



DRAFT MINUTES
CUPERTINO CITY COUNCIL
Monday, June 6, 2016

REGULAR CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

At 6:45 p.m. Mayor Barry Chang 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 Barry Chang, Vice Mayor Savita Vaidhyathan, and Council members Darcy Paul and Gilbert Wong. Absent: Council member Sinks.

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Presentation of "Leader of the Year" award to Director of Public Works Timm Borden from Chapter President Afshin Oskoui of the Silicon Valley Chapter of the American Public Works Association
Recommended Action: Receive presentation

Council received the presentation of the award from Chapter President Afshin Oskoui to Director of Public Works Timm Borden.

POSTPONEMENTS - None

ORAL COMMUNICATIONS

Ignatius Y. Ding talked about a speaker at a previous Council meeting who is working as a lobbyist for Sand Hill Property, Inc. without a business license. He distributed written comments.

Jon Willey talked about upcoming development projects and concerns with transportation and traffic. He distributed written comments.

CONSENT CALENDAR

Wong moved and Paul seconded to approve the items on the Consent Calendar as presented.
Ayes: Chang, Vaidhyanathan, Paul and Wong. Noes: None. Abstain: None. Absent: Sinks.

2. Subject: Approve the May 17 City Council minutes
Recommended Action: Approve the minutes
3. Subject: Approve the May 24 City Council minutes (Teen Commission Interviews)
Recommended Action: Approve the minutes
4. Subject: Accept Accounts Payable for the period ending April 1, 2016
Recommended Action: Adopt Resolution No. 16-052 accepting Accounts Payable for the period ending April 1, 2016
5. Subject: Accept Accounts Payable for the period ending April 8, 2016
Recommended Action: Adopt Resolution No. 16-053 accepting Accounts Payable for the period ending April 8, 2016
6. Subject: Accept Accounts Payable for the period ending April 15, 2016
Recommended Action: Adopt Resolution No. 16-054 accepting Accounts Payable for the period ending April 15, 2016
7. Subject: Accept Accounts Payable for the period ending April 22, 2016
Recommended Action: Adopt Resolution No. 16-055 accepting Accounts Payable for the period ending April 22, 2016
8. Subject: Accept Accounts Payable for the period ending April 29, 2016
Recommended Action: Adopt Resolution No. 16-056 accepting Accounts Payable for the period ending April 29, 2016
9. Subject: Accept Accounts Payable for the period ending May 6, 2016
Recommended Action: Adopt Resolution No. 16-057 accepting Accounts Payable for the period ending May 6, 2016
10. Subject: Approval of the Third Quarter Financial Report for Fiscal Year 2015-2016
Recommended Action: Adopt Resolution No. 16-058 accepting the City Manager's Third Quarter Financial Report for Fiscal Year 2015-2016 to: 1. Approve decreased

budget appropriations of \$4,419,615 for the Capital Project and Enterprise Funds. 2. Approve increased budget appropriation of \$50,000 in transfers out from the General Fund to the Public Affairs Information Technology budget. 3. Approve increased budget appropriations of \$24,000 for Traffic Calming along Rodrigues Ave. and Pacifica Dr. 4. Approve increased budget appropriations of \$200,000 in the Compensated Absence fund. 5. Approve increased appropriations of \$30,000 in the City Hall Building Maintenance

11. Subject: Adopt a resolution calling a General Municipal Election on November 8, 2016 to fill two City Council seats
Recommended Action: Adopt Resolution No. 16-059 calling a General Municipal Election on November 8, 2016 to fill two City Council seats

12. Subject: Establish friendship cities in China, People's Republic of China (Chongqing, Changzhou, Nanjing, Hefei, Hangzhou, Kunming, Huangshan, Shanghai, Wuhan) and in Taiwan, Republic of China (Hsinchu County, Taipei, Taichung).
Recommended Action: Authorize the Mayor to execute Letters of Intent establishing friendship cities in China, People's Republic of China (Chongqing, Changzhou, Nanjing, Hefei, Hangzhou, Kunming, Huangshan, Shanghai, Wuhan) and in Taiwan, Republic of China (Hsinchu County, Taipei, Taichung).

Written communications for this item included three updated letters.

