



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, April 17, 2018

6:45 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation to the Tongxiang Friendship-city delegation
Recommended Action: Present Proclamation to the Tongxiang Friendship-city delegation
2. Subject: Proclamation to Councilmember Barry Chang and G-50 Conference volunteers
Recommended Action: Present Proclamation to Councilmember Barry Chang and G-50 Conference volunteers for coordinating the first G-50 Smart Cities conference held on April 6, 2018
3. Subject: Presentation from De Anza College President Brian Murphy regarding the college strategic planning update
Recommended Action: Receive presentation from De Anza College President Brian Murphy regarding the college strategic planning update
4. Subject: Update regarding status of 2016 Bicycle Transportation Plan Implementation
Recommended Action: Receive update regarding status of 2016 Bicycle Transportation Plan Implementation
[Staff Report](#)

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 April 3 City Council minutes
 Recommended Action: Approve the April 3 City Council minutes
 [A - Draft Minutes](#)
6. Subject: Accept Accounts Payable for the period ending March 23, 2018
 Recommended Action: Adopt Resolution No. 18-031 accepting Accounts Payable for the period ending March 23, 2018
 [A - Draft Resolution](#)
 [B - AP Report](#)
7. Subject: Accept Accounts Payable for the period ending March 30, 2018
 Recommended Action: Adopt Resolution No. 18-032 accepting Accounts Payable for the period ending March 30, 2018
 [A - Draft Resolution](#)
 [B - AP Report](#)
8. Subject: Approve Treasurer's Investment Report for the Quarter Ending March 2018
 Recommended Action: Accept the report
 [Staff Report](#)
 [A - Investment Portfolio](#)
 [B - Wells Fargo Value comparison report](#)
 [C - Supplemental Portfolio Analysis](#)

9. Subject: Approve resolution amending the Memorandum of Understanding between the City of Cupertino and the Cupertino Employees Association (CEA), for the period of October 1, 2016 to June 30, 2019, to include sideletters regarding Assembly Bill 119 and the establishment of a Labor Management Committee.
- Recommended Action: Adopt Resolution No. 18-033 amending the Memorandum of Understanding between the City of Cupertino and the Cupertino Employees Association (CEA), for the period of October 1, 2016 to June 30, 2019, to include sideletters regarding Assembly Bill 119, Government Code Section 3555-3559; and the establishment of a Labor Management Committee.
- [Staff report](#)
- [A - Draft Resolution](#)
- [B - Agreement: Access to New Employees](#)
- [C - Agreement: Labor Mgmt. Committee - Redlined](#)
- [D - Agreement: Labor Mgmt. Committee - Clean](#)
10. Subject: Wayfinding Signage Program for Local Wineries
- Recommended Action: Approve the signage program for the Cupertino segment of the Santa Cruz Mountains Winegrowers Wine Trail
- [Staff Report](#)
- [A - Map of Cupertino-based wineries](#)
- [B - SCMWA Purple Wine Trail Sign](#)
- [C - Wine Trail Signage and Locations](#)
11. Subject: Resolution adopting a Complete Streets Policy to further the goals of meeting the safety, access, and mobility needs of all users of the roadways
- Recommended Action: Adopt Resolution No. 18-034, adopting a Complete Streets Policy to further the goals of meeting the safety, access, and mobility needs of all users of the roadways
- [Staff Report](#)
- [A - Draft Policy](#)
- [B - Draft Resolution](#)

12. Subject: Approval of two separate Master Agreements between the City of Cupertino and the Gilbane Building Company and between the City of Cupertino and CSG Consultants, Inc. to provide construction management services on various Capital Improvement Projects

Recommended Action: a. Authorize the City Manager to execute a Master Agreement between the City of Cupertino and the Gilbane Building Company in the amount not to exceed \$500,000 for a term of approximately two years; and b. Authorize the City Manager to execute a Master Agreement between the City of Cupertino and CSG Consultants, Inc. in the amount not to exceed \$500,000 for a term of approximately two years

[Staff Report](#)

[A – Draft Master Agreement with Gilbane Building Company](#)

[B – Draft Master Agreement with CSG Consultants, Inc.](#)

13. Subject: Cupertino Bikeway Project - Acceptance of outside funding, authorization of funding agreement, and appropriation of funds

Recommended Action: 1. Authorize acceptance of a \$138,359 Transportation Fund for Clean Air (TFCA) grant and authorize the City Manager to execute a funding agreement with the Bay Area Air Quality Management District (BAAQMD).

2. Amend approved FY 17/18 Capital Improvement Program Budget by an additional amount of \$138,359 for TFCA project budget.

