



**DRAFT MINUTES**  
**CUPERTINO CITY COUNCIL**  
Tuesday, August 6, 2019

**SPECIAL CITY COUNCIL MEETING**

At 5:30 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, Rod Sinks, and Jon Robert Willey. Absent: None.

**STUDY SESSION**

1. Subject: Study session regarding policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.  
Recommended Action: Provide direction on policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers.

Written communications for this item included two presentations.

Assistant to the City Manager Katy Nomura introduced Consultant Leslie Zellers, JD from the Santa Clara County Department of Public Health who reviewed the presentation.

Tanya Payyappilly, Project Director for Breathe California Tobacco Prevention Program, gave a presentation regarding a public opinion survey about flavored tobacco products.

Mayor Scharf opened public comment and the following individuals spoke:

Carol Booker (Cupertino resident)  
Rosalyn Moya on behalf of Bay Area Community Resources  
Randy Wang on behalf of Breathe California

Mayor Scharf closed public comment.

Staff and consultant answered questions from Council.

Graham Clark and Polly Bove of the Fremont Union High School District (FUHSD) spoke.

Council comments included:

Wiley: Was unaware of the extent of this; glad to be brought up to speed with study session; happy to be hearing from residents with real experiences; the samples explain what's out there; had no idea that things looked like candy and are behind counters for kids to see; have to act quick before it's too ingrained in the community; supports extensive outreach to gauge support verses non-support and the strength of the controls to put in place; include mailers, make visible at parks and City events, and ask people the degree of measures for addressing; need prohibiting ordinance in place to help parents to be more concerned and alert.

Paul: Supports staff going back and looking at possibility of banning list of products including e-cigarettes, menthol, little cigars, smokeless tobacco products, components and accessories, and products marketed as flavors; supports examining repercussions of the CVS ban on products and any staff recommendations to support that; phasing period is a good idea but let members of business community weigh-in; agrees with Councilmember Wiley in reaching-out to the community to gauge community sentiment; look at various mechanisms of outreach like Nextdoor, OpenGov, WeChat, and WhatsApp.

Scharf: Interested in Sheriff's enforcement of the law now in relation to tobacco sales to minors and efforts to change State law with greater penalties for violations; and effect of a ban if people buy from adjacent cities without one; staff come back with some proposed ordinances and also look at what's being done in nearby cities; weak State laws; State legislatures are not being productive.

Chao: Look at adopting stronger violation penalties beyond the county's for annual license renewals, such as license suspension and then revocation; look at adoptions that make it easier for schools to enforce on school grounds; it's worth looking into doing outreach; look into going beyond the Santa Clara County policy dashboard requirements and what is required to get better scores in the American Lung Association and Healthy Cities programs; would like to have terminology for flavored cigarettes, tobacco, e-cigarettes, and etc. when it comes back to Council; bring back more information about current enforcement efforts in our high schools and middle schools.

Sinks: Appreciates former County Supervisor Ken Yaeger's efforts for a healthier county; we should take a lead from the County and do the outreach; seriously consider adopting the

County's program, including a local license to help collect funds for better enforcement and programming; the Sheriff can't do very much with the funds that we have; we should consider taking some action here with the epidemic going on; we have a serious problem; would be helpful to understand online sales when this comes back; bring back information on the degree to which restricting sales in local retailers will reduce access.

Council provided the following direction to staff on policy options to prevent youth access to tobacco products, including flavored tobacco products, and to reduce the density of tobacco retailers:

- Wanted outreach to the public on these measures.
- Want to look into the policy options recommended by the County.
- Look into local Tobacco Retailer License.

## **ADJOURNMENT**

### **REGULAR CITY COUNCIL MEETING**

#### **PLEDGE OF ALLEGIANCE**

At 6:45 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, and Jon Robert Willey. Absent: None.

