



CITY OF CUPERTINO

AGENDA

CITY COUNCIL

10300 Torre Avenue, Conference Room A

Monday, January 14, 2019

6:00 PM

Non-televised Special Meeting Closed Session

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 Monday, January 14, 2019, commencing at 6:00 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."

SPECIAL MEETING

ROLL CALL

CLOSED SESSION

1. Subject: Conference with Labor Negotiator (Government Code Section 54957.6);
City designated representatives: Director of Administrative Services and City Manager; Employee organizations: Operating Engineers Local No. 3 Union; Cupertino Employees' Association; Unrepresented (Management and Confidential) Employees' Compensation Program
2. Subject: Conference with Legal Counsel - Anticipated Litigation; (Government Code Section 54956.9(d)):
 - a. Significant Exposure to Litigation (Government Code Section 54956.9(d)(2)) (2 matters)
 - b. Possible Initiation of Litigation (Government Code Section 54956.9(d)(4)) (2 matters)

3. Subject: Conference with Legal Counsel - Pending Litigation; (Government Code section 54956.9(d)):
- a. *Friends of Better Cupertino, et al. v. City of Cupertino* (SB 35 Vallco Project); Santa Clara County Superior Court, Case No. 18CV330190
 - b. *Friends of Better Cupertino, et al. v. City of Cupertino* (Vallco Specific Plan - 2 Ordinances); Santa Clara County Superior Court, Case No. 18CV337015
 - c. *Committee Supporting Cupertino Citizens' Sensible Growth Initiative, et al v. Schmidt, et al.* (Measure C); Santa Clara County Superior Court Case No. 16CV296322
 - d. *Sparks, et al., v. Schmidt, et al.* (Gateway Initiative); Santa Clara County Superior Court Case No. 16CV301471

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.