



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10300 and 10350 Torre Avenue

Tuesday, August 18, 2015

6:00 PM

Non-televised Closed Session (6:00) Followed by Televised Meeting (6:45)

AMENDED

Amended on 8/13/15 to revise Item No. 13 Staff Report and Recommended Action and Item No. 18 Staff Report, Recommended Action, and Exhibit B; and to add new Item No. 19a.

CLOSED SESSION - 6:00 PM

10300 Torre Avenue, City Hall Conference Room A

1. Subject: Workers' Compensation Claim (Gov't Code Section 54956.95).
Claimant: Russell Polito. Agency Claimed Against: City of Cupertino
2. Subject: Workers' Compensation Claim (Gov't Code Section 54956.95).
Claimant: Marcos Kubow. Agency Claimed Against: City of Cupertino

PLEDGE OF ALLEGIANCE - 6:45 PM

10350 Torre Avenue, Community Hall Council Chamber

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

3. Subject: Present proclamation to the Recreation and Community Services staff thanking them for their service at the 4th of July activities
Recommended Action: Present proclamation
4. Subject: Presentation from the Parks and Recreation Commission regarding the Work Plan for Fiscal Year 2015-2016
Recommended Action: Receive the presentation

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.

5. Subject: Approve the August 4 City Council minutes
Recommended Action: Approve the minutes
[A - Draft Minutes](#)
6. Subject: Accept Accounts Payable for the period ending July 10, 2015
Recommended Action: Adopt Resolution No. 15-068 accepting Accounts Payable for the period ending July 10, 2015
[A - Draft Resolution](#)
[B - AP Report](#)
7. Subject: Accept Accounts Payable for the period ending July 17, 2015
Recommended Action: Adopt Resolution No. 15-069 accepting Accounts Payable for the period ending July 17, 2015
[A - Draft Resolution](#)
[B - AP Report](#)
8. Subject: Accept Accounts Payable for the period ending July 24, 2015
Recommended Action: Adopt Resolution No. 15-070 accepting Accounts Payable for the period ending July 24, 2015
[A - Draft Resolution](#)
[B - AP Report](#)
9. Subject: Accept Accounts Payable for the period ending July 31, 2015
Recommended Action: Adopt Resolution No. 15-071 accepting Accounts Payable for the period ending July 31, 2015
[A - Draft Resolution](#)
[B - AP Report](#)
10. Subject: Accept Accounts Payable for the period ending August 7, 2015
Recommended Action: Adopt Resolution No. 15-072 accepting Accounts Payable for the period ending August 7, 2015

[A - Draft Resolution](#)

[B - AP Report](#)

11. Subject: League of California Cities Resolution for Sustainable Funding for State and Local Infrastructure
Recommended Action: Adopt Resolution No. 15-073 urging the state to provide new sustainable funding for state and local transportation infrastructure.
[Staff Report](#)
[A - Draft Resolution](#)
12. Subject: Agreement for Consultant Services for the Citywide Parks, Open Space and Recreation Master Plan
Recommended Action: Authorize the City Manager to negotiate and execute a consultant services agreement for preparation of a Citywide Parks, Open Space and Recreation Master Plan Plan for a fee not to exceed \$375,000 and authorize a contingency allowance subject to approval of the City Manager
[Staff Report](#)
13. Subject: Civic Center Master Plan Implementation - Master Agreement for Design Consultant Services and Official Intent Resolution
Recommended Action: 1) Adopt Resolution No. 15-074 to:
- a. Authorize the City Manager to negotiate and execute the Master Agreement for design consultant services with the firm of Perkins+Will for implementation of the Civic Center Master Plan in substantially similar form as presented to Council; and
 - b. Authorize the City Manager to negotiate and execute service orders under the terms of the master agreement for phases of work for which funds have been appropriated, but in no event, in an amount to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000); and
 - c. Authorize the City Manager to negotiate and execute other agreements for professional services to implement the approved Civic Center Master Plan, to the extent that the funds are appropriated for such purposes, with the following terms and conditions:
 - i. for professional services for: building systems engineering, site investigation and engineering, building project/construction management; interim move planning and facilitation, and financial advisory;
 - ii. with a contract term not to exceed two years; and
 - iii. with cumulative compensation not to exceed Two Million Dollars (\$2,000,000).
- 2) Adopt Resolution No. 15-075 declaring its official intent to reimburse itself from the proceeds of debt financing for certain expenditures related to the Civic Center Master Plan Implementation.

