



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue and 10300 Torre Avenue

Tuesday, June 20, 2017

5:00 PM

Special Meeting Non-Televised Closed Session (5:00)

Followed by 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, June 20, 2017, commencing at 5:00 p.m. for a closed session beginning in Community Hall Council Chamber, 10350 Torre Avenue, Cupertino, California and then moving to 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

10350 Torre Avenue, Community Hall Council Chamber

CLOSED SESSION

1. Subject: Conference with Legal Counsel - Anticipated Litigation Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9 (one potential case)

ADJOURNMENT

REGULAR MEETING

ROLL CALL - 6:45 PM

10350 Torre Avenue, Community Hall Council Chamber

PLEDGE OF ALLEGIANCE

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation for July as National Park & Recreation Month
Recommended Action: Present Proclamation for July as National Park & Recreation Month
2. Subject: Presentation regarding Fourth of July festivities
Recommended Action: Receive presentation regarding Fourth of July festivities
3. Subject: Proclamation for International Yoga Day on June 21
Recommended Action: Present Proclamation for International Yoga Day on June 21
4. Subject: Presentation regarding Climate Action Plan & Greenhouse Gas Inventory
Recommended Action: Receive presentation regarding Climate Action Plan & Greenhouse Gas Inventory
[Staff Report](#)
[A. 2016 Climate Action Plan Progress Update Report](#)
[B. 2015 Greenhouse Gas Inventory Update](#)
[C. CAP Progress Report Summary](#)

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 June 6 City Council minutes
Recommended Action: Approve the June 6 City Council minutes
[A - Draft Minutes](#)

6. Subject: Budget appropriation for the funding agreement between the City of Cupertino and Santa Clara Valley Transportation Authority (VTA) for the I-280/Wolfe Road Interchange Improvements Project
Recommended Action: Approve the budget appropriation for the funding agreement between the City of Cupertino and Santa Clara Valley Transportation Authority (VTA) for the I-280/Wolfe Road Interchange Improvements Project
[Staff Report](#)
[A - Funding Agreement Amendment](#)
7. Subject: 2016 Department of Housing and Community Development (HCD) Annual Housing Element Progress Report
Recommended Action: Accept the 2016 Department of Housing and Community Development (HCD) Annual Housing Element Progress Report
[Staff Report](#)
[A - 2016 HCD Annual Housing Element Progress Report](#)

SECOND READING OF ORDINANCES

PUBLIC HEARINGS

8. Subject: Fiscal Year 2017-18 Fee Schedule (continued from June 6)
Recommended Action: Adopt Resolution No. 17-052 approving the FY 2017-18 Fee Schedule (continued from June 6)
[Staff Report](#)
[A - Draft Resolution](#)
[B - Proposed Schedule A - General Fees](#)
[C - Proposed Fee Schedule B - Engineering Fees](#)
[D - Proposed Fee Schedule C - Planning Fees](#)
[E - Proposed Fee Schedule D - Building Fees](#)
[F - Proposed Fee Schedule E - Recreation](#)

9. Subject: Public hearing to consider the Capital Improvement Plan (CIP); and a finding of General Plan conformance; and the Recommended Budget for Fiscal Year (FY) 2017-18; and the Adoption of the Recommended Budget; and Establishment of the Appropriation Limit, and related actions

Recommended Action: 1. Adopt Resolution No. 17-053 establishing a special project budget for Public Works Traffic Engineering Program for costs related to Apple Pass through Revenues for FY 2017-18; and

2. Adopt Resolution No. 17-054 establishing an Operating Budget and Capital Budget for FY 2017-18; and

3. Approve the appropriation of \$22,000 in Public Works Traffic Engineering for a Senior Mobility Pilot Program; and

4. Approve the appropriation of \$800 to \$1000 for City Council Community Funding for the Iranian Federated Women's Club Event; and

5. Approve the appropriation of \$50,000 for the Creekside Bldg. Roof Modification; and

6. Approve the appropriation of \$779,762 in the Capital Improvement Fund and the appropriation of \$779,762 in transfers out from the Transportation Fund to fund Bike Plan Implementation costs in the Capital Improvement Fund; and

7. Approve the appropriation of \$3 million in Capital Projects for the Bike Plan Implementation and the additional appropriation of \$3 million in transfers out of the Capital Reserve to fund Bike Plan costs; and