#### **CEREMONIAL MATTERS AND PRESENTATIONS**

1. Subject: Presentation from the Cupertino Youth Climate Action Team regarding climate solutions  
Recommended Action: Receive presentation from the Cupertino Youth Climate Action Team regarding climate solutions

Written communications for this item included two presentations and informational handouts.

Tara Sreekrishnan (introduced) and the Cupertino Youth Climate Action Team gave a presentation regarding climate solutions.

Mayor Scharf opened public comment and the following individuals spoke:

Janet Walworth, on behalf of Peninsula Interfaith Climate Alliance

Peri Plantenberg (Sunnyvale resident) on behalf of Sunrise Movement

Linda Sell (Sunnyvale resident) (provided written comments)

Dashiell Leeds on behalf of Sierra Club Loma Prieta Chapter

Don Weiden (Los Altos resident)

Gary Latshaw (Cupertino resident) on behalf of Youth Climate and Secure the Future 2100 (provided written comments)

Emily Fan (Cupertino resident)

John Zhao (Cupertino resident)

Shiv Shah on behalf of the Cupertino High School Environmental Club

Mayor Scharf closed public comment.

Staff answered questions from Council.

Council directed staff to agendize the following items:

- Ordinance consideration on banning gas powered lawn equipment (including leaf blowers) (Paul/Chao)
- Divestment of fossil fuels from City investments (Paul/Chao)

Council received the presentation.

2. Subject: Presentation of a new report on the status of seniors in Cupertino

Recommended Action: Receive presentation of a new report on the status of seniors in Cupertino

Written communications for this item included a presentation.

Richard Adler on behalf of Age-Friendly Cupertino gave a presentation regarding a new report on the status of seniors in Cupertino.

Mayor Scharf opened public comment and the following individuals spoke:

Jean Bedord (provided written comments)

Jennifer Griffin

Mayor Scharf closed public comment.

Council received the presentation.

## POSTPONEMENTS

3. Subject: Continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.

Recommended Action: Continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.

Deputy City Clerk Kirsten Squarcia noted that staff requested Item No. 16 be continued to a date to be determined and that the item would be re-noticed.

Council concurred unanimously to continue Item No. 16 for consideration of Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide to a date to be determined. This item will be re-noticed.

## ORAL COMMUNICATIONS

Richard Abdalah talked about comments made by Planning Commission Chair R. Wang and consideration of removing him from the Commission.

Michelle Chen, Rachel Chen (Cupertino resident), and Connie Liang talked about Lehigh Cement pollutants and Lehigh Quarry expansion, and a City letter to the County opposing expansion.

Danessa Techmanski (Cupertino resident) talked about a Mercury News article about the State threatening a lawsuit against the City for not conforming to housing quotas at Vallco.

Brenda Boyle (Cupertino resident) talked about Regnart Creek Trail and an incident on the proposed path near her home, and the traffic flow from Creekside path onto Blaney.

Erik Lindskog (Cupertino resident) talked about Regnart Creek Trail; walking, biking, and running infrastructure; and public support, cost and safety of creek trails.

Gary Wong (Cupertino resident) on behalf of Campo De Lozano HOA talked about Regnart Creek Trail, addressed remarks about the HOA's designated trail property lines, and portable planters in the 65% design.

Jiong Hee Yee talked about Regnart Creek Trail, the proposed 65% design, construction cost escalation, and privacy and safety fencing costs.

Stella talked about Regnart Creek Trail, Wilson Park Baseball Field, water district services, path width, cost, and safety.

Jean Bedord (Cupertino resident) talked about removing Ray Wang from the Planning Commission, referenced article about a past sentence, comments on social media and at a recent commission meeting.

Eleanor Chan (Cupertino resident) talked about bullying and Planning Commission Chair's R. Ray Wang's behavior on social media and removal from the commission.

Jennifer Griffin talked about the Planning Commission and open discussions on SB 35 and housing legislation coming out of Sacramento.

Benaifer Dastoor (Cupertino resident) talked about the health and cleanliness of creeks and promoting a carbon-free society in environmental plans.

