



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, March 7, 2017

5:30 PM

Special Meeting Televised Study Session (5:30) and 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 07, 2017, commencing at 5:30 p.m. in Community Hall Council Chamber, 10350 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 - 5:30 PM

Community Hall Council Chamber, 10350 Torre Avenue

STUDY SESSION

1. Subject: City Work Program for fiscal year 2017-2018
Recommended Action: Review and provide direction on the fiscal year 2017-2018 City Work Program
[Staff Report](#)
[A - 2017-2018 City Work Program](#)

ADJOURNMENT

REGULAR MEETING

PLEDGE OF ALLEGIANCE - 6:45 PM

Community Hall Council Chamber, 10350 Torre Avenue

ROLL CALL**CEREMONIAL MATTERS AND PRESENTATIONS**

1. Subject: Proclamation for March as Women's History Month
Recommended Action: Present Proclamation for March as Women's History Month
2. Subject: Proclamation for March as Arts Education Month
Recommended Action: Present Proclamation for March as Arts Education Month
3. Subject: Proclamation for March as American Red Cross Month
Recommended Action: Present Proclamation for March as American Red Cross Month

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.

4. Subject: Approve the February 21 City Council minutes
Recommended Action: Approve the February 21 City Council minutes
[A- Draft Minutes](#)
5. Subject: Accept Accounts Payable for the period ending January 6, 2017
Recommended Action: Adopt Resolution No. 17-021 accepting Accounts payable for the period ending January 6, 2017
[A - Draft Resolution](#)
[B - AP Report](#)

6. Subject: Accept Accounts Payable for the period ending January 13, 2017
Recommended Action: Adopt Resolution No. 17-022 accepting Accounts Payable for the period ending January 13, 2017
[A - Draft Resolution](#)
[B - AP Report](#)
7. Subject: Accept Accounts Payable for the period ending January 20, 2017
Recommended Action: Adopt Resolution No. 17-023 accepting Accounts Payable for the period ending January 20, 2017
[A - Draft Resolution](#)
[B - AP Report](#)
8. Subject: Accept Accounts Payable for the period ending January 27, 2017
Recommended Action: Adopt Resolution No. 17-024 accepting Accounts Payable for the period ending January 27, 2017
[A - Draft Resolution](#)
[B - AP Report](#)
9. Subject: Accept Accounts Payable for the period ending February 3, 2017
Recommended Action: Adopt Resolution No. 17-025 accepting Accounts Payable for the period ending February 3, 2017
[A - Draft Resolution](#)
[B - AP Report](#)
10. Subject: Accept Accounts Payable for the period ending February 10, 2017
Recommended Action: Adopt Resolution No. 17-026 accepting Accounts Payable for the period ending February 10, 2017
[A - Draft Resolution](#)
[B - AP Report](#)
11. Subject: Treasurer's Investment Report for Quarter ending December 31, 2016
Recommended Action: Accept the Treasurer's Investment Report for Quarter ending December 31, 2016
[Staff Report](#)
[A - Investment Portfolio](#)
[B - Wells Fargo Listing of Assets](#)
[C - Supplemental Portfolio Analysis](#)

12. Subject: State Senate bills supporting affordable housing
Recommended Action: Adopt a position of support on Senate Bill 2 (Atkins): Building Homes and Jobs Act and SB 3 (Beall): Affordable Housing Bond Act of 2018, and authorize the Mayor to send letters in support of these bills
[Staff Report](#)
[A - Sample Letter of Support - SB2](#)
[B - Sample Letter of Support - SB3](#)
13. Subject: Response to Santa Clara County Civil Grand Jury Follow-Up Request
Recommended Action: Review the request and authorize the City Manager to sign the proposed response
[Staff Report](#)
[A - Proposed Follow-up Responses](#)
[B - Letter requesting a follow-up response](#)
[C - 2012 City Response Letter](#)
[D - 2012 Original Grand Jury Report](#)
14. Subject: Set application deadline and interview date(s) for terms expiring on the Teen Commission
Recommended Action: Staff recommends the following deadlines:
1.) Applications due in the City Clerk's office by 4:30 p.m. on Friday, May 5; and
2.) Interviews held beginning at 3:30 p.m. on Tuesday, May 23 and Wednesday, May 24 (as needed)
[Staff Report](#)
15. Subject: Application for Alcohol Beverage License for JK Bay Area, Inc (dba Round Table Pizza), 20080 Stevens Creek Blvd, Suite 106
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for JK Bay Area, Inc (dba Round Table Pizza), 20080 Stevens Creek Blvd, Suite 106
[Staff Report](#)
[A - Application](#)

SECOND READING OF ORDINANCES

PUBLIC HEARINGS

16. 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). *Postponed from the February 21, 2017 meeting*

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](#)

[G - Email from Darrel Lum, dated February 26, 2017](#)

ORDINANCES AND ACTION ITEMS

17. Subject: Approval of the Mid-Year Financial Report and recommended budget adjustments for Fiscal Year 2016-17

Recommended Action: 1. Accept the City Manager's Mid-Year Financial Report for FY 2016-17

2. Approve the Mid-Year adjustments for FY 2016-17 as described in the Mid-Year Financial Report

3. Adopt Resolution No. 17-027 approving Mid-Year budget adjustments

[Staff Report](#)

[A - Mid-Year Financial Report](#)

[B - Draft Resolution](#)

[C - Performance Measures for each Department](#)

[D - Mid-Year Budget Journals](#)

18. Subject: Regnart Road Emergency Work Declaration, Authorization for the City Manager to Negotiate and Execute a Contract for the Repair Work and Designate the City Manager to apply for Federal and State Disaster Assistance

Recommended Action: Staff recommends that Council Adopt Resolution 17-028 to:

1. Declare the repairs necessary to restore Regnart Road as Emergency Work, per Cupertino Municipal Code Section 3.23.130 and Public Contract Code Section 22050, and award a contract without public bidding;
2. Authorize the City Manager to negotiate and execute a contract to perform the repairs in an amount not to exceed \$350,000; and
3. Designate the City Manager to be authorized to apply for Federal and State disaster assistance for storm related damages, if available
4. Approve a budget adjustment in the amount of \$350,000 to the Transportation Fund 270-85-821 900-990

[Staff Report](#)

[A - Draft Resolution](#)

[B - Photographs](#)

[C - Regnart Road Area](#)

REPORTS BY COUNCIL AND STAFF

19. Subject: Report on Committee assignments and general comments

Recommended Action: Report on Committee assignments and general comments

ADJOURNMENT

20. Subject: Adjourn the meeting in memory of Srinivas Kuchibhotla who was recently killed in Kansas

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.