



CUPERTINO

MINUTES
CUPERTINO CITY COUNCIL
Special Meeting
Monday, March 17, 2014

CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

At 3:10 p.m. Mayor Gilbert Wong called the City Council meeting to order in the Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, CA and led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Gilbert Wong, Vice Mayor Rod Sinks, and Council members Barry Chang and Orrin Mahoney. Absent: Council member Mark Santoro.

ORAL COMMUNICATIONS - None

ORDINANCES AND ACTION ITEMS

1. Subject: Senate Constitutional Amendment 5 (SCA-5)
Recommended Action: Staff recommends that City Council provide direction on the City's position on proposed legislation

Written communications for this item included: an amended staff report; emails from Janet Chin and Richard Dai; copy of article from The Sacramento Bee; copy of staff memo and joint press release from Senator Hernandez and Assembly Speaker Perez.

Mayor Wong, reading from an article in The Sacramento Bee dated March 17, 2014, explained that at the request of Senator Ed Hernandez, Assembly Speaker John A. Perez has halted efforts to overturn California's Prop. 209 and sent the measure back to the State Senate without taking any action in the lower house.

Mayor Wong reviewed the staff report and also noted a joint press release from Senator Hernandez and Assembly Speaker Perez, dated March 17, 2014 regarding the current status of SCA-5.

Vice Mayor Sinks noted that the Cupertino Legislative Committee comprised of Mayor Wong and he discussed this issue after reaching out to legislators and concurred to bring a recommendation to City Council opposing SCA-5.

Council member Chang asked City Attorney Carol Korade if he could vote on this issue since he had gone on record stating his opposition of SCA-5 and had been involved in asking people to come to speak on the issue. He noted he would listen to both sides but that his vote was clear.

Korade responded that since this would be defined as a common law conflict of interest, Chang would need to determine whether he was able to listen to both sides and objectively vote after having already made certain statements.

Mahoney moved and Sinks seconded to limit the speaker time to one minute and allow time at the end for follow-up questions from Council and deliberation after everyone has spoken. The motion carried with Chang voting no and Santoro absent.

The following individuals spoke (or were represented by another speaker) in opposition of SCA-5.

Chris Zhang

Alex Li

Richard Dai, on behalf of Fair
Education Alliance (FEA)

Wei Liu

Xin Ai

Fred Chao

Jack Sun

Bei Qin

Sean Yao

Julia Zhao

Charles Liu

Misty Zhang

Lu Cui

Ignatius Ding

Alice Zhang

Ying Liu

Tarun Galagali, on behalf of Ro
Khanna

Anuradha Singh

Weiping Li

Greg Caressi

Hari Chandra

Yunus Mohammad

Dimitry

Betty Gee

Olga

Hao Wang

Rachael Wang

Lin Zhang

Cicie Chan

Ken Marquis Jr.

Rishi Kumar
Mahesh Pakala
Yogi Chugh
Sue Chen
Ming Zhou
Sipuan Zhang
Wanda Xiang
Shaoyong Wang
Michael Hunsweck
Feng Hu
Angela Wang
Mandy Luo
Ping Luo
Louis Tseng
Jackie Chen
Jie Jean Wei
Adam Min
Jian Fei
Qiong Zheng

Shuge Luo
Xinchuan Huang
Jennifer Xu
Qiao Sang
Xiaoping Wendy Hu
Rachel Wu
Selina Chang
Helen Qian
Hannah Liu
Huang Bing Qing
Neelima Mane
Shuishey Liu
Hiu Jia
Li Hsiu Lin
Suling Huang
Sally Xiao
Joyce Ye
Dong Han

Mahoney moved and Chang seconded to have staff write a letter on behalf of the City Council to Senator Ed Hernandez, Assembly Speaker John A. Perez, and any other appropriate people noting the following points:

- Thanking them for taking the legislation off the table
- Acknowledging the input of the 60+ citizens who all spoke against the legislation
- Express concern about any similar future attempt to overturn the key elements of Prop. 209
- Encourage increased spending on higher education to allow more opportunity for all students

The motion carried with Santoro absent.

ADJOURNMENT

At 4:50 p.m., Mayor Wong adjourned the meeting to Tuesday, March 18 beginning at 5:15 p.m. for a closed session regarding conference with Labor Negotiator (Government Code 54957.6, Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, CA followed by discussion of regular business items beginning at 6:45 p.m.

Monday, March 17, 2014

Cupertino City Council

/s/ Grace Schmidt

Grace Schmidt, City Clerk

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