



**APPROVED MINUTES  
CUPERTINO CITY COUNCIL  
Wednesday, January 22, 2025**

**SPECIAL MEETING**

At 5:01 p.m., Mayor Liang Chao called the Special City Council Meeting to order in the City Hall Conference Room C, 10300 Torre Avenue.

**ROLL CALL**

Present: Mayor Liang Chao, Vice Mayor Kitty Moore, and Councilmembers J.R. Fruen and Sheila Mohan. Absent: Councilmember Ray Wang.

**CLOSED SESSION**

In open session prior to closed session, Mayor Chao opened the public comment period regarding the items on the agenda. No members of the public requested to speak and Mayor Chao closed the public comment period.

1. Subject: Conference with security personnel - critical infrastructure information relating to cybersecurity pursuant to Government Code § 54957(a)

Council conducted the conference with security personnel - critical infrastructure information relating to cybersecurity.

At 5:43 p.m., Mayor Chao recessed the Special City Council Meeting.

**OPEN SESSION**

At 6:45 p.m., Mayor Liang Chao reconvened the Special City Council Meeting and led the Pledge of Allegiance in the Cupertino Community Hall Council Chamber, 10350 Torre Avenue and via teleconference.

**ROLL CALL**

Present: Mayor Liang Chao, Vice Mayor Kitty Moore, and Councilmembers J.R. Fruen and

Sheila Mohan. Absent: Councilmember Ray Wang.

## CLOSED SESSION REPORT

City Attorney Chris Jensen conducted the closed session report. City Attorney Jensen reported that there was nothing to report.

## CEREMONIAL ITEMS

- Subject: Proclamation to Taiwanese Cultural and Sports Association (TCSA) recognizing the 15th Annual Kids Fun Festival scheduled for 2025 in Cupertino  
Recommended Action: Present proclamation to Taiwanese Cultural and Sports Association (TCSA) recognizing the 15th Annual Kids Fun Festival scheduled for 2025 in Cupertino

Written communications for this item included a presentation.

TCSA President Hungta Lin gave a presentation and TCSA Founder Anita Hong received the proclamation.

Mayor Chao presented the proclamation to Taiwanese Cultural and Sports Association (TCSA) recognizing the 15th Annual Kids Fun Festival scheduled for 2025 in Cupertino.

- Subject: Proclamation to Shin Shin Educational Foundation recognizing January 19, 2025 as Shin Shin Educational Foundation Day  
Recommended Action: Present proclamation to Shin Shin Educational Foundation recognizing January 19, 2025 as Shin Shin Educational Foundation Day

Written communications for this item included a presentation.

Shin Shin Chairperson Steve Ting gave a presentation and Shin Shin volunteer Chin Lin received the proclamation.

Mayor Chao presented the proclamation to Shin Shin Educational Foundation recognizing January 19, 2025 as Shin Shin Educational Foundation Day.

## POSTPONEMENTS AND ORDERS OF THE DAY

- Subject: Budget Study Session for use of one-time funds in the Committed Future Use reserve (November 19, 2024 City Council action)

MOTION: Fruen moved and Moore seconded to reorder the agenda to continue Budget

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Study Session for use of one-time funds in the Committed Future Use reserve to a date uncertain. The motion carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

MOTION: Chao moved and Moore seconded to reorder the agenda to hear agenda Item 12 FY 2025-27 City Work Program Study Session after Public Hearings; and Consent Calendar Items 7 Santa Clara Valley Water District Joint Use agreement, 8 Golden Bay Construction contract, and 9 Advanced Systems Group, LLC. agreement after Item 12; and Item. 11 TBD List after Items Removed from the Consent Calendar. The motion carried with the following vote: Ayes: Chao, Moore, and Mohan. Noes: Fruen. Abstain: None. Absent: Wang.

## ORAL COMMUNICATIONS

Written communications for this item included emails to the Council.

The following members of the public spoke:

Shani Kleinhaus, representing Santa Clara Valley Bird Alliance, discussed the proposed Vista Heights development and environmental impacts.

Mark Fantozzi discussed an Environmental Impact Report (EIR) for the proposed Summerhill Development at Evulich Court.

David Yan ceded time to Mark Fantozzi

Ying Sosis ceded time to Mark Fantozzi

Margaret Tabrizidad ceded time to Mark Fantozzi

Ahmad Yazdi ceded time to Mark Fantozzi

Patrick Sheehy ceded time to Mark Fantozzi

Peggy Griffin discussed document security and accessibility.

Team Active Circle Sneha discussed the Active Circle organization.

San R discussed July 4 and Blackberry Farm event funding, interagency communication and emergency preparedness, and homeless encampments.

Nori discussed solar panel installation at the Quinlan Community Center and Senior Center.

Rhoda Fry discussed various topics including fire-safety, proposed Linda Vista and McClellan developments and environmental impacts, and City budget.

Brooke Ezzat discussed various topics including fire-safety, City funding, economic development, and the BMR fund.

### **CONSENT CALENDAR (Items 5-9)**

As noted in Postponements and Orders of the Day, Items 7, 8, and 9 were removed from the Consent Calendar by Mayor Chao.

