



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, March 6, 2018

6:45 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation declaring March as Youth Arts Month
Recommended Action: Present Proclamation declaring March as Youth Arts Month
2. Subject: Proclamation proclaiming March as American Red Cross Month and presentation from the American Red Cross regarding local activities
Recommended Action: Present Proclamation proclaiming March as American Red Cross Month and receive presentation from the American Red Cross regarding local activities

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 February 10 City Council Minutes
Recommended Action: Approve the February 10 City Council Minutes
[A - Draft Minutes](#)

4. Subject: Approve the February 20 City Council minutes
Recommended Action: Approve the February 20 City Council minutes
[A - Draft Minutes](#)
5. Subject: Accept Accounts Payable for the period ending January 26, 2018
Recommended Action: Adopt Resolution No. 18-016 accepting Accounts Payable for the period ending January 26, 2018
[A - Draft Resolution](#)
[B - AP Report](#)
6. Subject: Accept Accounts Payable for the period ending February 2, 2018
Recommended Action: Adopt Resolution No. 18-017 accepting Accounts Payable for the period ending February 2, 2018
[A - Draft Resolution](#)
[B - AP Report](#)
7. Subject: Set the voluntary limit at \$29,000 for campaign expenditures for the November 6, 2018 City Council election
Recommended Action: Adopt Resolution No. 18-018 setting a voluntary campaign expenditure limit of \$29,000 for the November 6, 2018 City Council election
[Staff Report](#)
[A - Draft Resolution](#)
8. Subject: Set application deadline and interview date(s) for three terms expiring on the Teen Commission
Recommended Action: Set the following application deadline and interview date(s) for three terms expiring on the Teen Commission:
 1. Applications due in the City Clerk's office by 4:30 p.m. on Friday, May 4; and
 2. Interviews held beginning at 3:30 p.m. on Tuesday, May 22 and Wednesday, May 23 (as needed)[A - Staff Report](#)
9. Subject: City Work Program for Fiscal Year 2018-2019
Recommended Action: Approve the City Work Program for Fiscal Year 2018-2019
[Staff Report](#)
[A - 2018-2019 City Work Program](#)

10. Subject: Update Teen Commission application requirements limiting Teen Commission applicants to students in grades 8 through 11
Recommended Action: Adopt Resolution No. 18-019 that limits the Teen Commission applicants to students in grades 8 through 11 and revokes earlier resolutions governing the Teen Commission
[Staff Report](#)
[A - Draft Resolution](#)
11. Subject: Planning Commission's recommendation to select Geoff Paulsen as the Environmental Review Committee representative
Recommended Action: Accept the Planning Commission's recommendation to the Environmental Review Committee
[Staff Report](#)
12. Subject: Award and authorize the City Manager to execute a construction contract for the South De Anza Boulevard Medians-Phase 1 Project (Project No. 2015-21.02).
Recommended Action: 1. Award and authorize the City Manager to execute a construction contract for the South De Anza Boulevard Medians-Phase 1 Project with Clean Cut Landscape Incorporated in the amount of \$1,032,904.92; and
2. Authorize a construction contingency budget of \$103,000, approximately 10% of the contract amount, to address unforeseen conditions during construction, for a total of \$1,135,904.92.
[Staff Report](#)
[A - Draft Contract](#)
13. Subject: Reject all bids for a construction contract for the Service Center Shed #3 Improvement Project (Project No 2017-08)
Recommended Action: Reject all bids for a construction contract for the Service Center Shed #3 Improvement Project (Project No 2017-08)
[Staff Report](#)

SECOND READING OF ORDINANCES

PUBLIC HEARINGS

ORDINANCES AND ACTION ITEMS

14. Subject: Approve the Mid-Year Financial Report and recommended budget adjustments for Fiscal Year 2017-18
Recommended Action: 1. Accept the City Manager's Mid-Year Financial Report for Fiscal Year 2017-18; 2. Approve the Mid-Year adjustments for Fiscal Year 2017-18 as described in the Mid-Year Financial Report; 3. Adopt Resolution No. 18-020 approving Mid-Year budget adjustments
[Staff Report](#)
[A - Mid-Year Financial Report FY2017-18](#)
[B - Draft Resolution](#)
[C - Performance Measures for each Department](#)
[D - Mid-Year Budget Journal](#)
[E - Santa Clara County Creeks Coalition Letter](#)
15. Subject: Social Host Responsibility ordinance
Recommended Action: Following the first and second readings, adopt Ordinance No. 18-2172:" An Ordinance of the City Council of the City of Cupertino adding Chapter 10.05 "Social Host Responsibility" to the Cupertino Municipal Code, Article 10 "Public Peace and Morals" to deter underage drinking and drug use during events/gatherings"
[Staff Report](#)
[A - Local Social Host Ordinances](#)
[B - Draft Ordinance](#)
16. Subject: Add Chamber of Commerce focus group committees to Council Committee assignments (Support Local Businesses, Transportation, and Housing/Redevelopment)
Recommended Action: Add Chamber of Commerce focus group committees to Council Committee assignments (Support Local Businesses, Transportation, and Housing/Redevelopment)
[A - 2018 Committee Assignments](#)
17. Subject: SB 100: California Renewables Portfolio Standard Program (De León)
Recommended Action: Support SB 100 (De León) and authorize the Mayor to send letters of support to state legislative leaders along with our state delegation.
[Staff Report](#)
[A - Sample Letter of Support](#)

18. Subject: SB 827 - Transit-Rich Housing Bonus (Weiner)

Recommended Action: Oppose SB 827 (Weiner) and authorize the Mayor to send letters of opposition to state legislative leaders along with our state delegation.

[Staff Report](#)

[A - Sample Letter of Opposition](#)

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 in memory of former Cupertino Mayor Jerry J. Fitzgerald

Recommended Action: Adjourn in memory of former Cupertino Mayor Jerry J. Fitzgerald

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.