



**APPROVED MINUTES
CUPERTINO CITY COUNCIL
Thursday, June 9, 2022**

SPECIAL MEETING - CONTINUED FROM JUNE 7, 2022

At 8:00 p.m., Mayor Darcy Paul called the Special City Council Meeting to order via teleconference.

ROLL CALL

Present: Mayor Darcy Paul, Vice Mayor Liang Chao, and Councilmembers Kitty Moore, Hung Wei, and Jon Robert Willey. Absent: None. All Councilmembers attended via teleconference.

Moore moved and Wei seconded to reorder the agenda to hear Item 39 after Study Session Item 1. The motion carried unanimously.

STUDY SESSION – CONTINUED FROM SPECIAL MEETING ON JUNE 7, 2022

Council continued the hearing, consideration, deliberation, and decisions for Item 1 (Study Session) on the Tuesday, June 7, 2022 City Council Special Meeting agenda. The public comment period remained closed.

1. Subject: Recommendation from the Parks and Recreation Commission to approve funds in the amount of \$96,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program and approval of final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023 (Continued from May 19, 2022)

Recommended Action: Consider the recommendation from the Parks and Recreation Commission to approve funds in the amount of \$96,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program. Determine and approve final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023; and provide direction to staff

Presenter: Rachelle Sander, Assistant Director of Parks and Recreation

Written Communications for this item included a Community Funding Memo to Council, updated Attachments A - Washington Non-Profit List, B - Community Funding Policy, C - Commission Totals Form, D - Five years payments to applicable organizations, E - Proposed FY 2022-2023 Festival Costs, F - Community Funding Historical Funding FY 2018 to 2022, G - Community Funding Agreement, and an email to Council.

At 8:34 p.m., Councilmember Wei recused herself from this item.

Moore moved and Chao seconded to approve the recommended action with the amendment to remove Fremont Union High Schools Foundation, Cupertino Union School District, and West Valley Community Services; and add youngzine.

Moore amended the motion to approve the recommended action with the amendment to remove Fremont Union High Schools Foundation, and Cupertino Union School District, and West Valley Community Services; and add youngzine Chinese American Coalition for Compassionate Care. (Chao accepted the amended motion).

Moore modified the motion to approve funds in the amount of ~~\$96,460.46~~\$69,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program; and approve final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023; and add: \$10,000 for West Valley Community Services, \$20,000 for Women SV, \$6,160.46 for Senior Services – Heart of the Valley, ~~\$20,000 for Fremont Union High Schools Foundation~~, \$6,000 for American Cancer Society – Relay for Life, \$2,000 for Omniware Networks, \$8,300 for Buddhist Tzu Chi Medical Foundation, \$4,000 for Breathe California of the Bay Area, ~~\$20,000 for Cupertino Union School District~~, and \$13,000 for Chinese American Coalition For Compassionate Care. (Chao accepted the modified motion).

Wiley made a substitute motion to approve the recommendation action. There was no second and the substitute motion was not considered.

Final motion:

Moore moved and Chao seconded a modified motion to approve funds in the amount of \$69,460.46 for the Fiscal Year 2022-2023 Community Funding Grant Program; and approve final funding amounts for the Community Funding Program, to be included in the Recommended Budget for Fiscal Year 2022-2023; and add: \$10,000 for West Valley Community Services, \$20,000 for Women SV, \$6,160.46 for Senior Services – Heart of the Valley, \$6,000 for American Cancer Society – Relay for Life, \$2,000 for Omniware Networks, \$8,300 for Buddhist Tzu Chi Medical Foundation, \$4,000 for Breathe California of the Bay Area, and \$13,000 for Chinese American Coalition For Compassionate Care. The modified motion carried unanimously (Wei recused).

PUBLIC HEARINGS - REORDERED

As noted after Roll Call, Council heard Item 39 after Study Session Item 1.

- 39.** Subject: Consider approval to renew (with no increase) the 1992 Storm Drain Fee and the 2019 Clean Water and Storm Protection Fee
Recommended Action: Consider adoption and approval of:
1. Resolution No. 22-068 (Attachment A) approving the renewal and collection of the 1992 Storm Drain Fee with no increases in rates for fiscal year 2022-23;
 2. Resolution No. 22-069 (Attachment B) approving the renewal and collection of the 2019 Clean Water and Storm Protection Fee with no increase in rates for fiscal year 2022-23
- Presenter: Ursula Syrova, Environmental Programs Manager

Written Communications for this item included a staff presentation.

Environmental Programs Manager Ursula Syrova gave a presentation.

Mayor Paul opened the public comment period and, seeing no one, Mayor Paul closed the public comment period.