[Staff Report](#)

[A - Draft TFCA Funding Agreement](#)

SECOND READING OF ORDINANCES

14. Subject: Amend Cupertino Municipal Code Chapter 2.48 to codify design approval authority for public improvements and update the organizational structure of the Department of Public Works

Recommended Action: a. Conduct the second reading of Ordinance No. 18-2173: “An Ordinance of the City Council of the City of Cupertino Amending Section 2.48. of Title II of the Cupertino Municipal Code Pertaining to the Approval of Plans and Designs for Public Improvements and Updating the Organizational Structure of the Department of Public Works”; and b. enact the ordinance. The first reading was conducted on April 3

[Staff Report](#)

[A -Draft Ordinance](#)

[B - Redline Changes](#)

PUBLIC HEARINGS

- 15.** Subject: FY 2018-19 Community Development Block Grant (CDBG) Program, Below Market Rate (BMR) Affordable Housing Fund (AHF), and General Fund Human Service Grants (HSG) Program funding allocations

Recommended Action: 1. Adopt Resolution No. 18-035 approving the FY 2018-19 CDBG, BMR AHF, and HSG funding allocations;
2. Set an annual limit of \$50,000 for the BMR AHF public service fund starting in FY 2018-19;
3. Increase the General Fund allocation towards the HSG fund from \$40,000 to an annual amount of \$100,000 starting in FY 2018-19
4. Authorize the City Manager to negotiate and execute FY 2018-19 CDBG, BMR AHF, and HSG grant agreements.

[Staff Report](#)

[A - Draft Resolution](#)

[B - FY 18-19 NOFA RFP](#)

[C - 2018-19 CDBG, BMR AHF, and HSG Grant Application Description](#)

[D - Housing Commission Resolution No. 18-02](#)

[E - Sample CDBG Capital Housing Project Grant Agreement](#)

[F - Sample CDBG Public Service Grant Agreement](#)

[G - Sample BMR AHF Capital Housing Grant Agreement](#)

[H - Sample BMR AHF Public Services Grant Agreement](#)

[I - Sample HSG Grant Agreement](#)

16. Subject: Development Permit, Use Permit, and Architectural and Site Approval applications for The Forum at Rancho San Antonio, a continuing care retirement community that currently exists on a 51.5-acre site. Application No(s): DP-2017-01 (EA-2017-01), ASA-2017-03, TR-2018-06; Applicant(s): Mary Elizabeth O'Connor (Rancho San Antonio Retirement Housing Corp); Location: 23500 Cristo Rey Drive, APN# 342-54-999

Recommended Action: Conduct the Public Hearing and:

1. Approve the Development Permit (DP-2017-01) and Environmental Analysis (EIR) (EA-2017-01); and Certify the final Environmental Impact Report pursuant to the California Environmental Quality Act, and adopt the mitigation monitoring and reporting program per Resolution No. 18-036;
2. Approve the Architectural and Site approval (ASA-2017-03) per Resolution No. 18-037;
3. Approve the Tree Removal Permit (TR-2018-06) to allow the removal and replacement of 25 protected trees per Resolution No. 18-038;

Staff Report

[A.1 - Draft Resolution DP](#)

[A.2 - Draft Resolution ASA](#)

[A.3 - Draft Resolution TR](#)

[B.0 - Project letter](#)

[B.1 - Project Plans - G0-A1-Series](#)

[B.2 - Project Plans - A2-Series](#)

[B.3 - Project Plans - A3-Series](#)

[B.4 - Project Plans - A4-Series](#)

[B.5 - Project Plans - A5-Series](#)

[B.6 - Project Plans - A6-Series](#)

[B.7 - Project Plans - A7-A8-Series](#)

[B.8 - Project Plans - Landscape](#)

[B.9 - Project Plans - Civil](#)

[C.1 - EIR Chapter 1-3](#)

[C.2 - EIR Chapter 4](#)

[C.3 - EIR Chapter 5-7](#)

[C.4 - EIR response to comments](#)

[D - Public comments](#)

[E - ERC minutes](#)

[F - Planning Commission resolutions](#)

17. Subject: Fiscal Year 2018-19 Fee Schedule

Recommended Action: Adopt Resolution No. 18-039 approving the FY2018-19 Fee Schedule

[Staff Report](#)

[A - Draft Resolution](#)

[B - Fee Schedule A - General](#)

[C - Fee Schedule B - Engineering](#)

[D - Fee Schedule C - Planning](#)

[E - Fee Schedule D - Building](#)

[F - Fee Schedule E - Recreation](#)

ORDINANCES AND ACTION ITEMS

18. Subject: State Route 85 Transit Guideway Study

Recommended Action: Receive report on State Route (SR) 85 Transit Guideway Study and authorize the Mayor to send a letter to the Valley Transportation Authority (VTA) requesting advance funding for Task 2 and Task 3

[Staff Report](#)

[A - Draft Letter to VTA](#)

REPORTS BY COUNCIL AND STAFF

19. 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.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. You are hereby admonished not to include any personal or private information in written communications to the City that you do not wish to make public; doing so shall constitute a waiver of any privacy rights you may have on the information provided to the City.

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.