seconded to approve the items on the Consent Calendar as presented with the exception of item numbers 16 and 20 which were pulled for discussion. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

4. Subject: Approve the June 18 City Council minutes
Recommended Action: Approve the June 18 City Council minutes
5. Subject: Accept Accounts Payable for the period ending March 15, 2019
Recommended Action: Adopt Resolution No. 19-077 accepting Accounts Payable for the period ending March 15, 2019
6. Subject: Accept Accounts Payable for the period ending March 22, 2019
Recommended Action: Adopt Resolution No. 19-078 accepting Accounts Payable for the period ending March 22, 2019
7. Subject: Accept Accounts Payable for the period ending March 29, 2019
Recommended Action: Adopt Resolution No. 19-079 accepting Accounts Payable for the period ending March 29, 2019
8. Subject: Accept Accounts Payable for the period ending April 5, 2019
Recommended Action: Adopt Resolution No. 19-080 accepting Accounts Payable for the period ending April 5, 2019
9. Subject: Accept Accounts Payable for the period ending April 12, 2019
Recommended Action: Adopt Resolution No. 19-081 accepting Accounts Payable for the period ending April 12, 2019
10. Subject: Accept Accounts Payable for the period ending April 19, 2019
Recommended Action: Adopt Resolution No. 19-082 accepting Accounts Payable for the period ending April 19, 2019
11. Subject: Accept Accounts Payable for the period ending April 26, 2019

Recommended Action: Adopt Resolution No. 19-083 accepting Accounts Payable for the period ending April 26, 2019

12. Subject: Approve the July 1, 2019 through June 30, 2022 terms and conditions of employment for the Cupertino City Employees' Association (CEA)
Recommended Action: 1) Adopt Resolution No. 19-084 amending the Memorandum of Understanding (MOU) for the Cupertino City Employees' Association (CEA) based on the attached tentative agreements; and 2) Authorize staff to make the necessary budget adjustments to ensure that there are sufficient budget appropriations to cover the costs associated with the negotiated contract.
13. Subject: Approve the July 1, 2019 through June 30, 2022 terms and conditions of employment for the Operating Engineers Local Union No. 3, AFL-CIO (OE3).
Recommended Action: 1) Adopt Resolution No. 19-085 amending the Memorandum of Understanding for Operating Engineers Local Union No. 3, AFL-CIO (OE3) based on the attached tentative agreements; and 2) Authorize staff to make the necessary budget adjustments to ensure that there are sufficient budget appropriations to cover the costs associated with the negotiated contract.
14. Subject: Terms and conditions of employment for the Unrepresented (Management and Confidential) Employees, Appointed Employees, and Elected Officials.
Recommended Action: 1) Adopt Resolution No. 19-086 amending the Compensation Program for the Unrepresented (Management and Confidential) Employees; and 2) Adopt Resolution No. 19-087 amending the Compensation Program for the Appointed Employees; and 3) Adopt Resolution No. 19-088 amending the Compensation Program for the Elected Officials; and 4) Authorize staff to make the necessary budget adjustments to ensure that there are sufficient budget appropriations to cover the costs related to changes to the compensation programs.

Written communications for this item included an amended Compensation Program for Resolution No. 19-086.

15. Subject: Teen Commission Fiscal Year (FY) 2019-20 Work Program
Recommended Action: Approve the Teen Commission FY 2019-20 Work Program.
16. Subject: Parks and Recreation Commission Fiscal Year (FY) 2019-20 Work Program
Recommended Action: Approve the Parks and Recreation Commission FY 2019-20 Work Program

Director of Parks and Recreation Jeff Milkes reviewed the staff report.

Mayor Scharf opened public comment and the following individuals spoke:

Jennifer Griffin
Rahul Vajank

Mayor Scharf closed public comment.

Sinks moved and Scharf seconded to approve the Parks and Recreation Commission FY 2019-20 Work Program with amendments to include looking at extending the community gardens in other parks across the City and with input from Planning staff using current data to look at options for Blackberry Farm Golf Course. The motion carried unanimously.

