



# CITY OF CUPERTINO

## AGENDA

### CITY COUNCIL

10300 Torre Avenue and 10350 Torre Avenue

Tuesday, March 21, 2017

4:30 PM

Non-televised Special Meeting Closed Session (4:30) and Commission Interviews (5:00); Followed  
by Televised Regular Meeting (6:45)

### NOTICE AND CALL FOR A SPECIAL MEETING OF THE CUPERTINO CITY COUNCIL

NOTICE IS HEREBY GIVEN that a special meeting of the Cupertino City Council is hereby called for Tuesday, March 21, 2017, commencing at 4:30 p.m. in City Hall Conference Room A, 10300 Torre Avenue, Cupertino, California 95014. Said special meeting shall be for the purpose of conducting business on the subject matters listed below under the heading, "Special Meeting." The regular meeting items will be heard at 6:45 p.m. in Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, California.

### SPECIAL MEETING

#### ROLL CALL - 4:30 PM

City Hall Conference Room A, 10300 Torre Avenue

#### CLOSED SESSION

1. Subject: Conference with Legal Counsel- Existing litigation (Subdivision (a) of Gov't Code Section 54956.9); Name of Claimant: Gilbert Rosales; Claim No.: CPAB-547252

#### COMMISSION INTERVIEWS - 5:00 PM

City Hall Conference Room A, 10300 Torre Avenue

2. Subject: Parks and Recreation Commission interviews  
Recommended Action: Conduct Parks and Recreation Commission interviews and make appointment for one unscheduled vacancy  
[A - Interview Schedule](#)  
[B - Commission Diversity Resolution](#)  
[C - Advisory Commissions Resolution](#)  
[D - Parks and Rec Questions](#)  
[E - Parks and Rec Applications](#)  
[F - Commission Attendance Report](#)  
[G - Current Commission List](#)

## ADJOURNMENT

### REGULAR MEETING

#### PLEDGE OF ALLEGIANCE - 6:45 PM

Community Hall, 10350 Torre Avenue

#### ROLL CALL

#### CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Presentation from the Santa Clara Valley Water District regarding the Groundwater Rates Process  
Recommended Action: Receive presentation from the Santa Clara Valley Water District regarding the Groundwater Rates Process

#### POSTPONEMENTS

#### ORAL COMMUNICATIONS

*This portion of the meeting is reserved for persons wishing to address the council on any matter not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the council from making any decisions with respect to a matter not listed on the agenda.*

#### CONSENT CALENDAR

*Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.*

2. Subject: Approve the February 26 Special Meeting City Council minutes  
Recommended Action: Approve the February 26 Special Meeting City Council minutes  
[A - Draft Minutes](#)
3. Subject: Approve the March 7 City Council minutes  
Recommended Action: Approve the March 7 City Council minutes  
[A - Draft Minutes](#)
4. Subject: Appointment of City of Cupertino representative to the Santa Clara Valley Transportation Authority (VTA) Bicycle & Pedestrian Advisory Committee (BPAC)  
Recommended Action: Accept the Bicycle Pedestrian Commission (BPC) recommendation to appoint Erik Lindskog to the VTA BPAC for the two-year term that ends June 30, 2018  
[Staff Report](#)
5. Subject: Agreement between the City of Cupertino and Pavement Engineering, Inc. for consultant services on various street and concrete improvement projects  
Recommended Action: Approve an Agreement between the City of Cupertino and Pavement Engineering, Inc. (PEI) in the amount not to exceed \$474,250 from the date of execution through June 30, 2018, and authorize the Director of Public Works to negotiate and execute all necessary documents to carry out all consultant services for the various street and concrete improvement projects  
[Staff Report](#)  
[A - Draft Master Agreement](#)
6. Subject: Report on Bids and Award a Contract for 2017 Memorial Park Courts Resurfacing Project (Project No. 2017-13)  
Recommended Action: 1. Award a construction contract to the sole bidder, Vintage Construction, Inc., in the amount of Two Hundred Forty-Eight Thousand Seven Hundred Dollars (\$248,700); and  
2. Authorize a construction contingency budget of Twenty-Four Thousand Eight Hundred Dollars (\$24,800), which is approximately 10% of the construction contract amount, to address unforeseen conditions during construction.  
[Staff Report](#)

7. Subject: 2017 Pavement Maintenance Project - Phase 2, Project No. 2017-110  
Recommended Action: Authorize the City Manager to award a contract to Telfer Pavement Technologies, in the amount of \$490,247.65 and approve a construction contingency of \$50,000, for a total of \$540,247.65  
[Staff Report](#)  
[A - Street List](#)  
[B - Draft Contract](#)
8. Subject: Report on bids and Award a Construction Contract for City Hall Turf Reduction Project, (No. 2017-03)  
Recommended Action: 1. Award a construction contract to the low bidder, Scapes, Inc., in the amount of Two Hundred Twenty-Three Thousand Dollars (\$223,000); and  
2. Authorize a construction contingency budget of 10% of the construction contract amount, Twenty-Two Thousand Three Hundred Dollars (\$22,300), to address unforeseen conditions during construction.  
[Staff Report](#)

## SECOND READING OF ORDINANCES

## PUBLIC HEARINGS

## ORDINANCES AND ACTION ITEMS

9. Subject: Consideration of the City Council summer meeting schedule and cancellation of meeting(s)  
Recommended Action: Consider the City Council summer meeting schedule and cancel meeting(s) or provide direction to staff  
[Staff Report](#)

## REPORTS BY COUNCIL AND STAFF

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

## ADJOURNMENT

11. Subject: Adourn the meeting in memory of Tommy Shwe and Rudy Gottwald

*The City of Cupertino has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a final decision of the City Council must be brought within 90 days after a decision is announced unless a shorter time is required by State or Federal law.*

*Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to <http://www.cupertino.org/index.aspx?page=125> for a reconsideration petition form.*

*In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend the next City Council meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.*

*Any writings or documents provided to a majority of the Cupertino City Council after publication of the packet will be made available for public inspection in the City Clerk's Office located at City Hall, 10300 Torre Avenue, during normal business hours and in Council packet archives linked from the agenda/minutes page on the Cupertino web site.*

*Members of the public are entitled to address the City Council concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in front of the Council, and deliver it to the Clerk prior to discussion of the item. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.*