Kitty Moore (Cupertino resident) talked about broadening the scope of the Environmental Review Committee (ERC).

Council recessed from 8:40 p.m. to 8:46 p.m.

## **STUDY SESSION**

4. Subject: Study Session regarding Application and Review Procedures for Projects Proposed Pursuant to Senate Bill 35. (Application No(s): CP-2019-04; Applicant(s): City of Cupertino; Location: Citywide)

Recommended Action: That the City Council conduct the study session, receive this report and provide direction regarding the proposed Application and Review Procedures and draft Application Package for Projects Proposed Pursuant to Senate Bill 35.

Written communications for this item included a presentation and corrected redline of Supplemental Staff Report Attachment B - SB 35 Application Form

Caitlin Brown from Shute, Mihaly & Weinberger reviewed the presentation.

Mayor Scharf opened public comment and the following individuals spoke:

Jennifer Griffin

Lisa Warren ceded time to Kitty Moore

Kitty Moore (provided written comments)

Mayor Scharf closed public comment.

Staff answered questions from Council.

Council comments included:

Wiley: Might need to be following some of the issues raised by Kitty Moore; duty not to take away from what the residents have a right to because of not checking or noticing correctly; make sure community is served; follow the laws but being ignorant is no excuse; surprised things have had to be brought up outside of the City review process; make sure CEQA aspects are intact otherwise the community is at risk; CEQA is meant to catch things like hazardous waste sites and need to make sure we don't inadvertently miss things when sending through a ministerial approval; include how to understand and implement this without inadvertently missing things and for things that could be confusing; important to have one or more examples so it's easier to understand how to calculate the 2/3; when staff needs to work quickly through a ministerial approval, have examples instead of trying to discern the textual description and avoid something that was not truly intended; protect the residents, follow the law, and make sure housing gets addressed and designated; projects can move forward but were inadvertently done incorrectly; want to make it so that 330 doesn't get by if it is truly meant for 300; will explain again when we come back to make sure correct how staff is to move forward.

Paul: 1) Regarding the checklist that we're operating under SB 35; put more thought in the checklist at the outset; maintain our discretion because discretion is curtailed to the maximum extent; too much flexibility due to nebulous procedure and abbreviated

timetable; make checklist as solidified as possible instead of one that morphs in accordance with factors; 2) Regarding the language of resolution; has to do with treatment of overall BMR housing; troubled by what's happened legislatively; budget rider wasn't caught; wasn't specific to SB 35 or affordable housing and designed to get slipped in there; affected one project in California by toxicity and calculation of BMR units; if saying to simplify the calculation of BMR units when trying to promote the delivery of affordable housing then should say your residential square footage has to be calculated before applying density bonus; legislation with budget rider suddenly passed in the middle of this Cupertino process; very quickly authority from State legislation said to take the density bonus and add it to the square footage to help you get to the 2/3 number; you would not include that in the calculation if you really wanted to promote creation of BMR housing because would make it more residential proportionately; concerned doesn't deliver as many BMR units and BMR sq. ft. and at the systemic perspective; if particular project being targeted then can lobby and buy into legislation in right moment; concerned if going to make process inefficient and circumventing idea of going to a neutral arbiter; as a jurisdiction, go forward in our recitals with history of this legislation and our position on BMR housing; personally support BMR housing and need to encourage more; recent change in HCD guidance says you don't listen to HCD guidance when works to benefit developer which is what staff did; but when works to benefit developer and the law changes you can ignore the HCD guidance that was made midstream so fundamental inconsistencies; put in recitals to let future know what happened and we are a work in progress systemically; very inefficient now and put under guise of delivering more BMR housing/housing and pointing finger at us when in fact tremendous office and jobs but not enough housing; put history and support BMR housing in our recitals but no longer consider the pre-density bonus within the calculation of residential if legislation changes at any time; 3) Planning Chair Kitty Moore had good suggestions; have follow-up's on Section 9 regarding the appeal process and language related to toxic sites; have legal staff examine and determine feasibility of adding those suggestions; good job of identifying some of the process points; would generally adopt the staff recommendations and checklist, and Planning Commission recommendations.