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

MOTION: Moore moved and Fruen seconded to approve the items on the Consent Calendar except as indicated. The motion carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

Items 7, 8, and 9 were placed after the Action Calendar for consideration per rule.

5. Subject: Approval of the December 17, 2024 City Council minutes  
Recommended Action: Approve the December 17, 2024 City Council minutes
6. Subject: Ratifying Accounts Payable for the periods ending December 6, 2024; December 13, 2024; and December 26, 2024  
Recommended Action: A. Adopt Resolution No. 25-001 ratifying Accounts Payable for the Period ending December 6, 2024;  
B. Adopt Resolution No. 25-002 ratifying Accounts Payable for the Period ending December 13, 2024; and  
C. Adopt Resolution No. 25-003 ratifying Accounts Payable for the Period ending December 26, 2024

### **PUBLIC HEARINGS**

10. Subject: Public hearing on the abatement of public nuisance from weeds or other fire hazards pursuant to provisions of Cupertino Municipal Code Chapter 9.08 and Resolution No. 24-111  
Recommended Action: Conduct hearing for impacted property owners to contest the matter of proposed abatement and adopt Resolution No. 25-006 ordering abatement of public nuisance from weeds or other fire hazards pursuant to provisions of Cupertino Municipal Code Chapter 9.08 and Resolution No. 24-111

Written communications for this item included a staff presentation.

City Clerk Kirsten Squarcia gave a presentation.

Councilmembers asked questions and made comments.

Mayor Chao opened the public hearing and the following people spoke.

Hament Manasan, APN 375 07 342

David Guy, 10399 South Tantau Avenue

Roger Costa, representing Rancho Deep Cliff HOA

Bobby Pentergrin, representing Rancho Deep Cliff HOA

Alan Yuen, 10605 Johansen Drive

Mike Campbell, 18781 Tuggle Avenue

Mayor Chao closed the public hearing.

Garik Iosilevsky, Weed Abatement Manager with the County of Santa Clara, answered questions.

At 8:16 p.m., Mayor Chao recessed the meeting. The meeting reconvened at 8:30 p.m. with all Councilmembers present (Wang absent).

Mr. Iosilevsky provided a report on the discussions with the contesting property owners during the recess.

MOTION: Chao moved and Moore seconded to adopt Resolution No. 25-006, as amended to remove 10399 South Tantau Avenue and 10605 Johansen Drive from the Program report (Exhibit A), ordering abatement of public nuisance from weeds or other fire hazards pursuant to provisions of Cupertino Municipal Code Chapter 9.08 and Resolution No. 24-111. The motion as amended carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

## STUDY SESSION

### 12. Subject: FY 2025-27 City Work Program Study Session

Recommended Action: 1. Review Councilmembers' Initial Top 10 projects for the FY 25-27 City Work Program

2. Select date for upcoming Goal Setting Workshop.

3. Receive an overview of the prioritization process for the Goal Setting Workshop that will be presented at this study session.

Written communications for this item included a staff presentation, a supplemental report with staff responses to councilmember questions, modified January 22, 2025 Staff Report, and Attachment E Community Survey Results Informational Memorandum and Results, and emails to the Council.

Deputy City Manager Tina Kapoor and Senior Management Analyst Astrid Robles gave a presentation.

Councilmembers asked questions and made comments.

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

Roberta Holliman, representing Leadership Group

Tylor Taylor, representing Successful Aging Solutions & Community Consulting (SASCC)

Peggy Griffin

Jean Bedord

Debbie Timmers

Louise Saadati

San R

Tracy K

Planning Commissioner Seema Lindskog (representing self)

Mayor Chao closed the public comment period.

MOTION: Chao moved and Mohan seconded to:

1. Provide the following direction on the prioritization process for the Goal Setting Workshop:
  - Each councilmember will submit a revised Top 10 projects for the FY 25-27 City Work Program
  - Staff will create a combined list from the revised lists
  - Councilmembers will submit a ranking of 20 projects
  - The point system of 10, 7, 4, and 1 will be used, to be scored as follows:
    - 5 projects will get a score of 10
    - 5 projects will get a score of 7
    - 5 projects will get a score of 4
    - 5 projects will get a score of 1
    - A total of 20 projects will get scored
  - Rankings will be submitted before the upcoming Council Goal Setting Workshop
  - Staff will determine when councilmembers should submit their revised lists

and rankings

2. The preferred date for the upcoming Goal Setting Workshop is March 3, beginning at 5 p.m. or 6 p.m., as necessary

The motion carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

MOTION: Chao moved and Moore seconded to extend the meeting until 11:00 p.m. to consider Items 7 and 9, and then 8. The motion carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

#### ITEMS REMOVED FROM THE CONSENT CALENDAR

7. Subject: Authorization to execute a Joint Use Agreement for Continued Public Access to Santa Clara Valley Water District property situated along a portion of Stevens Creek Trail.

Recommended Action: Authorize the City Manager to execute a new Joint Use Agreement with Santa Clara Valley Water District for ongoing access to the District's property situated along a portion of the Stevens Creek Trail.

Written communications for this item included a supplemental report with staff responses to councilmember questions and Attachment B - 1999 Joint Use Agreement, and emails to the Council.

