



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10300 Torre Avenue and 10350 Torre Avenue

Tuesday, April 18, 2017

5:00 PM

Special Meeting Non-Televised Closed Session (5:00) 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, April 18, 2017, commencing at 5:00 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 - 5:00 PM

10300 Torre Avenue, City Hall Conference Room A

CLOSED SESSION

1. Subject: Conference with Legal Counsel- Existing litigation (Subdivision (a) of Gov't Code Section 54956.9); Name of Claimant: Adeline Chiu; Claim No.: ABGV23821A1
2. Subject: Conference with Real Property Negotiators pursuant to Government Code Section 54956.8. Properties: APN 375-21-001, Lawrence Expressway at Mitty Avenue and APN 381-19-015, Lawrence Expressway at Doyle Road. Agency Negotiators: Jaqui Guzman and Gail Seeds. Negotiating Parties: San Jose Water Company; County Roads and Airports; City of San Jose. Under Negotiation: Price and terms of payment

ADJOURNMENT

REGULAR MEETING

PLEDGE OF ALLEGIANCE - 6:45 PM**10350 Torre Avenue, Community Hall Council Chamber****ROLL CALL****CEREMONIAL MATTERS AND PRESENTATIONS****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.

1. Subject: Approve the April 4 City Council minutes
Recommended Action: Approve the April 4 City Council minutes
[A - Draft Minutes](#)
2. Subject: Approval of the City of Cupertino's Green Infrastructure Plan Framework
Recommended Action: Approve the Green Infrastructure Plan Framework (Workplan) to complete a State-mandated Green Infrastructure Plan for the City of Cupertino by September 2019
[Staff Report](#)
[A - City of Cupertino Green Infrastructure Plan Framework](#)
3. Subject: Adoption of resolution, verifying that the City of Cupertino complies with the terms of the Surplus Land Act - Assembly Bill 2135 (California Government Code Section 54220, et seq.)
Recommended Action: Adopt Resolution No. 17-034, verifying that the City of Cupertino complies with the terms of the Surplus Land Act - Assembly Bill 2135 (California Government Code Section 54220, et seq.)
[Staff Report](#)
[A - Draft Resolution](#)

4. Subject: Adopt a resolution authorizing the City Council to designate various staff positions as applicant's agents to represent the City for any applications with the State Office of Emergency Services (OES) and Federal Emergency Management Agency (FEMA) for disaster assistance
Recommended Action: Adopt Resolution No. 17-035 authorizing the City Council to designate various staff positions as applicant's agents to represent the City for any applications with the State Office of Emergency Services (OES) and Federal Emergency Management Agency (FEMA) for disaster assistance
[Staff Report](#)
[A - Cal OES Form 130](#)
[B - Draft Resolution](#)
5. Subject: Application for Alcohol Beverage License for R&T Uniwealth, Inc. (dba Fish Is Wild), 20672 Homestead Road
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for R&T Uniwealth, Inc. (dba Fish Is Wild), 20672 Homestead Road
[Staff Report](#)
[A - Application](#)

SECOND READING OF ORDINANCES

PUBLIC HEARINGS

6. 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 2017-2018
Recommended Action: Consider all objections or protests and adopt Resolution No. 17-036 for approval and renewal of the collection of existing storm drain fees at no increase in rates for fiscal year 2017-2018
[Staff Report](#)
[A - Draft Resolution including Engineer's Report](#)

7. Subject: Municipal Code Amendment to Title 19, Zoning, of the Cupertino Municipal Code, to allow the creating of Single-Story Overlay Zones in single-family residential zoning districts, and an amendment to Fiscal Year 2016-17 Fee Schedule (Application No(s): MCA-2017-02; Applicant(s): City of Cupertino; Location: citywide)

Recommended Action: That the City Council: 1. Find that the proposed actions are exempt from CEQA; and 2. Conduct the first reading of Ordinance No. 17-2162 “An Ordinance of the City Council of the City of Cupertino amending Title 19, Zoning, of the Cupertino Municipal Code Chapter 19.12 (Administration), Chapter 19.20 (Permitted, Conditional and Excluded Uses in Agricultural and Residential Zones), and Chapter 19.28 (Single-Family Residential R-1) Zones), to create a Single-Story Overlay District process”; and 3. Adopt Resolution No.17-037, amending the 2016-17 Fee Schedule to include Single-Story Overlay District applications (Resolution No.16-131), effective June 19, 2017

[Staff Report](#)

[A - Draft Ordinance](#)

[B - Draft Resolution](#)

[C. Redline Changes - Single-Story Overlay](#)

[D - Comparison Chart](#)

[E - Planning Commission Resolution No. 6825](#)

[F - Draft Process and Guidelines](#)

[G - Redline Changes - Schedule C Planning Fees](#)

[H - Frequently Asked Questions](#)

ORDINANCES AND ACTION ITEMS

8. Subject: First Reading of an ordinance amending section 11.27.145 of the Cupertino Municipal Code relating to Designation of Preferential Parking Zone on Randy Lane, Larry Way and a portion of Merritt Drive

Recommended Action: Conduct the first reading of Ordinance No. 17-2163: “An Ordinance of the City Council of the City of Cupertino amending section 11.27.145 of the Cupertino Municipal Code relating to designation of preferential parking zones” on Randy Land, Larry Way, and a portion of Merritt Drive, Monday through Friday between 8 a.m. and 4 p.m.

[Staff Report](#)

[A - Permit Parking Map](#)

[B - Draft Ordinance](#)

REPORTS BY COUNCIL AND STAFF

9. 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.