Scharf: Echoed almost everything said by Councilmember Paul, except would be nice if intent of SB 35 and some of the housing bills were to increase amount of BMR housing but not the case as we see with trailer bills; intent is to build more market rate housing with as little BMR as possible and units as small as possible for BMR housing in Cupertino project case; unfortunately, have gut-and-amend and it's how we ended up with SB 592; these trailer bills are almost secretly modifying thing; didn't know about these changes; the only positive is that the hazardous waste thing is not retroactive to this project.



Chao: Having the public oversight meeting 5 days before the deadline is too late; wouldn't say SB 35 was so bad if had good objective standards in our plan and ordinances; this just gives developer a clear guideline to follow; what's wrong with the Vallco project is they submitted a project on the site without a specific plan; so no height limit or plan and that was a problem; so that wasn't real problem with SB 35; in future SB 35 projects we want to help developer give us a good project that's compliant, qualifies, and meets plan; want to let them know early if we disagree with their calculation; Berkeley sent applicant letter after one month with reasons why it didn't qualify; that gave applicant a chance to revise project and resubmit and correct; is good even if it restarts the clock; so have one hearing 1 month after with initial assessment and open discussion and then have a second hearing; of the two oversight hearings, the first would be mainly about qualification under SB 35 and with big parameters but the second would be about other objective standards in our plan so might take more time; can make at least one optional at discretion of staff; concerned about the developer/applicant submitting multiple active proposals and we're expected to respond to each one within the timeline, especially for streamlined project with specific timeline; if submitting a revised proposal then first application will be paused to focus on second one and not have to respond; because project is deemed approved under SB 35 if you don't respond; and multiple submitted versions would be confusing; this to have good governance with due process and to focus on one project at a time; BMR housing projects might need to propose multiple versions on different grant requirement so maybe have that requirement but with exceptions; be sure to have all of the information upfront with streamlined projects for staff to review; require them to provide justification for concessions at time of project proposal so we don't have to request later; ask them to provide all information upfront because don't liberty to go back later with streamline projects; in checklist, be more specific in what "sufficient information" means in determining 2/3 residential; provide upfront exactly what we need to determine the use and size of each area of the building so it's easier for staff to figure out and doesn't require guesswork; hope this is a requirement of all projects and requires project's specify the number of BMR units, size of BMR units, number of bedrooms, and total sq. ft. of all the BMR living space.

Sinks: 1) Appreciates that this is a workable process for planning staff to get their job done expeditiously and not burdensome and helpful in clarifying; planning staff are the professionals that make this happen; first time we went through this was uncharted water and now there is more known; 2) Good that this process won't affect interaction with HCD and the State; last time Council wasn't really involved; would hear reports about what was happening but had no public hearing; it is without Council making the determination but looking at the process and having staff clarify how they reached certain information but without being told by the Council how they must interpret; good that it's an opportunity for public to hear about; we want transparency; appreciative of this effort and generally supportive of it; seems like a great step forward.

Council received the report and gave the following direction to staff regarding the proposed Application and Review Procedures and draft Application Packet for Projects Proposed Pursuant to Senate Bill 35:

1. Staff will review Kitty Moore's proposed changes and advise on them.
2. Staff will also look at the BMR section to make sure it reflects the City's BMR program to the extent it can.
3. Add language that items will not be added to the checklist midstream when an application has been submitted.
4. Add to the recitals language that reflects the history and policy consequences of AB 101. And add some language that if in the future it becomes possible to calculate excluding density bonus additions (per HCD's November 2018 guidance), the City intends to do so.
5. Add sample calculations for how you calculate 2/3 residential use requirement.
6. Clarify that staff has the option to hold the oversight hearing earlier than 5 days before the consistency determination for larger projects if necessary.
7. There shall be at least one oversight hearing, and a second hearing earlier is optional at discretion of staff. If staff is able to do so earlier, they should hold a second hearing 10 days prior to consistency determination (or 45 days after application is submitted if possible) on the 2/3 residential use calculation.
8. The section that says the application "needs sufficient" detail/information to determine the 2/3 residential use determination, try to amend to have more specific language. Clarify what "sufficient" would be.
9. Require applicants to specify the size and number of bedrooms for BMR units (if the draft procedures don't do this already).