This item was removed from the consent calendar for consideration.

Councilmembers asked questions and made comments.

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

MOTION: Chao moved and Fruen seconded to authorize the City Manager to execute a new Joint Use Agreement with Santa Clara Valley Water District for ongoing access to the District's property situated along a portion of the Stevens Creek Trail. The motion carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

9. Subject: Approve an agreement with Advanced Systems Group, LLC., for Modernization of Broadcast TV and Community Hall Integration for a not-to-exceed amount of \$1,100,000, a 10% contingency in the amount of \$110,000 for a total not-to-exceed amount of \$1,210,000, and associated budget modification, with the cost to be funded by Public, Educational, and Governmental (PEG) funds.

Recommended Action: 1. Authorize the City Manager to execute the agreement and

any necessary amendments with Advanced Systems Group, LLC., for Modernization of Broadcast TV and Community Hall Integration, within the total not-to-exceed amount of \$1,100,000.

2. Adopt Resolution No. 25-005 approving budget modification #2425-368, increasing appropriations in the amount of \$1,210,000 in the General Fund Video budget unit (100-31-305 900-995) funded by restricted PEG Funds

Written communications for this item included a supplemental report and a desk item with staff responses to councilmember questions and Attachment C - RFP - Modernization of TV Broadcast System, and emails to the Council.

This item was removed from the consent calendar for consideration.

Councilmembers asked questions and made comments.

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

Peggy Griffin

Jean Bedord

Josh Young, representing KMVT Community Television

San R

Rhoda Fry

Mayor Chao closed the public comment period.

MOTION: Chao moved and Fruen seconded to:

1. Authorize the City Manager to execute the agreement and any necessary amendments with Advanced Systems Group, LLC., for Modernization of Broadcast TV and Community Hall Integration, within the total not-to-exceed amount of \$1,100,000.

2. Adopt Resolution No. 25-005 approving budget modification #2425-368, increasing appropriations in the amount of \$1,210,000 in the General Fund Video budget unit (100-31-305 900-995) funded by restricted PEG Funds.

The motion carried with the following vote: Ayes: Chao, Moore, Fruen, and Mohan. Noes: None. Abstain: None. Absent: Wang.

## ADJOURNMENT

At 10:56 p.m., Mayor Chao adjourned the Special City Council Meeting per rule. There was no Council discussion on the remaining agenda items.

8. Subject: Award a construction contract to Golden Bay Construction in the amount of



\$1,569,798, approve a first amendment to the design services contract with Pakpour Consulting Group to increase the contract by \$96,620 for a total not-to-exceed contract amount of \$310,483 and approve a budget modification in the amount of \$1,500,000 for the Stevens Creek Boulevard Class IV Bike Lane Project.

Recommended Action: 1. Award a construction contract for the Stevens Creek Boulevard Class IV Bike Lane Phase 2A Project (budget unit 420-99-036, project number 2022-15) in the amount of \$1,569,798 to Golden Bay Construction, Inc.;

2. Authorize the City Manager to execute the construction contract with Golden Bay Construction, Inc. when all conditions have been met;

3. Authorize the Director of Public Works to execute any necessary construction change orders up to a construction contingency amount of \$156,980 (10%) for a total contract amount of \$1,726,778;

4. Authorize the City Manager to amend the Design Services Contract with Pakpour Consulting Group to increase the amount by \$96,620 for a total not-to-exceed contract amount of \$310,483 for the 2022-11 Stevens Creek Boulevard Class IV Bike Lane Phase 2B Design Project; and

5. Adopt Resolution No. 25-004 approving budget modification #2425-377, approving an increase of grant revenue estimates of \$1,500,000 and a transfer out of \$693,000. This includes an increase of \$807,000 in Federal grant funds and a transfer of \$693,000 in SB1 Grant Funds from the Transportation Fund (270-85-821) into the Capital Improvement Program Capital Project Fund (420-99-036).

Written communications for this item included a supplemental report and a desk item with staff responses to councilmember questions, Attachment C - Contract Documents, and emails to the Council.

This item was removed from the consent calendar for consideration and then continued to the February 4, 2025 City Council meeting per rule.

## **ACTION CALENDAR**

11. Subject: Future agenda items requested by City Councilmembers ("TBD List").

Recommended Action: 1. Review the TBD list and adopt the staff recommendations for items 5-11

2. Provide direction for items 1-4 and 12-15.

Written communications for this item included a supplemental report with staff responses to councilmember questions.

As noted under Postponements and Orders of the Day, this item was moved after the items that were removed from the consent calendar.

This item was removed from the consent calendar for consideration and then continued to the February 4, 2025 City Council meeting per rule.

### **CITY MANAGER REPORT**

The Council did not hear this item.

### **ORAL COMMUNICATIONS - CONTINUED – None**

### **COUNCILMEMBER REPORTS**

**13.    Subject: Councilmember Reports**

Councilmembers reported on their various committees and events as provided in the published agenda.

### **FUTURE AGENDA ITEMS**

The Council did not hear this item.

Minutes prepared by:



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Kirsten Squarcia, City Clerk