17. Subject: Facility fee waiver request from the Cupertino Senior Coordinating Council
Recommended Action: Approve fee waiver request for approximately \$17,750 in facility use fees, for the use of the Senior Center Reception Hall on selected Fridays, for a period of five years, with a retroactive start date of July 5, 2019 and ending June 28, 2024 for Bingo.
18. Subject: Execute a contract with Dan Gertmenian for the Math Olympiad education program for the period of August 1, 2019 - July 31, 2021.
Recommended Action: Authorize the City Manager to execute a contract with Dan Gertmenian for the Math Olympiad youth education program for the two-year period of August 1, 2019 - July 31, 2021.
19. Subject: FY 2019-22 Below Market Rate Program Administration Contract
Recommended Action: 1. Authorize the City Manager to award a contract to Hello Housing, in the amount of \$235,000 for Below Market Rate Program Administration. 2. Approve the additional Housing Development Special Revenue Fund appropriations of \$60,000 in FY 2019-20.

Written communications for this item included an amended contract.

20. Subject: Support of the development of a complete streets and transit efficiency study for the Stevens Creek Boulevard corridor. Support of ongoing discussions regarding a high-capacity transit service in the Stevens Creek Boulevard/I-280 Corridor in collaboration with the Santa Clara Valley Transportation Authority (VTA) and the Cities of Santa Clara and San Jose
Recommended Action: Adopt Resolution No. 19-089 to: (1) Support the development of a complete streets and transit efficiency study for the Stevens Creek Boulevard corridor; and (2) Support ongoing discussions regarding a high-capacity transit service in the Stevens Creek Boulevard/I-280 Corridor in collaboration with the Santa Clara Valley

Transportation Authority (VTA) and the Cities of Santa Clara and San Jose; and (3) Authorize the City Manager or designee to assess resources needed to develop these projects and report findings to the City Council

Mayor Scharf opened public comment and Jennifer Griffin spoke.

Mayor Scharf closed public comment.

Staff answered questions from Council.

Paul moved and Sinks seconded to adopt Resolution No. 19-089 to: (1) Support the development of a complete streets and transit efficiency study for the Stevens Creek Boulevard corridor; and (2) Support ongoing discussions regarding a high-capacity transit service in the Stevens Creek Boulevard/I-280 Corridor in collaboration with the Santa Clara Valley Transportation Authority (VTA) and the Cities of Santa Clara and San Jose; and (3) Authorize the City Manager or designee to assess resources needed to develop these projects and report findings to the City Council. The motion carried unanimously.

SECOND READING OF ORDINANCES

21. Subject: Second reading of Municipal Code Amendment to consider changing the composition of the Housing Commission to eliminate the requirement that one member be a representative from a Cupertino financial institution; (Application No.: MCA-2019-01; Applicant: City of Cupertino; Location: Citywide).

Recommended Action: Conduct the second reading and enactment of Ordinance 19-2185 "An Ordinance of the City Council of the City of Cupertino amending Title 2, Administration and Personnel, of the Cupertino Municipal Code Chapter 2.86 (Housing Commission), to eliminate the requirement that one member be a representative from a Cupertino financial institution." Note: The first reading was conducted on June 18 and there were no changes to the ordinance.

City Clerk Grace Schmidt read the title of the ordinance.

Paul moved and Sinks seconded to read Ordinance No. 19-2185 by title only and that the City Clerk's reading would constitute the second reading thereof. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

Paul moved and Sinks seconded to enact Ordinance No. 19-2185. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

PUBLIC HEARINGS

22. Subject: Consider approving a new 185 room 5-story hotel (24-hour operations) with underground parking, event meeting rooms, a restaurant with a separate bar and rooftop lounge with a separate bar at the Cupertino Village Shopping Center by demolishing two commercial buildings with an area of 13,429 sq. ft. and the removal of 41 trees. City Actions would include a General Plan Amendment to consider increasing the development allocation of hotel rooms to 185 hotel rooms in the North Vallco Special Area; Other permits include: Development, Architectural and Site Approval, Tree Removal, and Use Permits. A Development Agreement is also proposed; (Application No(s): GPA-2017-05, DP-2018-04, ASA-2017-09, DA-2017-01, TR-2017-46, U-2018-03, EA-2017-06; Applicant(s): Kimco Realty (Michael Strahs); Location: 10801 and 10805 North Wolfe Road; APN #316-45-017, 316-05-056