Councilmembers asked questions and made comments.

Paul moved and Moore seconded to adopt:

1. Resolution No. 22-068 approving the renewal and collection of the 1992 Storm Drain Fee with no increases in rates for fiscal year 2022-23;
2. Resolution No. 22-069 approving the renewal and collection of the 2019 Clean Water and Storm Protection Fee with no increase in rates for fiscal year 2022-23

The motion carried unanimously.

Council recessed from 9:34 p.m. to 9:38 p.m.

CONSENT CALENDAR

- 14.** Subject: Final Priority Ranking of Adopted FY 2022-2023 City Work Program
Recommended Action: Receive Final Priority Ranking of Adopted FY 2022-2023 City Work Program

Written Communications for this item included and email to Council and updated Attachment A - Final Priority Ranking of Adopted FY 2022-2023 City Work Program with Council names added.

Senior Management Analyst Astrid Robles reviewed the item.

Mayor Paul opened the public comment period and the following people spoke.

Josh Selo, on behalf of West Valley Community Services, supported another year of funding for the Homeless Jobs Program.

Mayor Paul closed the public comment period.

Council received the Final Priority Ranking of Adopted FY 2022-2023 City Work Program.

PUBLIC HEARINGS

38. Subject: Public hearing to consider the Capital Improvement Program (CIP); Consider supplemental information for the Capital Improvements Program; Consider the Recommended Budget for Fiscal Year (FY) 2022-23, adoption of the Budget for FY 2022-23, establishment of the Appropriation Limit, and related actions
- Recommended Action: 1. Adopt Resolution No. 22-064 establishing an Operating Budget of \$126,027,164 for FY 2022-23, which includes the following changes to the FY 2022-23 Proposed Budget, published on May 1, 2022:
- a. Approve the operating budget of \$125,461,857 outlined in the FY 2022-23 Proposed Budget
 - b. Approve the 12 position requests outlined in the FY 2022-23 Proposed Budget. The positions include:
 - i. Administrative Assistant in Administration
 - ii. Associate Planner in Community Development
 - iii. Budget Manager in Administrative Services
 - iv. Code Enforcement Officer in Community Development
 - v. Communications Analyst (Three-Year Limited-Term) in Administration
 - vi. Community Outreach Specialist in Community Development
 - vii. Maintenance Worker Lead in Public Works
 - viii. Management Analyst in Public Works
 - ix. Office Assistant in Community Development
 - x. Purchasing Manager in Administrative Services
 - xi. Senior Planner (Housing) in Community Development
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- xii. Senior Planner (Planning) in Community Development
 - c. Approve an Assistant City Manager position in Administration and appropriations of \$386,988 as included in Attachment E
 - d. Approve a Legislative Aide (Management Analyst) position in Administration and appropriations of \$183,365 as included in Attachment E
 - e. Approve a \$180,000 reduction in appropriations for the Economic Development Fuse Fellow as included in Attachment E
 - f. Approve a \$669,046 reduction in appropriations for Fixed Assets acquisition as included in Attachment E
 - g. Approve \$348,427 of additional SB 1 revenue as included in Attachment E.
 - h. Approve appropriations of \$736,500 for City Work Program items as included in Attachment E. The items include:
 - i. \$50,000 for Analyze Potential Revenue Measures
 - ii. \$10,000 for Artwork at the Library/Exhibits/Poetry and Art Day
 - iii. \$50,000 for Bicycle Facilities
 - iv. \$12,000 for Community Engagement on Alternative Transportation and Parking
 - v. \$145,000 for Cupertino Store Implementation
 - vi. \$7,500 for Cybersecurity Public Education
 - vii. \$50,000 for Electrification Study
 - viii. \$200,000 for Homeless Jobs Program
 - ix. \$25,000 for Housing for De Anza College Students
 - x. \$15,000 for Hybrid Meeting for City Council and Commission Meetings
 - xi. \$30,000 for Integrated Plan for Community Engagement
 - xii. \$20,000 for Intergenerational Engagement
 - xiii. \$60,000 for License Plate Readers
 - xiv. \$12,000 for Safe Gun Storage Ordinance
 - xv. \$35,000 for Senior Strategy
 - xvi. \$15,000 for Student Internship Program
 - i. Approve \$107,500 of transfers out from the General Fund to fund City Work Program projects
 - j. Approve budget adjustments as presented in Attachment E
 - 2. Adopt Resolution No. 22-065 establishing a Capital Improvement Program budget of \$12,617,200 for FY 2022-23
 - a. Approve appropriations of \$500,000 in the Capital Improvement Program Capital Projects Fund for the Blackberry Farms Pools Splash Pad project
 - b. Approve appropriations of \$4,000,000 in the Capital Improvement Program Capital Projects Fund for the City Hall and Library Parking Garage: Design and Construction project
 - c. Approve appropriations of \$1,300,000 in the Capital Improvement Program Capital Projects Fund for the City Lighting - LED Lighting project
 - d. Approve appropriations of \$525,000 in the Capital Improvement Program Capital
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Projects Fund for the De Anza Boulevard Buffered Bike Lanes project