13. Subject: Declare brush to be a public nuisance and potential fire hazard and set hearing for June 21 for objections to proposed removal
Recommended Action: Adopt Resolution No. 16-060 declaring brush to be a public nuisance and potential fire hazard and setting the hearing date for June 21
14. Subject: The City's Case Manager received two donations specifically intended for the benefit of the Case Management program
Recommended Action: Staff is requesting that the Council accept the monetary donations that will be used for the Case Management Program's Client Emergency Fund
15. Subject: Application for Alcoholic Beverage License for 7 Eleven, Inc., 21490 McClellan Road (Store #2366)
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the Application for Alcoholic Beverage License for 7 Eleven, Inc., 21490 McClellan Road (Store #2366)

SECOND READING OF ORDINANCES - None**PUBLIC HEARINGS**

16. Subject: Public hearing to consider the Capital Improvement Plan (CIP); and a finding of General Plan conformance; and the Recommended Budget for Fiscal Year 2016-17; and the Adoption of the Recommended Budget for Fiscal Year 2016-17; and Establishment of the Appropriation Limit, and related actions.
Recommended Action: a. Adopt Resolution No. 16-061 establishing a special project budget for the Planning and Community Development - Current Planning and Public Works Traffic Engineering Programs for costs related to Apple Pass Thru Revenues for Fiscal Year 2016-17 b. Adopt Resolution No. 16-062 establishing an Operating Budget and Capital Budget for Fiscal Year 2016-17 c. Adopt Resolution No. 16-063 establishing an Appropriation Limit for Fiscal Year 2016-17

Written communications for this item included a grant application from Iranian Federated Women's Club and a staff PowerPoint presentation.

Director of Administrative Services Kristina Alfaro reviewed the staff report via a PowerPoint presentation.

Mayor Chang opened the public hearing.

Park Chamberlain on behalf of Friends of Deer Hollow Farm talked about their request for funding.

Mayor Chang closed the public hearing.

Wong moved and Vaidhyanathan seconded to adopt Resolution No. 16-061 establishing a special project budget for the Planning and Community Development - Current Planning and Public Works Traffic Engineering Programs for costs related to Apple Pass Thru Revenues for Fiscal Year 2016-17. The motion carried with Sinks absent.

Wong moved and Vaidhyanathan seconded to adopt Resolution No. 16-062 establishing an Operating Budget and Capital Budget for Fiscal Year 2016-17 with the following amendments: add \$750.00 funding for Iranian Federated Women's Club Persian Winter Solstice and per Chang's friendly amendment accepted by Wong,

increase funding for Friends of Deer Hollow Farm to \$15,000. The motion carried with Sinks absent.

Wong moved and Vaidhyanathan seconded to adopt Resolution No. 16-063 establishing an Appropriation Limit for Fiscal Year 2016-17. The motion carried with Sinks absent.

ORDINANCES AND ACTION ITEMS

17. Subject: Receive the Certification of Sufficiency for the Vallco Town Center Specific Plan Initiative petition submitted by proponents Vicky Tsai and Judy Wilson and provide direction
Recommended Action: Receive the Certification of Sufficiency for the Vallco Town Center Specific Plan Initiative petition submitted by proponents Vicky Tsai and Judy Wilson and provide direction; defer a decision on whether to place the measure on the November 8, 2016 ballot until after the 9212 Report on the Initiative is completed

City Clerk Grace Schmidt reviewed the staff report.

The following individuals spoke on this topic and their comments included conflict of interest for elected officials regarding development contributions; hiring neutral outside consultants for 9212 report; support for Vallco Town Center Specific Plan Initiative and benefit to schools; concern with housing/jobs balance; traffic and other long-term issues with office component of Vallco project; move ahead and place Initiative on the November 8 ballot; Cupertino residents say no to high density.

Ignatius Y. Ding (distributed written comments)

Phyllis Dickstein

Sara Ku

Cindy Zhuang

Ray Hing on behalf of Friends & Relatives of Cupertino Residence

Jesse He

Danessa Techmanski

Lisa Warren

Kevin McClelland on behalf of Cupertino Chamber of Commerce

Donna Austin

Liang Chao

Xiaowen Wang (distributed written comments)

Qin Pan

Vicky Tsai
Darrel Lum on behalf of Concerned Citizens of Cupertino
Luke Lang
Jon Willey
Steve Scharf
Rick Kitson on behalf of Cupertino Chamber of Commerce

Paul moved and Wong seconded to receive the Certification of Sufficiency for the Vallco Town Center Specific Plan Initiative petition submitted by proponents Vicky Tsai and Judy Wilson and provided direction to receive the 9212 report on July 6 at 6:45 p.m. The motion carried with Sinks absent.

REPORTS BY COUNCIL AND STAFF

18. Subject: Report on Committee assignments and general comments
Recommended Action: Report on Committee assignments and general comments

Council members highlighted the activities of their committees and various community events.

ADJOURNMENT

At 8:51 p.m., Mayor Chang adjourned the meeting.

Grace Schmidt, City Clerk

Staff reports, backup materials, and items distributed at the City Council meeting are available for review at the City Clerk's Office, 777-3223, and also on the Internet at www.cupertino.org. Click on Agendas & Minutes, then click on the appropriate Packet.

Most Council meetings are shown live on Comcast Channel 26 and AT&T U-verse Channel 99 and are available at your convenience at www.cupertino.org. Click on Agendas & Minutes, and then click Archived Webcast. Videotapes are available at the Cupertino Library, or may be purchased from the Cupertino City Channel, 777-2364.