Recommended Action: The Planning Commission recommends that the City Council conduct the Public Hearing, and; 1) Adopt Resolution No. 19-090 approving the Mitigated Negative Declaration; and 2) Adopt Resolution No. 19-091 approving the General Plan Amendment; and 3) Adopt Resolution No. 19-092 approving the Development Permit; and 4) Adopt Resolution No. 19-093 approving the Architectural and Site application; and 5) Adopt Resolution No. 19-094 approving the Tree Removal Permit; and 6) Adopt Resolution No. 19-095 approving the Use Permit; and 7) Conduct the first reading of Ordinance No.19-2186: "An Ordinance of the City Council of the City of Cupertino approving a Development Agreement for the development of a new 5-story, 185 room hotel with associated site and landscaping improvements located at 10801 and 10805 North Wolfe Road (APN: 316-45-017 and 316-05-56)

Written communications for this item included a presentation, amended resolutions 19-092 (DP-2018-04), 19-093 (ASA-2017-09), 19-094 (TR-2017-46), 19-095 (U-2018-03), and an email to Council.

Associate Planner Erick Serrano reviewed the presentation.

City Attorney Heather Minner noted the amendments to four resolutions as per the desk items and also noted the need to delete reference to an Exception Permit in the recitals of Sections F and G in the Development Agreement.

Applicant Michael Strauss from Kimco Realty gave a presentation about the project.

Mayor Scharf opened the public hearing and the following individuals spoke:

Jennifer Griffin

Rhoda Fry (distributed written comments)
Barry Chang (Cupertino resident)
Anjali Kausar on behalf of the Cupertino Chamber of Commerce
Eric Brewer (Saratoga resident)
Peggy Griffin (Cupertino resident)
Hung Wei (Cupertino resident)

Mayor Scharf closed the public hearing.

Staff and the applicant answered questions from Council.

Sinks moved and Scharf seconded to adopt Resolution No. 19-090 approving the Mitigated Negative Declaration (Application No. EA-2017-06). The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-091 approving the General Plan Amendment (Application No. GPA-2017-05). The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-092 approving the Development Permit (Application No. DP-2018-04) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-093 approving the Architectural and Site application (Application No. ASA-2017-09) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-094 approving the Tree Removal Permit (Application No. TR-2017-46) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

Sinks moved and Scharf seconded to adopt Resolution No. 19-095 approving the Use Permit (Application No. U-2018-03) as amended with text revisions as provided in dais materials and made available on the City's website as written communications from staff. The motion carried unanimously.

City Clerk Grace Schmidt read the title of the ordinance.

Sinks moved and Scharf seconded to read Ordinance No. 19-2186 by title only and that the City Clerk's reading would constitute the first reading thereof as amended to delete reference to an Exception Permit in the recitals of Sections F and G in the Development Agreement. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

ORDINANCES AND ACTION ITEMS

23. Subject: Announce the results of the tabulation of ballots submitted for the proposed 2019 Clean Water and Storm Protection Fee; and: 1) Consider a resolution accepting the tabulation results for the proposed 2019 Clean Water and Storm Protection Fee, a property-related fee conforming to Article XIII D, Section 6 of the California Constitution, and ordering the levy of the fee for fiscal year 2019-20; and 2) Conduct the second reading of Ordinance No. 19-2183 adding Chapter 3.38 of the Municipal Code to Establish the Clean Water and Storm Protection Fee and enact the Ordinance 3) Consider a resolution amending the FY19-20 Annual Operating Budget to convert one part-time Maintenance Worker I level position to a full-time position

Recommended Action: 1) Receive the City Clerk's announcement of the tabulation results; and 2) Adopt Resolution No. 19-096 accepting the tabulation results for the proposed 2019 Clean Water and Storm Protection Fee, a property-related fee conforming to Article XIII D, Section 6 of the California Constitution and ordering the levy of the fee for fiscal year 2019-20; and 3) Conduct the second reading and enact Ordinance No. 19-2183: "An Ordinance of the City Council of the City of Cupertino Adding Chapter 3.38 of the Municipal Code to Establish the Clean Water and Storm Protection Fee"; and 4) Adopt Resolution No. 19-097 amending the FY 19-20 Annual Operating Budget to convert one part-time Maintenance Worker I level position at a current cost of \$29,830 per year to one full-time Maintenance Worker I level position at a starting cost of \$99,840 per year

Written communications for this item included a staff presentation and amended resolution 19-096.

Director of Public Works Roger Lee reviewed the presentation.

Mayor Scharf opened public comment and Peggy Griffin spoke.

Mayor Scharf closed public comment.

City Clerk Grace Schmidt announced the tabulation of results as follows: 51.15% of YES votes and 48.85% of NO votes which is enough votes to pass the fee.