e. Approve appropriations of \$850,000 in the Capital Improvement Program Capital Projects Fund for the Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities project

f. Approve appropriations of \$90,000 in the Capital Improvement Program Capital Projects Fund for the Stocklmeir, Bryne and Blesch: Inspection Reports and Analysis project

g. Approve appropriations of \$95,000 in the Capital Improvement Program Capital Projects Fund for the ADA Improvements project

h. Approve appropriations of \$300,000 in the Capital Improvement Program Capital Projects Fund for the Annual Playground Replacement project

i. Approve appropriations of \$200,000 in the Capital Improvement Program Capital Projects Fund for the Park Amenity Improvements project

j. Approve appropriations of \$75,000 in the Capital Improvement Program Capital Projects Fund for the Street Light Installation - Annual Infill project

k. Approve \$4,308,600 of transfers out from the Capital Reserve to fund the Capital Improvement Program budget in FY 2022-23

l. Approve appropriations of \$23,600 in the Blackberry Farm Enterprise Fund for the Blackberry Farm Golf Renovation / Alternative Use Study project

m. Approve appropriations of \$350,000 in the Recreation Program Enterprise Fund for the Major Recreation Facilities: Use and Market Analysis project

3. Adopt Resolution No. 22-066 establishing an Appropriations Limit of \$122,756,522 for FY 2022-23

4. Adopt Resolution No. 22-067 amending the Unrepresented Employees' Compensation Program to add a Budget Manager and Purchasing Manager

Presenter: Kristina Alfaro, Director of Administrative Services

Written Communications for this item included a staff presentation, updated Staff Report, updated Attachments A - Draft Resolution - Operating Budget for Fiscal Year 2022-23, B - Draft Resolution - Capital Budget for Fiscal Year 2022-23, C - Draft Resolution - Appropriation Limit for Fiscal Year 2022-23, D - Budget Adjustments Summary and Detail, H - Draft Resolution Amending Unrepresented Employees' Compensation Program, I - Unrepresented Comp - Revised - Clean Draft - Adding Budget and Purchasing Mgr, J - Unrepresented Comp - Revised - Redline Draft - Adding Budget and Purchasing Mgr, L - Planning Commission Adopted Resolution; and emails to Council.

Acting Finance Manager Thomas Leung gave a presentation.

Director of Public Works Matt Morley reviewed the list of proposed CIP projects.

Mayor Paul opened the public comment period and the following people spoke.

Jean Bedord supported adopting an operational budget and removing the newly added Assistant City Manager and Legislative Aide positions from the budget.

Mayor Paul closed the public comment period.

Councilmembers asked questions and made comments.

Chao moved and Willey seconded to:

1. Adopt Resolution No. 22-064 establishing an Operating Budget of ~~\$127,105,125~~~~127,123,625~~ for FY 2022-23, which includes the following changes to the FY 2022-23 Proposed Budget, published on May 1, 2022:

- a. Approve the operating budget of \$125,461,857 outlined in the FY 2022-23 Proposed Budget
- b. Approve the 12 position requests outlined in the FY 2022-23 Proposed Budget. The positions include:
 - i. Administrative Assistant in Administration
 - ii. Associate Planner in Community Development
 - iii. Budget Manager in Administrative Services
 - iv. Code Enforcement Officer in Community Development
 - v. Communications Analyst (Three-Year Limited-Term) in Administration
 - vi. Community Outreach Specialist in Parks and Recreation
 - vii. Maintenance Worker Lead in Public Works
 - viii. Management Analyst in Public Works
 - ix. Office Assistant in Community Development
 - x. Purchasing Manager in Administrative Services
 - xi. Senior Planner (Housing) in Community Development
 - xii. Senior Planner (Planning) in Community Development
- c. Approve an Assistant City Manager position in Administration and appropriations of \$386,988 as included in Attachment D
- d. Approve a Legislative Aide (Management Analyst) position in Administration and appropriations of \$183,365 as included in Attachment D
- e. Approve a \$180,000 reduction in appropriations for the Economic Development Fuse Fellow as included in Attachment D
- f. Approve a \$669,046 reduction in appropriations for Fixed Assets acquisition as included in Attachment D
- g. Approve \$348,427 of additional SB 1 revenue as included in Attachment D.
- h. Approve appropriations of \$736,500 for City Work Program items as included in Attachment D. The items include:
 - i. \$50,000 for Analyze Potential Revenue Measures