Council directed staff to add a future agenda item regarding an open letter to the Governor regarding the process on trailer bills (Chao/Scharf).

#### **REPORTS BY COUNCIL AND STAFF (10 minutes)**

5. Subject: Report on Committee assignments  
Recommended Action: Report on Committee assignments  
Councilmember Paul submitted written comments.

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

## CONSENT CALENDAR

Paul moved and Willey seconded to approve the items on the Consent Calendar as presented with the exception of item numbers 13 and 15 which were pulled for discussion. Ayes: Scharf, Chao, Paul, Sinks, and Willey. Noes: None. Abstain: None. Absent: None.

6. Subject: Approve the July 8 City Council minutes  
Recommended Action: Approve the July 8 City Council minutes
7. Subject: Approve the July 16 City Council minutes  
Recommended Action: Approve the July 16 City Council minutes
8. Subject: Accept Accounts Payable for the period ending May 3, 2019  
Recommended Action: Adopt Resolution No. 19-099 accepting Accounts Payable for the period ending May 3, 2019
9. Subject: Accept Accounts Payable for the period ending May 10, 2019  
Recommended Action: Adopt Resolution No. 19-100 accepting Accounts Payable for the period ending May 10, 2019
10. Subject: Accept Accounts Payable for the period ending May 17, 2019  
Recommended Action: Adopt Resolution No. 19-101 accepting Accounts Payable for the period ending May 17, 2019
11. Subject: Accept Accounts Payable for the period ending May 24, 2019  
Recommended Action: Adopt Resolution No. 19-102 accepting Accounts Payable for the period ending May 24, 2019
12. Subject: Accept Accounts Payable for the period ending May 31, 2019  
Recommended Action: Adopt Resolution No. 19-103 accepting Accounts Payable for the period ending May 31, 2019
13. Subject: Authorization of Resolution declaring interest for the participation by the City of Cupertino in the initial planning for potential future use of the Sunnyvale SMaRT Station  
Recommended Action: Adopt Resolution No. 19-104 Declaring Interest for the Participation by the City of Cupertino in the Initial Planning for Potential Future Use of the Sunnyvale SMaRT Station

Director of Public Works Roger Lee reviewed the staff report and answered questions from Council.

Paul moved and Sinks seconded to approve items 13 and 15 on the Consent Calendar. The motion carried unanimously.

Council adopted Resolution No. 19-104 Declaring Interest for the Participation by the City of Cupertino in the Initial Planning for Potential Future Use of the Sunnyvale SMaRT Station.

14. Subject: Accept offer of dedication and waiver of future reimbursement at 10475 Byrne Avenue related to the Byrne Avenue Sidewalk Improvements Project  
Recommended Action: Adopt Resolution No. 19-105 accepting the offer of dedication at 10475 Byrne Avenue and waiver of future reimbursement from the property owner for the construction of the Byrne Avenue Sidewalk Improvement Project
15. Subject: Authority to increase the construction contingency budget for the McClellan Road Separated Bikeways-Phase 1A Project  
Recommended Action: Authorize an increase in the construction contingency budget from \$182,183 (10% of construction amount) to \$291,493 (16% of construction amount) for the McClellan Road Separated Bikeways-Phase 1A Project

Director of Public Works Roger Lee reviewed the staff report and answered questions from Council.

Paul moved and Sinks seconded to approve items 13 and 15 on the Consent Calendar. The motion carried unanimously.