Sinks moved and Scharf seconded to adopt Resolution No. 19-096 accepting the tabulation results for the proposed 2019 Clean Water and Storm Protection Fee, a property-related fee conforming to Article XIII D, Section 6 of the California Constitution and ordering the levy of the fee for fiscal year 2019-20 as amended with text revisions as provided in dais materials to be made available on the City's website as written communications from staff. The motion carried unanimously.

City Clerk Grace Schmidt read the title of the ordinance.

Sinks moved and Scharf seconded to read Ordinance No. 19-2183 by title only and that the City Clerk's reading would constitute the second reading thereof. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

Sinks moved and Scharf seconded to enact Ordinance No. 19-2183. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

Sinks moved and Scharf seconded to adopt Resolution No. 19-097 amending the FY 19-20 Annual Operating Budget to convert one part-time Maintenance Worker I level position at a current cost of \$29,830 per year to one full-time Maintenance Worker I level position at a starting cost of \$99,840 per year. The motion carried unanimously.

- 24.** Subject: Updates to the Policies and Guidelines on Sister Cities, Friendship Cities, and International Delegations.

Recommended Action: Approve updates to the City of Cupertino's Policies and Guidelines on Sister Cities, Friendship Cities, and International Delegations, which includes proposed changes to the Sister City travel expenses language and a cap on total Friendship City relationships.

Written communications for this item included a presentation.

Public Information Officer Brian Babcock reviewed the presentation.

Council comments included: Determine number of Friendship Cities by country and not by total number; put staff time into the current four Sister Cities and have local committees work with the Friendship Cities; keep everything the same as it is already budgeted; suggestion to increase cap on Friendship Cities by five with seven to come from one jurisdiction; allocate dollars in Sister City travel policy to each Councilmember equally rather than put into Mayor's fund directly; Ten Friendship Cities is plenty; suggestion to fund trips at 100% and limit number of trips to two per year for Councilmembers; leave

policy as is and bring requests to Council on an individual basis; table item for now and bring it back to Council separating out Friendship City cap and policy.

Council took no action on this item.

25. Subject: Renewal and Establishment of Friendship City Relationships

Recommended Action: Approve renewal of two Friendship City relationships, including Jilin, China, and Tongxiang, China; and establishment of a new relationship with Xianning, China.

Mayor Scharf opened public comment and the following individuals spoke:

Barry Chang (Cupertino resident) also spoke on behalf of Min Song and Susan Giu (Cupertino resident) representing the three Friendship Cities.

Scharf moved and Chao seconded to approve renewal of two Friendship City relationships, including Jilin, China, and Tongxiang, China; and establishment of a new relationship with Xianning, China. The motion carried unanimously.

Sinks moved and Willey seconded to continue item numbers 27 and 28 to a future meeting. The motion carried unanimously.

26. Subject: Presentation of FY 2019/20 Bicycle and Pedestrian Capital Improvement Program Projects (NOT INCLUDING REGNART CREEK TRAIL) and amendment of FY 2019/20 Capital Improvement Program budget

Recommended Action: 1) Receive presentation and update on prioritized project lists of the adopted 2016 Bicycle Transportation Plan and adopted 2018 Pedestrian Transportation Plans; and 2) Adopt Resolution 19-098 amending the FY 2019/20 Capital Improvement Program budget to include additional funding for bicycle and pedestrian projects as follows: a. Approve an additional \$1,275,438 for the Orange & Byrne Ave Sidewalk project; b. Approve an additional \$242,941 for the McClellan Road Bike Corridor: Byrne to Torre; c. Approve an additional \$65,000 for the Bicycle Wayfinding Project; d. Approve a new amount of \$595,500 for the Linda Vista Trail project

Written communications for this item included a presentation, an amended staff report, and an amended attachment D.

Director of Public Works Roger Lee and Transportation Manager David Stillman reviewed the presentation.

Staff answered questions from Council.