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- ii. \$10,000 for Artwork at the Library/Exhibits/Poetry and Art Day
 - iii. \$50,000 for Bicycle Facilities
 - iv. \$12,000 for Community Engagement on Alternative Transportation and Parking
 - v. \$145,000 for Cupertino Store Implementation
 - vi. \$7,500 for Cybersecurity Public Education
 - vii. \$50,000 for Electrification Study
 - viii. \$200,000 for Homeless Jobs Program
 - ix. \$25,000 for Housing for De Anza College Students
 - x. \$15,000 for Hybrid Meeting for City Council and Commission Meetings
 - xi. \$30,000 for Integrated Plan for Community Engagement
 - xii. \$20,000 for Intergenerational Engagement
 - xiii. \$60,000 for License Plate Readers
 - xiv. \$12,000 for Safe Gun Storage Ordinance
 - xv. \$35,000 for Senior Strategy
 - xvi. \$15,000 for Student Internship Program
 - i. Approve \$107,500 of transfers out from the General Fund to fund City Work Program projects
 - j. Approve appropriations of ~~\$69,461~~^{96,461} for Community Funding Grant Program requests as included in Attachment D. The requests include:
 - i. \$10,000 for West Valley Community Services
 - ii. \$20,000 for Women SV
 - iii. \$6,161 for Senior Services – Heart of the Valley
 - iv. ~~\$20,000 for Fremont Union High Schools Foundation~~
 - iv. \$6,000 for American Cancer Society – Relay for Life
 - v. \$2,000 for Omniware Networks
 - vi. \$8,300 for Buddhist Tzu Chi Medical Foundation
 - vii. \$4,000 for Breathe California of the Bay Area
 - ix. ~~\$20,000 for Cupertino Union School District~~
 - viii. \$13,000 for Chinese American Coalition For Compassionate Care
 - k. Approve appropriations of \$1,000,000 for a California Governor's Office of Emergency Services ("Cal OES") grant to help initiate the Business Continuity Resilience Program as included in Attachment D
 - l. Approve appropriations of \$8,500 for the Volunteer Fair
 - m. Approve budget adjustments as presented in Attachment D
2. Adopt Resolution No. 22-065 establishing a Capital Improvement Program budget of \$3,482,200 for FY 2022-23
- a. Approve appropriations of \$1,300,000 in the Capital Improvement Program Capital Projects Fund for the City Lighting - LED Lighting project
 - b. Approve appropriations of \$525,000 in the Capital Improvement Program Capital Projects Fund for the De Anza Boulevard Bike Lanes project
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- c. Approve appropriations of \$850,000 in the Capital Improvement Program Capital Projects Fund for the Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities project
 - d. Approve appropriations of \$90,000 in the Capital Improvement Program Capital Projects Fund for the Stocklmeir, Byrne and Blesch: Inspection Reports and Analysis project
 - e. Approve appropriations of \$95,000 in the Capital Improvement Program Capital Projects Fund for the ADA Improvements project
 - f. Approve appropriations of \$300,000 in the Capital Improvement Program Capital Projects Fund for the Annual Playground Replacement project
 - g. Approve appropriations of \$200,000 in the Capital Improvement Program Capital Projects Fund for the Park Amenity Improvements project
 - h. Approve appropriations of \$75,000 in the Capital Improvement Program Capital Projects Fund for the Street Light Installation - Annual Infill project
 - i. Approve \$23,600 of transfers out from the Capital Improvement Program Capital Projects Fund to fund the Capital Improvement Program budget in FY 2022-23
 - j. Approve appropriations of \$23,600 in the Blackberry Farm Enterprise Fund for the Blackberry Farm Golf Renovation / Alternative Use Study project
3. Adopt Resolution No. 22-066 establishing an Appropriation Limit of \$122,756,522 for FY 2022-23
 4. Adopt Resolution No. 22-067 amending the Unrepresented Employees' Compensation Program to add a Budget Manager and Purchasing Manager

Paul made a friendly amendment to add \$8,500 for the Volunteer Fair, to be allocated to the appropriate budget. (Chao and Willey accepted the friendly amendment).

The amended motion carried with Moore voting no.