Council authorized an increase in the construction contingency budget from \$182,183 (10% of construction amount) to \$291,493 (16% of construction amount) for the McClellan Road Separated Bikeways-Phase 1A Project.

## **SECOND READING OF ORDINANCES - None**

## **PUBLIC HEARINGS**

16. Subject: Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of

Cupertino; Location: citywide was continued to a date to be determined. This item will be re-noticed.

Recommended Action: Under Postponements, Municipal Code Amendments to the Cupertino Municipal Code to clarify City standards for size of Accessory Dwelling Units (Chapter 19.112 -Accessory Dwelling Units), for clarifications, and consistency. Application No(s): MCA-2018-04; Applicant(s): City of Cupertino; Location: citywide was continued to a date to be determined. This item will be re-noticed.

Under Postponements, this item was continued to a date to be determined and will be re-noticed.

## **ORDINANCES AND ACTION ITEMS**

17. Subject: Hearing to approve lien assessment and collection of fees on private parcels resulting from abatement of public nuisance (weeds and/or brush) for the annual Weed and Brush Abatement Programs.

Recommended Action: Conduct a hearing to consider objections from any property owners listed on the assessment report; and adopt Resolution No. 19-106 approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs to allow the County to recover the cost of abatement.

Deputy City Clerk Kirsten Squarcia reviewed the staff report.

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

Nageshwara Vempaty (11841 Upland Way)  
Lance Chang (20592 and 20616 McClellan Road)  
Sherwin de la Cruz (Cupertino resident)

Santa Clara County Weed Abatement Program Manager Moe Kumre and staff answered questions from Council.

Council recessed from 10:43 p.m. to 10:51 p.m.

Mayor Scharf closed the public hearing.

Paul moved and Sinks seconded to adopt Resolution No. 19-106 approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs to allow the County to recover the cost of abatement with the

exception of the property at 11841 Upland Way which was removed from the list until next year. The motion carried unanimously.

18. Subject: Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.  
Recommended Action: Approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program.

Mayor Scharf opened public comment and the following individuals spoke:

Jean Beadord  
Jennifer Griffin  
Lisa Warren

Mayor Scharf closed public comment.

Assistant to the City Manager Katy Nomura reviewed the staff report.

Paul moved and Sinks seconded to approve City-hosted Town Hall events and add Town Halls to the FY 2019-20 City Work Program. The motion carried unanimously.

19. Subject: Designate a voting delegate and up to two alternates in order to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach.  
Recommended Action: Designate a voting delegate and up to two alternates in order to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach.

Mayor Scharf reviewed the staff report.

Scharf moved and Sinks seconded to designate Mayor Scharf as the voting delegate and Chao and Paul as the alternates to vote at the Annual Business Meeting (General Assembly) during the League of California Cities Annual Conference, October 16 - 18 in Long Beach. The motion carried unanimously.

20. Subject: Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

Recommended Action: Cancel the Tuesday, October 15, 2019 Regular City Council Meeting and call for a Special Meeting on Monday, October 14, 2019 instead, in order to accommodate those Councilmembers attending the League of California Cities Annual Conference in Long Beach, CA.

Mayor Scharf reviewed the staff report.

Council took no action on this item.

**ORAL COMMUNICATIONS - CONTINUED (As necessary) - None**

**COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS**

Councilmember Paul submitted written comments.

Added a future agenda item to consider expanding the scope of the Environmental Review Committee (ERC) (Paul/Chao)

Added a study session to consider the Plan Bay Area 2050 regional growth forecast methodology, prior to the September 19 methodology comment period deadline (Chao/Scharf).

Added a future agenda item to discuss drafting a comment letter supporting the County Grand Jury's report on Valley Transportation Authority (VTA) management, before the comment deadline (Sinks/Scharf).

**ADJOURNMENT**

At 11:41 p.m., Mayor Scharf adjourned the meeting in memory of the gun violence victims in Gilroy, El Paso, and Dayton.

---

Kirsten Squarcia, Deputy City Clerk