Mayor Scharf opened public comment and the following individuals spoke:

Subra Kumarswamy (Cupertino resident) – support trail

Andrea Stawitkce (Sunnyvale resident) - support trail and distributed written comments

Larry Dean (Cupertino resident) - support trail

Tim Oey (Sunnyvale resident) on behalf of Friends of Stevens Creek Trail - support trail

Samuel Feldman (Cupertino resident) - support trail

Luis Buhler (Cupertino resident) - support trail and distributed signed petition

Hung Wei (Cupertino resident) - support trail

Anne Ng (Cupertino resident) - support trail

Steve Garrity (Sunnyvale resident) - support trail

Jennifer Fan (Cupertino resident) - support trail

Council comments included: Generally supportive of Linda Vista Trail allocation; supportive of future improvement as needed; concern that Cupertino invested dollars in McClellan Ranch area and not in funding for bike boulevard projects for school routes; support bike and pedestrian trails in general; need to prioritize intersection of Stevens Creek and Stelling and De Anza and Stevens Creek; need Council discussion of how projects are prioritized; support extending Stevens Creek Trail (Linda Vista Trail); take current crosswalk and move to align with new trail segment into parking lot rather than adding new crosswalk and support extra allocation of \$20,000.

Chao moved to add additional funding of \$300,000 for bike boulevard project estimates for Phases 1 and 2 and have community help with fundraising. Councilmember Paul suggested adding an item to a future agenda to discuss a proposal and also examine priority of all bike projects. Vice Mayor Chao agreed and withdrew her motion.

Sinks moved and Paul seconded to 1) Receive presentation and update on prioritized project lists of the adopted 2016 Bicycle Transportation Plan and adopted 2018 Pedestrian Transportation Plans; and 2) adopt Resolution 19-098 amending the FY 2019/20 Capital Improvement Program budget to include additional funding for bicycle and pedestrian projects as follows: a. Approve an additional \$1,275,438 for the Orange & Byrne Ave Sidewalk project; b. Approve an additional \$242,941 for the McClellan Road Bike Corridor: Byrne to Torre; c. Approve an additional \$65,000 for the Bicycle Wayfinding Project; d. Approve a new amount of \$595,500 for the Linda Vista Trail project plus an additional \$20,000 for a total of \$615,500 subject to engineering staff review to improve the McClellan Road crossing for the Linda Vista Trail project. The motion carried unanimously.

27. Subject: Discuss options for unofficial transcription of City Council minutes
Recommended Action: Discuss options for unofficial transcription of City Council minutes and provide direction to staff to: a. Provide an unofficial transcript of City Council minutes using the free YouTube Live auto-captioning feature; and b. Continue the policy of providing action minutes as the official record of the legislative actions of the City Council along with the webcast video for City Council meetings

This item was continued to a future meeting.

28. Subject: Discuss timeline for early posting of staff reports and/or background materials for certain City Council agenda items.
Recommended Action: Discuss current timeline for posting of staff reports and background materials for City Council agenda items and provide direction to staff to: a. Post staff reports or materials of higher interest earlier than the current timeline; or b. Keep status quo of posting City Council agenda packets 6 days before a regular meeting

Written communications for this item included an email to Council.

This item was continued to a future meeting.

ORAL COMMUNICATIONS - CONTINUED (As necessary)

COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS

Add to future agenda a study session on the timeline and budget/funding for the three phases of the bike boulevard project; and study session on how 2016 Bicycle Plan and/or 2018 Pedestrian Plan projects have been brought to Council for consideration in the past. This includes explanation of why some 2016 Bicycle Plan and/or 2018 Pedestrian Plan projects have been acted upon differently than prioritized in the 2016 Bicycle Plan and/or 2018 Pedestrian Plan. Recommendation of procedural processes for staff to follow when projects recommended for action are prioritized differently than listed in the 2016 Bicycle plan and/or 2018 Pedestrian Plan (Chao/Paul).

Add to future agenda a study session on adding a new City Work Program item to amend the Cupertino Municipal Code to increase the radius for noticing development applications and to increase the time period for noticing public hearings (Chao/Willy).

Add to future agenda a presentation on the process to review development applications and determine consistency with the General Plan policies and Zoning Code regulations; discussion of potential voluntary community benefits that would advance General Plan policies (Chao/Paul).

When item number 28 comes back to Council add consideration of including presentations in City Council agenda packets (Scharf/Paul).

ADJOURNMENT

29. Subject: Adjourn in memory of former Cupertino City Manager Dave Knapp (years of service 2000-2012)

Recommended Action: Adjourn in memory of former Cupertino City Manager Dave Knapp

At 2:40 a.m. on Wednesday, July 17, 2019, Mayor Scharf adjourned the meeting in memory of former Cupertino City Manager Dave Knapp.

Grace Schmidt, City Clerk