



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10300 Torre Avenue and 10350 Torre Avenue

Tuesday, September 17, 2019

5:30 PM

Non-Televised Special Meeting Closed Session (5:30) 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, September 17, 2019, commencing at 5:30 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 - 5:30 PM

CLOSED SESSION

1. Subject: Public Employee Performance Evaluation (Gov't Code Section 54957). Title: City Attorney.

ADJOURNMENT

REGULAR MEETING

PLEDGE OF ALLEGIANCE - 6:45 PM

ROLL CALL

CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Present award to Cupertino resident Vishnu Athrey from Saint Andrews Episcopal School for winning the Qalaxia Build_your_ BOT contest (continued from September 3)
Recommended Action: Present award to Cupertino resident Vishnu Athrey from Saint Andrews Episcopal School for winning the Qalaxia Build_your_ BOT contest.

POSTPONEMENTS**ORAL COMMUNICATIONS**

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. The total time for Oral Communications will ordinarily be limited to one hour. Individual speakers are limited to three (3) minutes. As necessary, the Chair may further limit the time allowed to individual speakers, or reschedule remaining comments to the end of the meeting on a first come first heard basis, with priority given to students. In most cases, State law will prohibit the Council from discussing or making any decisions with respect to a matter not listed on the agenda.

REPORTS BY COUNCIL AND STAFF (10 minutes)

2. Subject: Report on Committee assignments
 Recommended Action: Report on Committee assignments

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 September 3 City Council minutes
 Recommended Action: Approve the September 3 City Council minutes
 [A - Draft Minutes](#)
4. Subject: Application for Alcohol Beverage License for I&P Runway, LLC (dba Ippudo Ramen), 19540 Vallco Parkway, Suite #130
 Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for I&P Runway, LLC (dba Ippudo Ramen), 19540 Vallco Parkway, Suite #130
 [Staff Report](#)
 [A-Application](#)
5. Subject: Application for Alcohol Beverage License for Stak Partners, LLC (dba El Greco Grill), 20080 Stevens Creek Boulevard, Suite #104
 Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Stak Partners, LLC (dba El Greco Grill), 20080 Stevens Creek Boulevard, Suite #104
 [Staff Report](#)
 [A-Application](#)
6. Subject: Application for Alcohol Beverage License for Little Dipper Cupertino, LLC (dba Little Dipper Shabu Shabu), 20588 Stevens Creek Boulevard

Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Little Dipper Cupertino, LLC (dba Little Dipper Shabu Shabu), 20588 Stevens Creek Boulevard

[Staff Report](#)

[A-Application](#)

7. Subject: Application for Alcohol Beverage License for Ramen United, Inc. (dba Afuri Ramen & Dumpling), 20803 Stevens Creek Boulevard, Suite #110

Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for Ramen United, Inc. (dba Afuri Ramen & Dumpling), 20803 Stevens Creek Boulevard, Suite #110

[Staff Report](#)

[A-Application](#)

8. Subject: Approve option to use design-build procurement for qualifying projects and establish a corresponding conflict-of-interest limitation pursuant to Public Contract Code section 22160 et seq.

Recommended Action: Adopt Resolution No. 19-114 approving the use of design-build project delivery pursuant to Public Contract Code section 22160 et seq., and establish a corresponding conflict-of-interest limitation pursuant to Public Contract Code section 22162.

[Staff Report](#)

[A - Draft Resolution](#)

SECOND READING OF ORDINANCES

PUBLIC HEARINGS

ORDINANCES AND ACTION ITEMS

9. Subject: Receive information report and presentation on Regnart Creek Trail 65% design and revised estimated costs; consideration of various trail improvement options (some of which also include on-street bicycle improvements) and alternative trail alignments to the proposed trail (on-street Alternatives 4 and 5); and, if design of the proposed trail continues, consider an increase to the design and environmental budget.

Recommended Action: Receive information report and presentation on Regnart Creek Trail 65% design and revised estimated costs; trail improvement options, and Alternatives 4 and 5 to the proposed trail; and if Council continues to move forward with design of the proposed trail:

1. Provide direction to staff regarding completion of design with a preferred trail improvement option A, B, C, D, E, or F; and
2. Adopt draft Resolution 19-115 amending the FY 2019/20 Capital Improvement Program budget to increase the budget to perform design and environmental clearance services from \$538,000 to \$813,000.

[Staff Report](#)

[A - Valley Water Letter](#)

[B - Community Outreach and Engagement](#)

[C - 65% Plans](#)

[D - Drawing of Intersection Crossing](#)

[E - Alternative 4 and 5 Alignments](#)

[F - Popular Trail Widths](#)

[G - Alternative Scenario Cost Comparison](#)

[H - Draft Resolution](#)

[I - Items that Remain in Progress with Valley Water](#)

ORAL COMMUNICATIONS - CONTINUED (As necessary)

COUNCIL AND STAFF COMMENTS AND FUTURE AGENDA ITEMS

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.