8. Adopt Resolution No. 17-055 establishing an Appropriation Limit for FY 2017-18; and

9. Adopt Resolution No. 17-056 amending the Unrepresented Employees' Compensation Program

Staff Report

[A - Draft Resolution - Pass through Revenue Budget for FY 2017-18](#)

[B - Draft Resolution - Operating and Capital Budget for FY 2017-18](#)

[C - Draft Resolution - Appropriation Limit for FY 2017-18](#)

[D - Budget Study Session Follow-up items](#)

[E - Draft Resolution - Unrepresented Employees' Compensation Program](#)

[F - Unrepresented Employees' Compensation Program - Redlined](#)

[G - Unrepresented Employees' Compensation Program - Clean](#)

[H - Job Description - Emergency Services Coordinator](#)

[I - Job Description - Innovation and Technology Manager - Applications](#)

[J - Job Description - Transportation Manager](#)

- 10.** Subject: 2017-18 Community Development Block Grant (CDBG) Program, General Fund Human Service Grants (HSG) Program and Below Market Rate (BMR) Affordable Housing Fund (AHF) funding allocations
- Recommended Action: Conduct the Public Hearing and adopt Resolution 17-057 approving the 2017-18 Community Development Block Grant Program (CDBG), General Fund Human Service Grants (HSG) Program and Below Market Rate (BMR) Affordable Housing Fund (AHF) funding allocations
- [Staff Report](#)
- [A - Draft Resolution](#)
- [B - Housing Commission Resolution No. 17-02](#)
- [C - 2017-18 CDBG, HSG and BMR AHF Grant Application Summary](#)
- [D - 2017-18 CDBG, HSG and BMR AHF Grant Application Descriptions](#)
- [E - 2017-18 CDBG Capital Housing Project Contract](#)
- [F - 2017-18 CDBG Public Service Contract Amendment](#)
- [G - 2017-18 HSG Public Service Contract Amendment](#)
- [H - 2017-18 BMR AHF Public Service Contract Amendment](#)
- [I - 2017-18 BMR AHF Public Service Contract](#)

11. Subject: Development project to consider allowing the construction of a 19 unit affordable senior housing development with associated parking and landscape improvements on a vacant parcel including a Heart of the City Exception to allow 100% of the front and rear of the property to be a non-retail use (Application No. (s): DP-2016-02, ASA-2016-15, EXC-2017-03; Applicant(s): Kathy Robinson (Charities Housing); Location: 19160 Stevens Creek Boulevard; APN(s): 375-07-001)

Recommended Action: Staff recommends that the City Council:

1. Find that the proposed actions are exempt from CEQA; and
2. Adopt Resolution No. 17-058 approving Development Permit (DP-2016-02); and
3. Adopt Resolution No. 17-059 approving Architectural and Site Approval (ASA-2016-15); and
4. Adopt Resolution No. 17-060 approving Heart of the City Exception (EXC-2017-03)

[Staff Report](#)

[A - Draft Resolution \(DP-2016-02\)](#)

[B - Draft Resolution \(ASA-2016-15\)](#)

[C - Draft Resolution \(EXC-2017-03\)](#)

[D - Public Comments](#)

[E - Memo to File regarding Use Permit and CEQA Exemption](#)

[F - Plan Set](#)

[G - Planning Commission Resolution No. 6829](#)

[H - Planning Commission Resolution No. 6830](#)

[I - Planning Commission Resolution No. 6831](#)

ORDINANCES AND ACTION ITEMS

12. Subject: Brush abatement for public nuisance and potential fire hazard

Recommended Action: Remove this item from the agenda since all parcels on the list have complied

[Staff Report](#)

[A - SCCFD Letter](#)

13. Subject: First reading of an Ordinance Amending Chapter 16.72 of the Cupertino Municipal Code regarding Recycling and Diversion of Construction and Demolition Waste

Recommended Action: Conduct the first reading of Ordinance No. 17-2164: "An Ordinance of the City Council of the City of Cupertino amending Sections 16.72.010, 16.72.020, 16.72.030, 16.72.040, 16.72.050, 16.72.060 and 16.72.070 of Chapter 16.72 of Title 16 of the Cupertino Municipal Code regarding recycling and diversion requirements for construction and demolition waste to be consistent with the California Green Building Standards Code"

[Staff Report](#)

[A - Proposed Ordinance](#)

[B - Redline Proposed Ordinance](#)

REPORTS BY COUNCIL AND STAFF

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.