



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, February 21, 2017

6:45 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Presentation of Certificates of Recognition for the Science Fair winners and Science and Talent Search winners
Recommended Action: Present Certificates of Recognition for the Science Fair winners and Science and Talent Search winners

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 January 30 special meeting (commissions interviews) City Council minutes
Recommended Action: Approve the January 30 special meeting (commissions interviews) City Council minutes
[A - Draft Minutes](#)

3. Subject: Approve the January 31 special meeting (commissions interviews) City Council minutes
Recommended Action: Approve the January 31 special meeting (commissions interviews) City Council minutes
[A - Draft Minutes](#)
4. Subject: Approve the February 7 City Council minutes
Recommended Action: Approve the February 7 City Council minutes
[A - Draft Minutes](#)
5. Subject: Sidewalk Renovation-Stevens Creek Blvd (Stelling-De Anza) Project, No. 2017-21
Recommended Action: Authorize the City Manager to award and execute a construction contract with JJR Construction, Inc. in the amount of \$179,795 and approve a construction contingency of \$18,000 for a total of \$197,795
[Staff Report](#)
[A - Draft Contract](#)
6. Subject: Approve a semi-rural designation eliminating the requirement for sidewalks on a portion of San Fernando Avenue, south of the Blackberry Farm Entrance, pursuant to Ordinance No. 1925
Recommended Action: Adopt Resolution No. 17-019 designating a portion of San Fernando Avenue as semi-rural
[Staff Report](#)
[A - Draft Resolution](#)
7. Subject: Planning Commission's recommendation to select Don Sun as the Environmental Review Committee representative.
Recommended Action: Accept the Planning Commission's recommendation to the Environmental Review Committee.
[Staff Report](#)

SECOND READING OF ORDINANCES

8. Subject: Second Reading of an ordinance amending Title 11 Chapter 11.08 Sections 11.08.160 and 11.08.180 of the Cupertino Municipal Code Regarding Restrictions on Riding Bicycles on Sidewalks and Pedestrian Paths
- Recommended Action: Conduct the second reading and enact Ordinance No. 17-2161: “An Ordinance of the City Council of the City of Cupertino Amending Title 11 Chapter 11.08 Sections 11.08.160 and 11.08.180 Regarding Restrictions on Riding Bicycles on Sidewalks and Pedestrian Paths”
- [Staff Report](#)
- [A - Draft Ordinance 17-2161](#)

PUBLIC HEARINGS

9. Subject: Consideration pursuant to a Lease with San Jose Water Company, of the reasonableness of an increase in water rates to customers served by the Cupertino Municipal Water System leased to San Jose Water Company. The increase in rates is substantially identical to that authorized for increased costs of operation and maintenance by the California Public Utilities Commission, for systems owned and operated by San Jose Water Company in other areas within the City.
- Recommended Action: 1. Hold a Public Hearing on proposed Cupertino Municipal Water System potable water rates and charges, and:
2. Postpone determination of reasonableness of the requested 3.83% rate increase until such time that San Jose Water Company provides to City relevant cost (repair, maintenance, operation) and relevant revenue data specific to the customers serviced by the Cupertino Municipal Water System.
- [Staff Report](#)
- [Attachment A - Water Service Map](#)
- [Attachment B - Lease Agreement with San Jose Water Company](#)
- [Attachment C - San Jose Water Advice Letter 498 to Public Utilities Com](#)
- [Attachment D - Public Utilities Commission Approved Advice Letter 498](#)
- [Attachment E - September 22, 2016 SJWC request for 2017 water rate inc](#)
- [Attachment F - Public Notices & Comments](#)

10. Subject: Review and consider a development proposal submitted (Scandinavian Furniture Site), for consideration by the City Council, to authorize the proposed applicant to submit an application for a General Plan Amendment and staff to commence environmental and project review. (Application No.: GPAAAuth-2016-01; Applicant: Kings Mill Group, Keith Fichtner; Location: 19900 Stevens Creek Boulevard; APN: 369-05-038)

Recommended Action: Staff recommends that the City Council adopt the Resolution No. 17-020 (Attachment A) after determining whether the application is authorized to move forward to apply for a General Plan Amendment.

[Staff Report](#)

[A - Draft Resolution](#)

[B - City Council policy for General Plan Amendment application procedu](#)

[C - Scandinavian Furniture project plans](#)

[D - General Plan Amendment Request Application: Comprehensive Proje](#)

[E - Fiscal Analysis of 19900 Stevens Creek Boulevard General Plan Ame](#)

[F - Relevant Policies in the EDSP](#)

ORDINANCES AND ACTION ITEMS

REPORTS BY COUNCIL AND STAFF

11. 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.