



**DRAFT MINUTES  
CUPERTINO CITY COUNCIL  
Monday, February 24, 2020**

**SPECIAL CITY COUNCIL MEETING**

At 5:31 p.m. Mayor Steven Scharf called the Special 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 Darcy Paul, and Councilmembers Liang Chao, Rod Sinks, and Jon Robert Willey. Absent: None

**ORAL COMMUNICATIONS**

Jennifer Griffin talked about legislation for Accessory Dwelling Units (ADU's) bills, triplexes in Cupertino, and requiring ADU owners to pay more for parcel tax and bond measures.

Lisa Warren talked about the ADU Ordinance, noticing adjacent neighbors and allowing them to respond at the beginning of the timeline, and asked Council to revisit prior to the second reading.

Mahesh Pakala (Cupertino resident), on behalf of the Cupertino Bhubaneshwar Sister City, gave a presentation on a Bhubaneshwar healing garden and other healing parks, using medicinal plants, and potential project timelines.

Reena Patnaiik, on behalf of the Cupertino Bhubaneshwar Sister City, gave her time to Mahesh Pakala.

Brandon Pan, (Cupertino resident), on behalf of Youth Climate Action Team, talked about implementing a Green Monday policy and using carbon negative building materials, and adding climate changes policies to the work plan.

Mansi Navalgundkar talked about sustainability and climate change, taking steps towards accountability, and adding these measures in the corporate space.

**STUDY SESSION**

1. Subject: Review Proposed FY 2020-21 City Work Program and provide input.\_  
Recommended Action: Review Proposed FY 2020-21 City Work Program and provide input.

Written communications for this item included emails to Council, a presentation, and the Proposed FY 2020-21 City Work Program: Parks and Recreation, Proposed FY 2020-21 City Work Program: Public Works, Proposed FY 2020-21 City Work Program: Innovation Technology, and Proposed FY 2020-21 City Work Program: Community Development.

City Manager Deborah Feng reviewed the process and gave a presentation.

Councilmembers made comments and asked questions.

Mayor Scharf opened public comment and the following individuals spoke:

Jennifer Griffin said to protect Heart of the City and retail, local control belongs under Quality of Life, and housing bills have impacted residents.

Jennifer Shearin (Cupertino resident, representing self), talked about Transportation #5, existing cameras and traffic studies, and using the limited funds towards better transportation use.

Karen Chang (Cupertino resident), talked about keeping small cell sites away from neighborhoods and schools, the need for safety studies on 4G and 5G technology, legislation to restore local control, and Palo Alto's rules on cell towers.

Henry Chang (Cupertino resident) gave his time to Karen Chang.

Nori (Cupertino resident) talked about small cell 5G Smart City & 5G technology, health and privacy concerns, proposed legislation for local control, and regulations and restrictions.

Jean Bedord (Cupertino resident), talked about a letter from Cupertino For All on housing needs, no new housing in Cupertino's 2019 developments, and addressing zoning for multifamily housing in the work plan.

Connie Cunningham (Cupertino resident, representing self), talked about a letter from Cupertino For All on housing needs, Cupertino's BMR numbers, building houses for people who live/work in Cupertino, and multifamily housing.

Janet Van Zoeren (Cupertino resident), on behalf Cupertino Housing Choices Task Force, said she supports Housing #8 and #9, and requested all-inclusive housing and an inclusionary ordinance.

Neil Park-McClintick (Cupertino resident), talked about outreach for students, Cupertino's state housing target numbers which are only 28% overall met, getting ahead of curve now, and the need for upzoning and rezoning.

Seema Lindskog (Cupertino resident), talked about Transportation #5 and being thoughtful where data is being collected, Regnart Creek is already settled, and asked about the data uses and efforts for many IOT sensor projects.

Liana Crabtree (Cupertino resident, representing self), talked about Public Engagement #7 and meeting room space at De Anza, Transportation #1 and public transit to Monta Vista/Kennedy, #3 Bollinger Rd. study (supports), and outlining the Library Commission Poet Laureate role in the municipal code.

Mayor Scharf closed public comment.

Council provided the following input for the FY 2019-20 City Work Program.

- Split out "Modernize Business Tax and Analyze Potential Revenue Sources" into its own item (Chao/Scharf/Paul) and consider sale tax limits (Chao/Scharf/Sinks)
- Expand "Sustainability" to include financial sustainability and separate items between fiscal and environmental sustainability (Consensus)
- Keep Objective Standards as a multiyear project (Chao/Scharf/Paul)
- Keep Developer Accountability but focus on capping entitlements to 3-5 years (Scharf/Chao/Paul)
- Keep Heart of the City but can focus on retail space and clarify the standards. Remove an item in exchange and/or change to small or medium size (Chao/Willey/Scharf)
- Review current General Plan Amendment (GPA) Gateway process and look at keeping on FY 2020-21 (Paul/Scharf/Chao)

Council reviewed the proposed FY 2020-21 City Work Program and provided the following input.

