



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Community Hall Council Chamber

Tuesday, May 3, 2016

6:45 PM

AMENDED

Amended on 4/28 to add and correct numbering of exhibits on Item #10

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation honoring Maya Varma, winner of the First Place Medal of Distinction in the 2016 Intel Science Talent Search competition
Recommended Action: Present proclamation

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 April 19 City Council minutes
Recommended Action: Approve the minutes
[A - Draft Minutes](#)
3. Subject: Addition of the part-time staff classification of Park Ranger within the Recreation and Community Services Department.

Recommended Action: Adopt Resolution No. 16-037 authorizing the City Manager to add a new part-time staff classification of Park Ranger, which would operate in the Stevens Creek Corridor and be overseen by the Recreation and Community Services Department.

[Staff Report](#)

[A - Park Ranger Job Description](#)

[B - Draft Resolution](#)

[C - Salary Survey Results](#)

4. Subject: 2016/2017 City Council Work Program

Recommended Action: Approve the 2016/2017 City Council Work Program

[Staff Report](#)

[A - 2016-2017 Work Program](#)

5. Subject: State Assembly Bill 2502 (Mullin & Chiu): Land Use - Zoning Regulations

Recommended Action: Adopt a position of support on Assembly Bill 2502 (Mullin & Chiu): Land Use - Zoning Regulations and authorize the Mayor to send letters in support of this bill.

[Staff Report](#)

[A - Fact Sheet](#)

6. Subject: First Amendment to the Agreement for Countywide Household Hazardous Waste (HHW) Collection Program

Recommended Action: Adopt Resolution No. 16-041, authorizing the City Manager to execute the First Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program

[Staff Report](#)

[A - Draft Resolution](#)

[B - First Amendment to Countywide HHW Agreement](#)

7. Subject: Authorization for Submittal of Application for CalRecycle Payment Programs and related authorizations

Recommended Action: Adopt Resolution No. 16-042, authorizing submittal of applications for CalRecycle's Payment Programs

[Staff Report](#)

[A - Draft Resolution](#)

SECOND READING OF ORDINANCES

8. Subject: Second reading of an ordinance amending sections of Chapter 3.23 of the Cupertino Municipal Code to align the public works bid invitation distribution and posting periods with the related California Public Contract Code requirements.

Recommended Action: Conduct the second reading and enact Ordinance No. 16-2143: "An ordinance of the City Council of the City of Cupertino amending the Cupertino Municipal Code sections 3.23.030, 3.23.040, 3.23.050, 3.23.120, of Chapter 3.23 of Title 3 regarding public bidding"

[Staff Report](#)

[A - Draft Ordinance](#)

[B - Redline Version of Draft Ordinance](#)

PUBLIC HEARINGS

9. Subject: Annual review of the City's Non-Point Source Control and Stormwater Management Program (flood control and creek pollution prevention) and approval to renew the collection of existing storm drain fees at no increase in rates for fiscal year 2016-2017

Recommended Action: Consider all objections or protests and adopt Resolution No. 16-043 for approval and renewal of the collection of existing storm drain fees at no increase in rates for fiscal year 2016-2017

[Staff Report](#)

[A - Draft Resolution including Engineer's Report](#)

ORDINANCES AND ACTION ITEMS

10. Subject: Proposed Initiative submitted by Ruby Elbogen, Reed Sparks, and William Hausman regarding the North De Anza Gateway (Cupertino Inn and Goodyear Tire sites) ("North De Anza Gateway Initiative") and preparation of a 9212 Report.

Recommended Action: Adopt Resolution No. 16-044 directing City staff to prepare a report on the effects of the North De Anza Gateway Initiative pursuant to Elections Code Section 9212 and appropriate \$135,000.00 for such purpose.

[Staff Report](#)

[A - Proposed Initiative](#)

[B - Draft Resolution Ordering Preparation of an Elections Code Section 9](#)

11. Subject: Consideration of an amendment to the deadlines the City Council established for ballot arguments and the City Attorney's impartial analysis for an initiative measure to appear on the ballot for the November 8, 2016 election, and amend City Council Resolution No. 16-029 to reflect the amended deadlines.

Recommended Action: Adopt the Resolution No. 16-045 amending Resolution No. 16-029 to set the date of August 15, 2016 for primary ballot arguments and August 22, 2016 for rebuttal arguments and impartial analyses for all measures that the City Council places on the ballot for the November 2016 election in order to establish a uniform deadline for all measures that the City Council places on the ballot for the November 8, 2016 election.

[Staff Report](#)

[A - Draft Resolution](#)

REPORTS BY COUNCIL AND STAFF

12. Subject: Annual Report on the Pavement Management Program

Recommended Action: Receive the report. No action is required.

[Staff Report](#)

[A - MTC 2015 Regional Pavement Condition Summary Report](#)

[B - Street-by-street listing of improvements to be completed by the 2016 I](#)

[C - Street-by-street listing of improvements completed by the FY15/16 Pa](#)

13. Subject: Construction Project Updates

Recommended Action: Receive Updates

14. 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.