Final Motion:

Chao moved and Willey seconded to:

2. Adopt Resolution No. 22-064 establishing an Operating Budget of \$127,105,125 for FY 2022-23, which includes the following changes to the FY 2022-23 Proposed Budget, published on May 1, 2022:
 - b. Approve the operating budget of \$125,461,857 outlined in the FY 2022-23 Proposed Budget
 - c. Approve the 12 position requests outlined in the FY 2022-23 Proposed Budget. The positions include:
 - ii. Administrative Assistant in Administration
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- iv. Budget Manager in Administrative Services
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 - xii. Senior Planner (Housing) in Community Development
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 - d. Approve an Assistant City Manager position in Administration and appropriations of \$386,988 as included in Attachment D
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 - vi. \$145,000 for Cupertino Store Implementation
 - vii. \$7,500 for Cybersecurity Public Education
 - viii. \$50,000 for Electrification Study
 - ix. \$200,000 for Homeless Jobs Program
 - x. \$25,000 for Housing for De Anza College Students
 - xi. \$15,000 for Hybrid Meeting for City Council and Commission Meetings
 - xii. \$30,000 for Integrated Plan for Community Engagement
 - xiii. \$20,000 for Intergenerational Engagement
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 - xv. \$12,000 for Safe Gun Storage Ordinance
 - xvi. \$35,000 for Senior Strategy
 - xvii. \$15,000 for Student Internship Program
 - j. Approve \$107,500 of transfers out from the General Fund to fund City Work Program projects
 - k. Approve appropriations of \$69,461 for Community Funding Grant Program requests as included in Attachment D. The requests include:
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- ii.\$10,000 for West Valley Community Services
 - iii.\$20,000 for Women SV
 - iv.\$6,161 for Senior Services – Heart of the Valley
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 - vi.\$2,000 for Omniware Networks
 - vii.\$8,300 for Buddhist Tzu Chi Medical Foundation
 - viii.\$4,000 for Breathe California of the Bay Area
 - ix.\$13,000 for Chinese American Coalition For Compassionate Care
 - l. Approve appropriations of \$1,000,000 for a California Governor's Office of Emergency Services ("Cal OES") grant to help initiate the Business Continuity Resilience Program as included in Attachment D
 - m. Approve appropriations of \$8,500 for the Volunteer Fair
 - n. Approve budget adjustments as presented in Attachment D
3. Adopt Resolution No. 22-065 establishing a Capital Improvement Program budget of \$3,482,200 for FY 2022-23
- b. Approve appropriations of \$1,300,000 in the Capital Improvement Program Capital Projects Fund for the City Lighting - LED Lighting project
 - c. Approve appropriations of \$525,000 in the Capital Improvement Program Capital Projects Fund for the De Anza Boulevard Bike Lanes project
 - d. Approve appropriations of \$850,000 in the Capital Improvement Program Capital Projects Fund for the Jollyman All-Inclusive Play Area: Adult-Assistive Bathroom Facilities project
 - e. Approve appropriations of \$90,000 in the Capital Improvement Program Capital Projects Fund for the Stocklmeir, Byrne and Blesch: Inspection Reports and Analysis project
 - f. Approve appropriations of \$95,000 in the Capital Improvement Program Capital Projects Fund for the ADA Improvements project
 - g. Approve appropriations of \$300,000 in the Capital Improvement Program Capital Projects Fund for the Annual Playground Replacement project
 - h. Approve appropriations of \$200,000 in the Capital Improvement Program Capital Projects Fund for the Park Amenity Improvements project
 - i. Approve appropriations of \$75,000 in the Capital Improvement Program Capital Projects Fund for the Street Light Installation - Annual Infill project
 - j. Approve \$23,600 of transfers out from the Capital Improvement Program Capital Projects Fund to fund the Capital Improvement Program budget in FY 2022-23
 - k. Approve appropriations of \$23,600 in the Blackberry Farm Enterprise Fund for the Blackberry Farm Golf Renovation / Alternative Use Study project
4. Adopt Resolution No. 22-066 establishing an Appropriation Limit of \$122,756,522 for FY 2022-23
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5. Adopt Resolution No. 22-067 amending the Unrepresented Employees' Compensation Program to add a Budget Manager and Purchasing Manager
The amended motion carried with Moore voting no.

ORDINANCES AND ACTION ITEMS – None

ORAL COMMUNICATIONS - CONTINUED (As necessary) – None

COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS

Council requested that discussion of lot splits for residentially zoned parcels be added to the agenda for a future City Council meeting (Chao and Willey)

ADJOURNMENT

At 11:39 p.m., Mayor Paul adjourned the Special City Council Meeting.



Kirsten Squarcia City Clerk