#### Public Engagement and Transparency

##### 6. Small Business Development Center (SBDC) and Cupertino's Visitor Center

- Explore shared/open space for Small Business Development Center (SBDC) life City conference rooms (Scharf/Chao/Sinks)

Additional Council comments for Public Engagement and Transparency included:

1. New City Seal/Logo
  - Run through the FAC first (Paul/Willey)
  - Poll Paul to keep or remove (Sinks/Scharf - support) (Chao/Willey-oppose).
6. Small Business Development Center (SBDC) and Cupertino's Visitor Center
  - Remove Cupertino Visitor Center (Scharf/Chao)

Councilmember Paul left the meeting at 7:45 p.m.

Council recessed from 7:45 p.m. to 7:53 p.m.

#### Transportation

- Include efforts to work with adjacent cities to expand shuttle network (Sinks/Chao/Scharf)

#### Improving Traffic Flow and Reducing Traffic Congestion

- Add a two-step process for a traffic congestion map of hot areas in the City and proposed solutions to those areas (Willey/Scharf/Chao)

#### Housing

##### 1. Housing Program for De Anza College Students

- Partner with De Anza working with the City on transit (Sinks/Chao/Willey)

##### 2. Lack of Hygiene and 5. Plan out capital costs for future buildings...

- Combine and retitle to make it clearer (Scharf, Chao, Sinks)

##### 7. Study Session for... the next RHNA cycle

- Expand to include evaluating sites for potential up-zoning and jobs-housing ratio and statistics (Sinks/Scharf/Chao/Willey)

Additional Council comments for Housing included:

- Have City Attorney evaluate impacts of rezoning for next RHNA cycle (Scharf/Chao)
  - Look at job/housing statistics (Chao)
  - Revise description to reflect proactiveness of obtaining City's own numbers for job and housing analysis (Chao)
- ##### 9. Engage with Philanthropic Organizations to...
- Replace ELI with "moderate-income and ELI" and remove "at 1031 Byrne Avenue" (Scharf/Chao)

Sustainability

- Remove 3. Create Sustainable Procurement Program and City Manager will manage operationally (Chao/Sinks/Scharf)

Additional Council comments for Sustainability included:

- Reorder and rename items as discussed (Sinks/Scharf)
- Clarify 6. Pilot - Trash Collection Based on Volume (Scharf/Chao)

Quality of LifeAir Quality and Noise

- Keep 1. Reducing Secondhand Smoke Exposure but consider removing if no capacity (Chao/Scharf/Sinks)
- Keep 3. Study Session...on banning gas powered leaf blowers but as a lower priority (Chao/Sinks/Willey)
- Remove 8. Teen Center Advocacy and Awareness because it's operational (Chao/Sinks/Scharf)
- Remove 9. Teen Workshops because it's operational (Chao/Sinks/Scharf)
- Remove 10. Host Library Commissions Coffee Talk because it's operational (Sinks/Scharf/Willey)
- Remove 20, 21, and 22 because they are operational (Sinks/Scharf/Willey)

Public Engagement and Transparency

- Add Open Town Hall item back and investigate moderating forums like Nextdoor (Consensus).
- Remove 3. New Sister City Relationship (Chao/Sinks/Scharf)

Items that were added as independent items to the Community Development Work Program:

Quality of Life

- 12. Added a Study Session on Regulating Diversified Retail Use (Chao/Willey/Scharf)

Housing

- 4. Use pre-approved plans from specific vendors to streamline Accessory Dwelling Units (ADUs) like the City of San Jose (Chao/Sinks/Willey)

Further Council comments included:

- Look into a form to provide justification of the Waiver for Concessions (Chao)
  - Consider notification methods beyond current municipal code requirements for specific projects (Chao/Scharf)
  - Add Study Session on retail ordinance on regulating retail mixes for next calendar year (Chao/Willey)
  - Memorialize Library Commission administration of Poet Laureate selection process (Chao)
-

- Track operational items not listed in the work program and important topics such as infrastructure and updating the municipal code (Chao/Willey)
- Keep Developer Accountability and Heart of the City under Community Development (Chao)
- Add a Study Session on Vallco Specific Plan (Chao)
- Look at specifying exact locations for traffic pilot programs (Chao)
- Favors a different type of Quality of Life 13. Small Business...to provide the City's existing venue and channel of communications for small businesses (Chao)
- Apply for grants on behalf of small businesses or a subscription program at a reduced cost from the Chamber of Commerce (Chao)

City Manager Feng noted that the Council Capital Improvement Projects (CIP) Study Sessions scheduled on March 9 and March 30 would be rescheduled.

Councilmember Sinks left the meeting at 9:35 p.m.

## **ADJOURNMENT**

At 9:38 p.m., Mayor Scharf adjourned the meeting.

---

Kirsten Squarcia, City Clerk