



# **CITY OF CUPERTINO**

## **AGENDA**

### **CITY COUNCIL**

**10300 Torre Avenue and 10350 Torre Avenue**

**Tuesday, December 18, 2018**

**5:00 PM**

**Second Amended Non-televised Special Meeting Closed Session (5:00) and Televised Regular Meeting (6:45)**

**Amended on 12/17/18 at 4:00 PM to remove Special Meeting Item Nos. 2 and 3 and add Special Meeting Item No. 1A**

**Amended on 12/11/18 at 7:45 p.m. to reorder Item Nos. 9 & 10**

### **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, December 18, 2018, 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**

#### **CLOSED SESSION - 5:00 PM**

**City Hall Conference Room A, 10300 Torre Avenue**

#### **ROLL CALL**

- 1. Subject: Conference with Real Property Negotiator (Gov't Code 54956.8); Property: 10800 Torre Avenue, Agency Negotiator: Timm Borden (Coffee Society); Under Negotiation: Lease Extension**
- 1A. Subject: Public Employee Appointment: Title: Interim City Manager (California Gov. Code Sections 54957, 54957(b))**

#### **ADJOURNMENT**

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

1. Subject: Proclamations to the Santa Clara County Fire Department and the American Red Cross for their response efforts to the Camp Fire  
Recommended Action: Present Proclamations to the Santa Clara County Fire Department and the American Red Cross for their response efforts to the Camp Fire
2. Subject: Presentation on vigilance against package theft and raising awareness for prevention  
Recommended Action: Receive presentation on vigilance against package theft and raising awareness for prevention

**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.*

3. Subject: Approve the December 4 City Council minutes  
Recommended Action: Approve the December 4 City Council minutes  
[A - Draft Minutes](#)
4. Subject: Approve the December 6 City Council minutes  
Recommended Action: Approve the December 6 City Council minutes  
[A - Draft Minutes](#)

5. Subject: Cancel the Wednesday, January 2, 2019 regular City Council meeting (moved from Tuesday, January 1 due to holiday as per CMC 2.04.010).  
Recommended Action: Cancel the Wednesday, January 2, 2019 regular City Council meeting (moved from Tuesday, January 1 due to holiday as per CMC 2.04.010).  
[Staff Report](#)
6. Subject: Resolution in support of the Fourth U.S. National Climate Assessment  
Recommended Action: Adopt Resolution No. 18-118 supporting the Fourth U.S. National Climate Assessment  
[Staff Report](#)  
[A- Draft Resolution of Support National Climate Assessment](#)

## **SECOND READING OF ORDINANCES**

## **PUBLIC HEARINGS**

## **ORDINANCES AND ACTION ITEMS**

7. Subject: Receive the City Clerk's Certification of Sufficiency for referenda petitions against the following resolutions and ordinances, and direct staff to bring back options at the next regular meeting for Council to take as required by California Elections Code Section 9241. (Those actions include (1) repealing any or all of the resolutions or ordinances against which the petition is filed; and (2) submitting any or all of the resolutions or ordinances to the voters, either at the next regular municipal election or at a special election called for the purpose):

Resolution No. 18-085: A Resolution of the City Council of the City Of Cupertino Approving a General Plan Amendment to Development Allocations, the General Plan Land Use Map and Development Standards Related to the Vallco Town Center Special Area

Resolution No. 18-086: A Resolution of the City Council of the City of Cupertino Adopting the Vallco Town Center Specific Plan

Ordinance No. 18-2178: An Ordinance of the City Council of the City of Cupertino Rezoning the Parcels within the Vallco Special Area

Ordinance No. 18-2179: Ordinance of the City Council of the City of Cupertino Approving a Development Agreement by and Between the City of Cupertino and Vallco Property Owner LLC for the Development of Vallco Town Center

Recommended Action: Receive the City Clerk's Certification of Sufficiency for referenda petitions against Resolution Nos. 18-085 and 18-086, and Ordinance Nos. 18-2178 and 18-2179, and direct staff to bring back options at the next regular meeting for Council to take as required by California Elections Code Section 9241. (Those actions include (1) repealing any or all of the resolutions or ordinances against which the petition is filed; and (2) submitting any or all of the resolutions or ordinances to the voters, either at the next regular municipal election or at a special election called for the purpose).

[Staff Report](#)

[A – Validation Letters from the Registrar of Voters Office](#)

8. Subject: Schedule a study session to review, clarify, and discuss the Code of Ethics and Conduct for Elected and Appointed Officials adopted by Council on November 20, 2018

Recommended Action: Schedule a study session at the January 15, 2019 City Council meeting to review, clarify, and discuss the Code of Ethics and Conduct for Elected and Appointed Officials adopted by Council on November 20, 2018.

[Staff Report](#)

[A - Cupertino Commissions and Committees](#)

## **REPORTS BY COUNCIL AND STAFF**

9. Subject: Report on the 2018 Pilot Neighborhood Events Program and Discussion of Future Neighborhood Events Programs.

Recommended Action: Accept report on the 2018 pilot neighborhood events program and provide staff direction on offering an ongoing neighborhood events program in the future.

[Staff Report](#)

[A - City Council Staff Report March 6, 2018](#)

[B - Neighborhood Events Brochure.pdf](#)

10. Subject: Report on Committee assignments and general comments

Recommended Action: Report on Committee assignments and general comments

## **ADJOURNMENT**

11. Subject: Adjourn in memory of former Cupertino Mayor Bob Meyers

Recommended Action: Adjourn in memory of former Cupertino Mayor Bob Meyers

*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.*