[Staff Report](#)[A - Draft Agreement with P+W for Consultant Design Services](#)[B – Draft Resolution Authorizing Agreements and Service Orders Related](#)[C – Draft Official Intent Resolution](#)

14. Subject: Consider approval of the Library Commission’s recommendation of Amanda Williamsen for the appointment of the new Cupertino Poet Laureate
Recommended Action: Adopt Resolution No. 15-076 approving the Library Commission recommendation and appointing the new Cupertino Poet Laureate
[Staff Report](#)
[A - Draft Resolution](#)
[B - New Poet Laureate Bio](#)
15. Subject: Application for Alcoholic Beverage License for Starbucks #631, 20676 Homestead Road
Recommended Action: Recommend approval of the Alcoholic Beverage License to the California Department of Alcoholic Beverage Control for Starbucks #631, 20676 Homestead Road
[Staff Report](#)
[A - Application](#)
16. Subject: Application for Alcoholic Beverage License for Blast 825 Pizza, 10033 Saich Way
Recommended Action: Recommend approval of the Alcoholic Beverage License to the California Department of Alcoholic Beverage Control for Blast 825 Pizza, 10033 Saich Way
[Staff Report](#)
[A - Application](#)
17. Subject: Application for Alcoholic Beverage License for Legends Pizza Company, 19732 Stevens Creek Boulevard
Recommended Action: Recommend approval of the Alcoholic Beverage License to the California Department of Alcoholic Beverage Control for Legends Pizza Company, 19732 Stevens Creek Boulevard
[Staff Report](#)
[A - Application](#)

SECOND READING OF ORDINANCES**PUBLIC HEARINGS****ORDINANCES AND ACTION ITEMS**

18. Subject: Contract with Perfect Mind Technology, Inc. for the replacement of the

current Recreation and Community Services Enterprise Management System

Recommended Action: a. Authorize the City Manager or his designee to negotiate and execute a ten year agreement with PerfectMind Technology, Inc. for Recreation and Community Services Enterprise Management System; and b. Authorize the appropriation of \$360,233 in FY 15-16

[Staff Report](#)

[A - Implementation Timeline](#)

[B- Statement of Work](#)

19. Subject: Response to Call for Projects for Valley Transportation Plan 2040 (VTP 2040) - Originally heard on July 7 brought back for final approval.

Recommended Action: Staff recommends that Council take the following actions:

- 1) Rescind Resolution No. 15-061 adopted on July 7 and adopt Resolution No. 15-077 supporting the inclusion of a mass transit study, including a prioritization for initial implementation along the Highway 85 Corridor supporting the inclusion of a study of long-term mass transit solutions along the Highway 85 Corridor and the design and construction of near-term solutions; and
- 2) Provide direction on any additional transportation projects to submit for inclusion in the Santa Clara Valley Transportation Authority's (VTA) Valley Transportation Plan 2040.

[Staff Report](#)

[A - West Valley/North County Mayor's Letter for Transit Study](#)

[B - Draft Mass Transit Project Resolution](#)

[C - Draft VTP 2040 Project List](#)

- 19a. Subject: Appointment to State Route (SR) 85 Corridor Policy Advisory Board (PAB)

Recommended Action: Appoint one member and one alternate to the SR 85 Corridor PAB

[Staff Report](#)

[A - Letter from VTA Board Secretary](#)

REPORTS BY COUNCIL AND STAFF

20. Subject: Report on Committee assignments and general comments

Recommended Action: Report on Committee assignments and general comments

ADJOURNMENT

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.